

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2019/62/92665/W

Site Address: 4, Crodingley, Thongsbridge, Holmfirth, HD9 3TZ

Description: Erection of single storey front and side extensions, render and timber cladding to side and rear elevations

Recommending Officer: Danielle Cooper

DECISION – Conditional full permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Teresa Harlow

AUTHORISED OFFICER

Date: 24-Sep-2019

Officer Report

Site Description

4, Crodingley, Thongsbridge, Holmfirth is a detached bungalow constructed of stone to the front with buff brick to the sides and rear with tiled roof. The dwelling benefits from a reasonably sized open garden with a single garage to the side and hardstanding surface in front. The site is located in a residential area which comprises a mix of dwellings in terms of similar character, style and design to the application site.

Description of Proposal

Permission is sought for the erection of single storey front and side extensions to accommodate a bedroom, utility and workshop and a larger entrance hall way. The extensions will be constructed from a mix of stone to the front, with timber cladding and render (as shown on plans) with a tiled roof. Parts of the existing dwelling will be rendered as well as the inclusion of timber cladding (planning permission is sought for these proposed materials as development is not permitted by Class A if the dwelling includes cladding on any part of the exterior walls with stone and render).

The front extension will project forward to create a longer hallway and adjoin with the existing projecting gable structure. This element would result in a single gable being formed over the existing space and new hallway. The height of the roof would match that of the main roof.

The side extension will have a tiled roof which will adjoin to the existing main roof to form an extended gable which marries with the existing structured roof. A small section to the rear would be retained with a flat roof.

Side extension

- Width 3.3m
- Length 3m
- Overall height 4.2m

Front extension (Hall)

- Projection 3m (in line with the front of the host dwelling)
- Width 2.1m

- Overall height 4.2m (proposed gable roof over extension and existing projecting element of the dwelling)

The proposed alterations include upv windows to the rear of the side extension, as well as a new door and window for the new front hallway. Elements will match those on the existing. To the rear, located next to the existing patio doors, a timber privacy shield will be inserted to the west side elevation as shown on the submitted plans. The rear elevation will be changed to a mix of timber cladding and white render. The side elevation will be rendered with a white finish with solar panels integrated on the rear roof. The side elevations of the projecting front gable will be timber clad with a fully glazed opening to the enlarged hallway.

A garage door will be retained on the side extension.

History of negotiations/amendments received

Amendments were received by the applicant to remove the raised area to the rear and keep as existing.

Relevant Planning History

No relevant planning history

Representations

The application was publicised by site notice and neighbour notification letter

Final publicity date Expires: 13/09/19

Holme Valley Parish Council – Support

No representations were received. The amended plan was not re-advertised as this reduced the scale of the development.

Consultation Responses

No consultation were required or sought.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 Achieving sustainable development**
- **LP2 Place Shaping**
- **LP21 Highway safety and access**
- **LP22 Parking**
- **LP24 Design**

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places

Assessment

The following matters are considered in the assessment below

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

Principle of Development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP1 goes on further to stating that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

Chapter 2 of the NPPF states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Chapter 2 of the NPPF goes on further to state that:

“to support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by

fostering a well-designed and safe built environment". As well as "making effective use of land".

In this instance, it can be stated that the principle of development of this application is acceptable. Therefore, the application is subject to the assessment of impacts on visual and residential amenity, as well as highway safety.

Impact on visual amenity:

The NPPF provides guidance in respect of design in chapter 12 (Achieving well designed places) with 124 providing an overarching consideration of design stating 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

Kirklees Local Plan policies LP1, LP2 and importantly, LP24 are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

LP24 states that all proposals should promote good design by ensuring the following:

'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape' and that 'extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers'.

The front extension would align with the existing projecting gable and would harmonise well with the scale and appearance of the original dwelling. Although the height of the roof would be increased this would be no higher than the main roof and would not appear overly prominent in the streetscene. The front elevation would be largely glazed with the predominant stone frontage retained. The use of timber cladding on the side elevations of this element would harmonise with the wider palette of materials and, in any case, is set down from street level.

The proposed side extension which will be brought forward by 3m, will retain the existing garage door on the host dwelling. The side extension would also raise the roof so that it would be in line with the ridge of the host dwelling. The extension will therefore marry up with the host dwelling, but still appear subservient in relation to the original structure. A clear gap is retained between the side wall of the dwelling and the property boundary with no. 2. This would maintain the spacious nature of properties within Crodingley.

It has been considered that the proposed materials of cladding and render to the side and rear elevations would be acceptable in the context of Crodingley. Other houses along the road already display elements of white render and the

principal elevation will be retained in natural stone. The integration of solar panels to the rear roof would enhance the sustainability of the development and would contribute to the mitigation of climate change.

Overall, the proposals will not cause any undue harm to the visual amenity of the street scene given the materials, design and scale of development. For the reasons set out above, the proposal would keep in with the surrounding area, ensuring the visual amenity is protected according with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact on residential amenity:

LP24 states that alterations to existing buildings should provide the following: 'high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distance between buildings and the creation of development-free buffer zones between housing ... and means of screening where necessary'.

In regards to properties which would be most affected by the development, the residential amenity has been assessed against no. 2 & 6 Crodingley. It also noted that the rear gardens of the properties are open with no actual boundary treatment in place apart from some planting and small trees, therefore there is already an existing relationship in regards to overlooking. There is also a significant difference in levels between this site and the surrounding dwellings. No.2 is on a higher ground level and no. 6 lower.

In regards to no. 2 Crodingley, in regards to overlooking, as there are no openings on the proposed side elevation of the side extension and the existing door on the side elevation is to be removed it has been considered that there will be no undue impact to their privacy. However, as no. 2 has a habitable side window facing onto the side extension, which includes a pitched roof, there will be some overshadowing of this window. The proximity of the extension to this window could also have an overbearing impact. I have carefully considered these matters. A separation of 5m would be achieved between the extension and the side facing window in no. 2. This neighbouring property is around 1m higher on ground levels and as the scale of this development is only single storey with a degree of separation I consider the reduced outlook from this room would not be undue. The impact of overshadowing is limited to a short period in mid-morning and the oblique angle of the window would still achieve direct sunlight from late morning. Overall, it has been considered that there will be no detrimental harm to no. 2's residential amenity.

Whilst assessing the residential impact on no. 6 Crodingley, the proposed window on east side elevation which serves as a secondary window to the kitchen would look towards the rear amenity space of no. 6 given the topography of the area as well as the limited boundary treatment separating the sites. However, this has been recognised by the applicant as a timber privacy screen has been indicated as shown on the submitted plans which will protect the privacy of both dwellings. Notwithstanding this it is noted that

proposed window on the East side elevation could be implemented under permitted development and therefore on balance the insertion of a window here has been considered acceptable. It is noted that the scheme proposed mitigation measures taken to protect the privacy of both dwellings through the erection of a privacy screen. A condition requiring the erection of the privacy screen will not be imposed as the proposed window – and any other window – could be installed without planning permission. In these circumstances the imposition of a conditions is considered unreasonable.

For the reason set out above, it is considered that the proposal is acceptable in respect on residential amenity and against LP24 (b) and (c).

Impact on highway safety:

The proposal removes the garage and proposing an additional bedroom. It has been considered that most of the hardstanding surface to front of the dwelling will be retained which provides 2 parking spaces, along with there being on-street parking to accommodate the application site. Therefore it has been considered there will be no detrimental impact on highway safety as there is sufficient parking provision. As such, the proposal meets the aims of Policy LP21 and LP22 of the Kirklees Local Plan.

Other Matters:

Biodiversity – the application site is within a ‘Bat Alert’ layer on the Council’s GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. The existing roof is well sealed with no gaps or crevices. However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

There are no other matters for consideration.

Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government’s view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation – Approve

Decision Authorisation - Delegated Powers

Application Number: 2019/92665

Officer Recommendation: Full Conditional Approval

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission. **Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence. **Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord Policy LP24 of the Kirklees Local Plan.

NOTE: The Council's GIS system indicates that a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. Whilst the officer was on site, the dwelling appeared well sealed along with eaves.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing & Proposed Elevations	-	1	19/09/19
Proposed floor plans	-	1	09/08/19
Existing & proposed floor plan	-	1	09/08/19

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant

in dealing with the application. Amendments were received by the applicant which removed a raised area to the rear of the dwelling.

Report Dated:

20/09/19