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:	2019/62/92926/W
Site Address:	The Bungalow, 24, Ridings Lane, Golcar, Huddersfield, HD7 4PZ
Description:	Erection of single storey extensions to side and rear and erection of detached garage within front garden (within Conservation Area)
Recommending Officer:	Danielle Cooper

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 12-Nov-2019

Officer Report

Site Description

24, The bungalow, Ridings Lane, Golcar is a detached dwelling constructed from red brick and small section of render with a slate tiled gabled roof. The dwelling is located within the Golcar conservation area and is a short distance from the Grade II listed Colne Valley Museum. The site is located along a residential street with a mix of dwellings in terms of their style, design and character.

Description of Proposal

Permission is sought for the erection of single storey extensions to the rear and side elevations and erection of a single garage. The extension will form a new entrance, dining kitchen and additional bedrooms.

The proposed rear extensions will be constructed from red brick. The side extension will be clad with timber and a slate roof (as shown on the submitted plans). UPVC windows and UPVC aluminium doors will be inserted to the proposed extension.

Side extension – This would have a projection of 3.9m and a width of 4.2. The overall height would be 4.9m and the eaves of 3m.

Rear extension – This would have a projection of 4m and would have a width of 7.6m. The overall height would be 5.7 and the eaves of 2.9m.

Single garage – This would be constructed from red brick with a slate gabled roof which will match the materials of the host dwelling. The garage would have a width of 4.6m and a length of 6m. The overall height would be 3.5m and the height to the eaves would be 2.4m.

History of negotiations/amendments received

Negotiations took place with the agent regarding the description of the proposal, as the double garage was not included but shown on the submitted

plans. The proposal was changed and the site notice was re-publicised stating the inclusion of the double garage.

The submitted plans showed the proposed garage to be constructed from natural stone. As this material would not match the materials of the host dwelling, negotiations took place to amend the material to red brick to match the host dwelling. An amended plan was received to show the garage being constructed from red brick. In addition, concerns were raised over the size of the proposed double garage. As such an amended plan was received which reduced the overall scale of the garage.

Relevant Planning History

None

Representations

The application was publicised by site notice, neighbour notification letter and the press.

Final publicity date Expires: 01/11/19

No representations were received

Consultation Responses

A formal consultation took place due to the dwelling being located in a conservation area. Formal comments were received from Conservation and Design.

KC Conservation and Design:

- The proposal would enhance the host dwelling
- Although the timber cladding is visible from street scene it is a natural material and will not harm the character of the conservation area.

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 located within the Golcar Conservation Area 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**
- **LP35 Historic Environment**

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 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

- Golcar Conservation Area Appraisal

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:

Impact on the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that LPAs have a general duty in that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

As the application is located within the Golcar Conservation Area it is important to consider the impact on the conservation area. The Golcar Conservation area appraisal states that building types within Golcar are as follows

“The dominant use of stone and other natural materials have patinated to impart the distinctive and cohesive character to Golcar intimately connecting the buildings to the landscape”. As such the materials and scale of the proposals have been assessed against the cohesive character of Golcar. As the host dwelling is mainly constructed from red brick and part of the side elevation is rendered, as well as there being no distinctive character of design in regards to the types of dwellings along The Ridings. It has been considered that the proposals would not be detrimental to the surrounding area and would

enhance the host dwelling as commented by Conservation and Design. As such it has been assessed that the principle of development is acceptable and would preserve the significance of the immediate area within Golcar Conservation Area.

National policy sets out guidance for development in the conservation area. Paragraph 193 of Chapter 16 of the NPPF states 'when considering the potential impact that the proposal shall have on the area, great weight should be given to the assets conservation.

Local plan policy LP35 echoes the intentions of the NPPF, LP35 reads as "development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm". As the application site is of a generous size, the extensions and garage have been considered to preserve and enhance the significance of the host dwelling, which demonstrates the benefits that the proposals would bring which outweighs the harm of impacting on the conservation area.

The principle of development is acceptable in regards to the historic environment and accords to policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF. Therefore, the application shall be assessed against other material planning considerations below.

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 an minimise impact on residential amenity of future and neighbouring occupiers'.

With regards to the single store rear extension, whilst having a projection of 4 metres which is relatively large, it would be constructed in materials to match

the host property and having a matching gable end roof design. The ridge of the roof would however be set down from the ridge of the existing and would be set in slightly from the eastern side which would aid in the extensions having a subservient appearance. Furthermore the dwelling is set within a large plot and would not represent an overdevelopment of the site. With respect to the street scene the extension would be visual and therefore have no impact on this. Overall whilst having a relatively large the rear extension is considered to be of an acceptable

In regards to the side extension this is well set back within the site and provides a contemporary addition to the host property with a ridge height that is well set back. Whist the use of timber cladding would introduce a new material it is considered that it would not detract from the overall appearance of the dwelling as the original building would retain its dominance within the site. As stated above the application site is large and therefore the development would not represent an overdevelopment of the site.

Turning to the proposed garage, this would be erected to the front of the site in the south eastern corner. Whilst unusual to have a garage within the front garden of the property, it is noted that the application site is large, the garage has been amended to be a single size and is positioned in a discrete location to not have an adverse impact on adjacent properties. The position of the garage would also aid the parking layout at the site to provide internal turning and off street parking for at least 3 vehicles. The position of the garage is therefore on balance considered to be acceptable. The use of matching materials would aid the garage to be read with the host property and ensure that it has an overall subservient appearance.

In summary, the proposals would be of a satisfactory design quality for the reasons set out above and would contribute to the character of the area. Therefore the proposal would accord 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’.

No. 26 Ridings Lane is located to the west of the site and it is noted that the proposal would have some impact from the proposed development. As the proposal would extend to the rear by 4m, there will be some impact from overshadowing depending on the site the time of day. However it has been assessed that the impact would not be detrimental given the orientation of the neighbouring dwelling being to the west of the host dwelling and the extension being located on the northern elevation of the dwelling. With regards to overbearing there would be a small separation to the adjacent dwelling and given the relatively low eves height of the extension it is considered that any

overbearing would not be detrimental. It is also noted that no.26 has an extant permission under 2019/90791 for a 4 metre rear extension which would further reduce any potential for harm from the rear extension if built. Whilst a window is located on the side of the approved extension it is not considered that the proposal would have a detrimental impact on this window.

In regards to the neighbouring dwellings to the North and East of the application site. Given the considerable separation distance and the boundary treatment consisting of dense shrubbery, it has been considered that there would be no detrimental harm from the proposed development on the residential amenity of these dwellings. Furthermore, the proposed garage would be seen from the neighbouring dwellings to the east, however as the structure would be single storey and there would still be a considerable gap in between the proposed garage and the neighbouring dwellings. It has been considered that there would be no adverse impact on the residential amenity of these neighbours.

For the reason's 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:

As the proposal includes the erection of a single garage, this will provide an extra parking space along with the remaining driveway as shown on the proposed submitted site plan. As such the site will be able to accommodate up to 3 vehicles which shows that there is sufficient on-site parking to serve the host dwelling as it has been noted that the number of bedrooms would increase as a result of the side and rear extensions. It is noted that the proposal includes an enlarged driveway and the surfacing of this will be conditioned to be permeable. Therefore, the proposals would comply with LP21 & 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 cervices. 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: 2019/92926

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.

2. 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 Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

3. The brick to be used in the external walls of the extension and garage hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to preserve the character and appearance of the Golcar Conservation Area to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

4. The roofing materials of the extension and garage hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to preserve the character and appearance of the Golcar Conservation Area to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

5. The development shall not be brought into use until all areas indicated to be used for parking and access on the submitted plans have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the uses specified on the submitted plans and retained thereafter.
Reason: In the interests of amenity and traffic safety. To ensure adequate space within the site for vehicle movements and parking and in accordance with Kirklees Local Plan Policy LP21

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 the 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**
Location Plan	24CA/PO1	1	17/09/19
Existing Grouped Plans & Elevations	24CA/P02	1	17/09/19
Proposed Grouped Plans & Elevations	24CA/P03	1	17/09/19
Proposed Elevations and Site Plan	24CA/P04	C	11/11/19
Supporting Information	Heritage Statement	1	17/09/19

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. An amended plan was received to reduce the overall scale of the proposed garage, as well as to change the proposed materials of the garage to be constructed from red-brick to match the materials of the host dwelling.

Report Dated: 11/11/19