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:	2019/62/93144/W
Site Address:	Brantwood, 5, Gynn Lane, Honley, Holmfirth, HD9 6JY
Description:	Erection of single storey extension and exterior alterations
Recommending Officer:	Alice Huxley

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: 12-Nov-2019

Officer Report

Site Description

Brantwood, 5, Gynn Lane, Honley, Holmfirth.

The site occupies a detached dormer bungalow that sits in a large footprint. Materials used in construction consist of block walls with a white rendered finish, a blue slate pitched roof with gable dormer white upvc windows, and black upvc doors.

The property benefits from a large rear garden and driveway access is taken directly from Gynn Lane. The site's boundaries consist of predominantly timber fencing and hedging and the neighbouring dwellings are of similar character than that of the applicant property. It is also noted that there is a large playing field directly across the highway.

Description of Proposal

Erection of single storey extension and exterior alterations

The single storey extension would be divided into two sections, one accommodating a 'snug' and the other accommodating a larger kitchen. The snug would project 7 metres from the original dwelling's rear elevation at an eaves height of approximately 2.1 metres rising to an overall height of approximately 3.7 metres inclusive of the sky light. The kitchen area would project approximately 6.4 metres from the rear elevation of the original dwelling, at an eaves height of approximately 2.4 metres rising to an overall height of approximately 3.15 metres inclusive of the sky lantern. The total width of the single storey rear extension would be approximately 8.35 metres. The rear elevation of the extension will be constructed from natural sawn stone ashlar blocks and the sides will be rendered block work to match the original dwelling. It will also incorporate frameless bi-folding doors and powder coated aluminium sliding/hinged glazed doors on the rear elevation. The roof of the snug will be pitched and constructed from natural blue slate to match that on the existing house; and the roof of the kitchen will be flat.

Other internal and external alterations include replacing the two windows on the south-west elevation with two full height windows, removing the existing wall separating the living room and dining room to create an open plan space, removing an internal wall to create a larger utility room and modifying several openings.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

2017/90862 – (no. 7) Erection of first floor front extension – *approved*.

2009/92628 – (no. 9) Erection of single storey rear extension, raising roof and erection of double dormers to provide first floor accommodation, porch and detached garage – *approved*.

2006/94962 – (applicant site) Erection of first floor extension to existing bungalow to form a two storey dwelling – *approved.*

2004/94148 – (no. 7) Erection of single and two storey extensions – *approved*.

Representations

Final publicity date Expires:
Neighbour letters expire 1st November 2019; site notice expires on 8th November 2019.

No representations were received.

Parish/Town Council comments:
Holme Valley Parish Council – supports development subject to materials being in keeping.

Consultation Responses

None.

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):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP 21 – Highway Safety and Access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 30 – Biodiversity and Geodiversity**

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**
- **Chapter 15 – Conserving and enhancing the natural environment**

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity (including any heritage considerations)
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters – e.g. trees/ecology (e.g. bats)
5) Representations
6) Conclusion

Principle of development:

The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

'Planning policies and decisions should play an active role in guiding development towards sustainable solutions…'

Chapter 2 of the NPPF goes onto further state that objectives should:

'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…'

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

'…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.'

LP1 goes further and states:

'The council will always work pro-actively 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.'

In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

Impact on visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

'124. 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 significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

'a. the form, scale, layout and details of all development respects and enhances the character of the townscape..'

'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'

Regarding visual amenity, although the extension is proposed to be large in scale, the host dwelling its self is large in size and the proposal would project from the rear of dwelling resulting in its being rather discreet. The style of the extension harmonises with the existing dwelling and follows a theme of materials to the rear of other houses along the row. By incorporating materials to match the host property's contemporary design it would ensure that visual amenity is protected.

As a result of the above, the proposed single storey rear extension is considered to comply with LP24 and therefore is considered acceptable regarding visual amenity.

Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

'…maintain appropriate distances between buildings' and '…minimise impact on residential amenity of future and neighbouring occupiers'.

It is noted that the property benefits from a wide and extensive rear garden which is more than a sufficient size to host the proposed extension in.

With regards to no. 3 Gynn Lane, the applicant property and no. 3 are set off the shared boundary line and no. 3 is set slightly forward of the application property. I consider that given this separation, the orientation of the properties

to one another (the extension is to the north east of no. 3) and the low proposed height of the kitchen element of the extensions there would not be a material loss of light or overbearing impact. As result of the two new full height windows on the south-west elevation, it has been considered that this will cause no undue harm to no.3 in terms of overlooking as there is timber fencing present on the shared boundary. In addition these openings are shown to be obscurely glazed. I consider that given the existing fencing there is no reason for this to be conditioned.

Regarding no. 7 Gynn Lane. Although the extension would be built right up to the shared boundary line which may impact on evening sun to no. 7's rear garden and cause an element of overbearing when considered with the garage to the rear of no. 7 itself, the area that would be adjacent to the proposed extension appears to be a vehicle hardstanding area and therefore is highly unlikely to be used recreationally. The main habitable window in the rear of no. 7 is set close to its boundary with no. 9 and would be largely unaffected by the proposal. In addition the principal amenity space for this property is set much further to the north and, again, would not be affected by this development. Furthermore, as mentioned previously, the proposed extension would be single storey and no windows will be incorporated in the extensions side elevation facing no. 7 therefore no undue concerns have been raised in terms of overlooking, overbearing or overshadowing.

The building located to the rear of the site appears to be a healthcare centre and there is sufficient boundary treatment present separating the two sites therefore the proposed extension would be largely hidden.

In Summary, it has been assessed that the proposed extension would cause no undue harm to the neighbouring dwellings as it complies with section B and C of LP24 and therefore is considered acceptable in terms of residential amenity.

Impact on highway safety:

The proposed development relates to a single storey rear extension which could result in the loss of parking areas to the rear of the house. Notwithstanding this there is a drive to the side of the house that can accommodate a number of vehicles. There are no concerns regarding matters of highway safety in accordance with LP21 and LP22.

Other matters:

<u>Biodiversity</u>

It is recognised that the site is located within a bat alert area. Despite this, the existing dwelling appears to be well sealed and unlikely to have any bat roost potential.

Chapter 15 of the NPPF states that:

‘*planning policies and decisions should contribute and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity…’*

In line with the NPPF, LP30 of the Kirklees Local Plan states that:

‘development proposals will be required to result in no significant loss or harm to biodiversity in Kirklees’

To comply with Chapter 15 and LP30 of the Kirklees Local Plan, if any bats are to be found during the development, a note recommending that the advice of a licensed bat worker is to be sought and relayed onto the applicant via the decision notice in the interests of preserving biodiversity.

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: 2019/93144

Officer Recommendation: Approve

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 Policy LP24 of the Kirklees Local Plan.

3. The external walls and roofing materials of the extension 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 accord with Policy LP24 of the Kirklees Local Plan.

NOTE: Due to the location and nature of the application site, 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 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. 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 Grouped Plans and Elevations	19065D-01-P01	1	26/09/2019
Proposed Grouped Plans and Elevations	19065D-02-P04	1	26/09/2019

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. There was no reason to contact the agent or applicant as the details were acceptable as submitted.

Report Dated: 11/11/2019