

**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: 2019/62/93589/E

Site Address: 550, Bradford Road, Birkenshaw, Bradford, BD19 4BE

Description: Erection of single storey rear extension and front and rear dormer extensions

Recommending Officer: Katie Wilson

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.

Julia Steadman

AUTHORISED OFFICER

Date: 20-Dec-2019

Officer Report

Site Description

The application site is 550, Bradford Road, Birkenshaw. It is a detached bungalow (thought to date from the 1930's) located at the corner of Bradford Road and Swincliffe Close. The external walls are predominantly rendered and painted white with some red brickwork to sill level on the front elevation and around the windows. The roofs are dual pitched and surfaced in grey / blue tiles.

There is a small garden at the front and side, and larger garden at the back containing detached single garage accessed from Swincliffe Close. The wider area is residential in nature with a mixture of dwelling types and ages in the area.

Description of Proposal

Planning permission is sought for erection of single storey rear extension and front and rear dormer extensions.

Rear extension:

- Rectangular footprint projecting 3.7m x 5.4m wide.
- Designed with a flat roof 3.0m overall height and two glazed lantern style glazed roof lights.
- The external walls would be painted render and the roof would have a sarnafil membrane finish.
- A set of bi-folding doors would be in the proposed rear elevation
- It would provide additional space for a kitchen / dining room.

Dormers:

Front:-

- Designed with a flat roof, 3.28m wide x 1.8m high at the front.
- Base set back from eaves level around 0.8m, and set down from the ridge level around 1.2m
- The walls would be surfaced in Marley concrete plain vertical tiles.
- There would be one window in the front elevation only.

Rear:-

- Designed with flat roof 3.2m wide x 2.4m high
- Base set back from the eaves 0.5m, and set down from the ridge level around 1.2m.
- The walls would be surfaced in Marley concrete plan vertical tiles and the roof surfaced in Sarnafil membrane.

- There would be one window in the rear elevation only.

History of negotiations/amendments received

No amendments were secured during the course of this application as it was acceptable as submitted.

Relevant Planning History

No relevant planning permission at the site.

Representations

Final publicity date expired: 10th December 2019.

No representations received during the course of this application.

Parish/Town Council comments: not applicable

Consultation Responses

No consultations took place during the course of the application.

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 22** - Parking
- **LP 24** – 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 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

1 – Principle of development:

The application site is on land without notation on the Kirklees Local Plan and as such policy LP 24 of the KLP is applicable. It seeks to make sure that development proposals promote good design by ensuring a range of criteria including extensions to buildings. The principle of extensions to this property is acceptable provided that it meets the detailed criteria.

2 – Impact on visual amenity:

In terms of visual amenity, policy LP24 of the KLP requires proposals to ensure that extensions are subservient to the original building and in keeping with the existing buildings in terms of scale, materials and details in order to provide a high standard of amenity.

In this instance the proposed rear extension is relatively small scale in relation to the original part of the house and designed with a flat roof incorporating lantern roof lights. Whilst these are new design features, in my opinion it would blend in with the overall design of the house quite neatly and would enhance the appearance of the host dwelling and character of the surrounding area.

The proposed dormers would also be significantly lower than the ridge level of the existing building and, although designed with flat roofs, the external walls would be surfaced in roof tiles to match those on the existing roof slope. As such, and when taking into account the similar style of roof style extensions within the vicinity of the site, I am satisfied that they would be in keeping with the design of the existing bungalow and are appropriate within the surrounding residential area.

Overall, it is considered that the proposal would, on balance, promote good design and would appear acceptable within the site context, in accordance with policy LP24 of the KLP and chapter 12 of the NPPF.

3 – Impact on residential amenity:

In terms of residential amenity, policy LP24 of the KLP states that proposals should promote good design by ensuring (amongst other things) that

extensions minimise impact on residential amenity of future and neighbouring occupiers.

In relation to 548, Bradford Road:

This is the adjoining semi-detached bungalow attached to the southern side of the house at the application site.

The main impact on this property would be from the proposed rear extension which would be adjacent to the mutual boundary. In terms of overshadowing and overbearing, whilst it would project around 3.7m however, it is single storey and designed with a flat roof, so there would be very limited impact of this nature, especially when taking into account the existing impact of the boundary treatment located between the two dwellings.

In terms of overlooking, no openings are shown in the facing side elevation and new openings could be controlled by condition.

In relation to 552, Bradford Road:

This is a 2-storey end terraced house located to the north of the application site with Swincliffe Close in between. Given that the proposed development would be at least approximately 18m from the side of this neighbouring property and substantially screened by the larger parts of the existing house, it is considered that these circumstances would minimise any adverse impacts upon the residential amenity of the occupants of either properties.

In relation to 2, Swincliffe Close:

This is a chalet style bungalow to the east of the application site and at the bottom of the back garden. Its west facing side elevation looks onto the back garden. It is largely blank except for two small windows at first floor level and a door at ground floor level.

In terms of overbearing and overshadowing, the proposed extension is single storey and would be around 17m from the mutual boundary with this neighbouring property. In these circumstances it is thought that there would be no significant impact of this nature.

With regards to overlooking, the proposal would retain a distance of approximately 20.0m between almost facing elevations and as such it is thought that this would minimise any loss of privacy.

Other neighbouring properties are further away and at oblique angles, so the proposed development would have very limited impact upon them.

Overall, the proposals would minimise impact on residential amenity of future and neighbouring occupiers, and would be compliant with policy LP24 of the KLP.

4 – Impact on highway safety:

The application site is accessed from Swincliffe Close, a residential cul-de-sac and the proposal retains a single garage and there is potential for further parking. The submitted plans indicate that there are 4 bedrooms at the bungalow and the proposed alteration would form a 3 bedroomed bungalow. This would be a less intensive use of the site from a highway safety point of view and as such is acceptable.

As such, subject to the inclusion of a condition which sets out that two car parking spaces are to be provided at the vehicular access from Swincliffe Close, and appropriate surfaced in accordance with the Environment Agency's guidance, the proposal would be acceptable from a highway safety perspective, in accordance with the aims of policy LP21 of the KLP.

5 – Other matters:

There are no further material planning matters.

6 – Representations:

No representations were received during the course of this application.

7 – 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: 2019/93589

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 Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external wall materials of the extension and dormers 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 and the aims of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the side elevation of the rear extension hereby approved.

Reason: So as not to detract from the amenities of neighbouring property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. Notwithstanding the submitted plans and information, the extensions shall not be brought into use until two car parking spaces, from the access from Swincliffe Close, have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's '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) this shall be so retained, free of obstructions and available for the use of parking.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle parking once the property is extended and in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays

08.00 and 13.00 hours Saturdays

With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

NOTE: Please note that the granting of planning permission does not overrule private legal rights of ownership. It is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance may involve access to land outside your ownership or over which other parties have access rights.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	Dwg no. 241-01-01		01.11.2019
Existing site block plan	Dwg no. 241-01-01		01.11.2019
Existing floor plans and elevations	Dwg no. 241-01-01		01.11.2019
Proposed site block plan	Dwg no. 241-01-02		01.11.2019
Proposed floor plans	Dwg no. 241-01-02		01.11.2019
Proposed elevations and sections	Dwg no. 241-01-03		01.11.2019

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. No amendments were sought or received during the course of this application as it was acceptable as submitted.

Report Dated: 19.12.2019