

**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: 2020/62/90454/E

Site Address: Carrigdhoun, 11, Wakefield Road, Clayton West,
Huddersfield, HD8 9QB

Description: Erection of two storey side extension and single storey
rear extension

Recommending Officer: Josh Kwok

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.

Rebecca Drake

AUTHORISED OFFICER

Date: 21-May-2020

Officer Report

Site Description

This application relates to no.11 Wakefield Road, Clayton West. It consists of a two-storey brick built detached property with a flat roof dormer, a driveway and a detached garage to the side and a garden to the rear. The boundary treatments comprise timber fences and a few trees.

The site and its surroundings are characterised by a mix of residential and non-residential development. To the north-eastern aspect of the site is a piece of open land, which appears to be currently used as a paddock.

Description of Proposal

Planning permission is sought for the erection of a two-storey side extension and a single-storey rear extension. Details of these extensions are outlined in the following.

- 7.0m deep x 7.2m wide x 3.2m high (single storey rear extension)
- 7.8m deep x 3.6m wide x 8.2m high (two storey side extension)
- Facing materials to be match brickwork for the side extension and timber cladding for the rear extension
- Roofing materials to be clay tiles and flat roof membrane

History of negotiations/amendments received

The design of the proposal has been amended in order to reduce the overall impact on visual amenity of the site and its immediate surroundings. Further details concerning the facing materials have been sought from the agent so as to understand the potential impact arising from these materials.

Relevant Planning History

2019/90819 – Erection of two storey side extension (11, Wakefield Road) – Withdrawn

2019/92055 – Certificate of lawfulness for proposed erection of single storey rear and side extension and detached outbuilding (11, Wakefield Road) – Refused

2019/92263 – Prior notification for single storey rear extension (11, Wakefield Road) – Refused

2019/92750 – Prior notification for single storey rear extension (11, Wakefield Road) – NANR

Representations

This application was publicised by site notice and neighbour letters, which expired on 26-Mar-2020. As a result of this publicity, no representations have been received.

Denby Dale Parish Council – no comments received.

Consultation Responses

No consultations required for this 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 unallocated on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 01** – Achieving sustainable development
- **LP 02** – Place shaping
- **LP 21** – Highway safety and access
- **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 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
- 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:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations, along with others, are addressed in the following sections in this report.

2 –Impact on visual amenity:

The development proposal comprises a two-storey side extension and a single storey rear extension. The side extension would be set down from considerably from the host property with its width limited to roughly a third of the enlarged property. The scale of this extension is considered appropriate from a visual amenity perspective. Concerning the rear extension, it would be large in scale compared to the existing building on site. A rear extension of this scale would not normally be permitted with regard to policy LP24 of the KLP.

In this instance however, it is noted that the applicant has already had prior approval for a larger extension under Class A of Part 1 of Schedule 2 of the GPDO. Officers are satisfied that there is a reasonable prospect of this extension being constructed in accordance with the approved details. As such, there is a realistic fall-back position, which needs to be acknowledged while assessing the visual impact arising from this extension. The rear extension as proposed would be materially smaller than what could have been constructed with prior approval under Class A. Furthermore, the application property is situated within a reasonably sized plot of land with a good amount of garden to the front and the rear. The proposal whilst large in scale would not overdevelop the application site nor would it give rise to a significant conflict with policy LP24(c) of the KLP. The scale of development is therefore considered, on balance, acceptable in this instance.

The facing materials would be matching brickwork for the side extension and timber cladding for the rear extension. The roofing materials would be clay tiles and flat roof membrane. All proposed materials, except timber cladding, are already evident at the application site. The properties in the vicinity of the site also appear to be constructed in a mix of materials as well. The rear

extension would be fully faced with timber cladding, which would, given its scale and position relative to the adjoining open land, have a moderate impact on visual amenity. However, using timber cladding as opposed to brickwork could reduce the bulkiness of this extension to a degree.

To ensure that a satisfactory appearance of development on completion, a condition should be inserted to the decision notice to require samples of all facing materials of the single storey rear extension be submitted to and approved in writing by the Local Planning Authority before they are first applied to this extension. It should be worded flexibly to allow alternative facing materials be used where suitable timber cladding could not be sourced. Subject to that, the materials of construction as proposed could be appropriate.

The side extension would have a dual pitched roof to match the host property while the rear extension a flat roof. This design would not unduly harm the appearance of the application property and the character of its immediate surroundings. There would be no unacceptable impact on the local street scene. It is noted that the proposed rear extension would be further away from the adjoining open land than the one with prior approval. Consequently, the layout of the current proposal would be of less an impact on its surroundings and more preferable in terms of visual amenity.

To conclude, although the development under consideration would not be subservient to the existing building on site, officers has concluded with regard to other material considerations that it could be, on balance, supported from a visual amenity perspective. The recommended condition relating to facing materials would ensure that a satisfactory appearance of development would be achieved on completion in accordance with policy LP24 of the KLP and Chapter 12 of the NPPF. There would be no undue detrimental impact on the appearance of the host property and the amenity of the local street scene.

3 – Impact on residential amenity:

The extensions as proposed would bring the application property closer to the terrace row to the western aspect. They would have several side facing windows serving habitable rooms. Notwithstanding these considerations, there would be no harm to the residential amenity of these neighbouring occupiers because a separation distance of at least 15.0m would be retained between the enlarged property and these terrace properties. There are also appropriate boundary treatments between the application site and those adjoining it. Given that, the living conditions of these neighbours would be preserved appropriately.

There are no residential properties immediately adjacent to the southern and eastern boundaries of the application site. No other properties in the vicinity of the site would be adversely affected by the proposal in question.

In all, the proposed development would be acceptable from a residential amenity perspective and compliant with policy LP24 of the KLP in terms of minimising the impact on future and neighbouring occupiers.

4 – Impact on highway safety:

The proposal would intensify the residential use of the application property and affect the parking arrangement. However, the proposed site plan indicates that there would be enough space of parking three vehicles and for them to turn around within the site. Therefore, no parking issues or disruptions to the flow of traffic are anticipated.

The enlarged property would be occupied by one household as existing. Hence, there would not be a material increase in trip generation that would prejudice highway safety. As there would be an appropriately sized internal turning area, the proposed development would not give rise to highway safety concerns. In summary, it would conform to policies LP21 and LP22 of the KLP.

5 – Other matters:

Climate change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is a small-scale domestic development to an existing dwelling. As such, no specific measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in place in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Ecology

The site is located within a bat alert layer. Following a site visit, the building appeared to be well sealed and there was no evidence of bat roosts or bat roost potential was found. A footnote has been added to the decision notice to provide the applicant with advice should bats or evidence of bats be found during construction. This would accord with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations received as a result of the statutory publicity.

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: 2020/90454

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 LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. The external walls and roofing materials of the two-storey side 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 and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the details in the approved drawings, samples of all facing materials of the single storey rear extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority before they are first applied to this extension. The single storey rear extension shall not be brought into use until it has been faced with the approved materials and thereafter be retained.

Reason: In the interests of visual amenity and so as to ensure the satisfactory appearance of the development on completion in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

NOTE: Due to its location, 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	1881-D-20-001		12-Feb-2020
Proposed elevations	1881-D-20-008	A	19-May-2020

Plan Type	Reference	Version	Date Received
Existing elevations	1881-D-20-007		12-Feb-2020
Proposed first floor plan	1881-D-20-006	A	19-May-2020
Proposed ground floor plan	1881-D-20-005	A	19-May-2020
Existing first floor plan	1881-D-20-004		12-Feb-2020
Existing ground floor plan	1881-D-20-003		12-Feb-2020

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. In this case, the design of the proposal has been amended in order to reduce the overall impact on visual amenity of the site and its immediate surroundings. Further details concerning the facing materials have been sought from the agent so as to understand the likely impact arising from these materials.

Report Dated: 20-May-2020