

**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: 2020/62/90905/E

Site Address: 346, Leeds Road, Dewsbury, WF12 7QD

Description: Alterations and raising roof height of existing garage to form office space

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: 27-Jul-2020

Application: 2020/62/90905/E

Site: 346, Leeds Road, Dewsbury, WF12 7QD

Proposal: Alterations and raising roof height of existing garage to form office space

Site Description

346 Leeds Road is a detached two storey property. It is faced with stone brickwork to the front and red brick to the sides and rear of the property with concrete roof tiles. It has an attached single storey garage to the side elevation abutting 344 Leeds Road, which is faced in stone brickwork to the front and red brick to the sides and rear of the property with a mono-pitched roof with a felt finish. Due to the sloping nature of the site from the north-west to south-east the garage is 0.5m lower than the rest of the property. There is off-road parking located to both the front and rear of the property, and a rear garden.

It backs onto an access road for the rear parking, with houses on Hayson Close located further back and fronts onto Leeds Road. There are neighbouring properties to either side of the property and is located in a predominately residential area.

Description of Proposal

The applicant is seeking permission to raise the height of the existing garage by 1.75m to a total height of 5.5m, infilling the current two windows on the side elevation. The roof is to be flat with a GRP or felt roof. The surfacing of the walls are to match the original development.

Alterations are proposed to the front elevation of the garage with the current door being infilled and replaced with a Brown UPVC window to match the current properties windows. The application plans to use this space as an office space with the loss of the current garage.

History of negotiations/amendments received

The applicant has submitted a revised land ownership certificate that states that the owner of the adjoining property no.344 has been notified. No further amendments or details have been sought thereafter.

Relevant Planning History

None

Representations

We are currently undertaking the minimum legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired.

Final publicity date expired: 22.04.2020

No public representations were received.

Consultation Responses

No consultations were required.

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 in the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP21** – Highway Safety
- **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 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development

- 2) Design
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policies LP1 and LP2 of the Local Plan state 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.

In this case, the principle of development on the application site is acceptable and shall be assessed against all other material planning considerations below.

2 – Design

General design considerations are set out in Policy LP24 of the Local Plan, which seeks to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity. This is further supported by Chapter 12 of the NPPF.

The scale of the proposed raised roof is subservient and proportionate to the scale of the host dwelling and does not cause the dwelling house to appear incongruous within the streetscene. The architectural features of the extension mimic those of the host building, which is welcomed, and the materials are to match the existing host building.

The proposed development's visual impacts comply with the aims and objectives of policy LP24 and chapter 12 of the NPPF.

3 – Impact on residential amenity:

With regard to residential amenity, Policy LP24 of the Local Plan advises that proposal should ensure that a high standard of amenity is achieved for future and neighbouring occupiers. This is also supported by Chapter 12 of the NPPF.

Given the location and scale of the proposal in relation neighbouring dwellings (including window locations), officers are satisfied that the proposal would not harm the residential amenity of neighbouring residents. This includes through overbearing, overshadowing or overlooking. Whilst the area to be extended is adjacent the neighbouring property, given the scale of the proposed increase in height, it is not considered that the proposed development would result in any significant harm to the occupants of this dwelling. The proposal is

deemed to comply with the aims and objectives of policy LP24 of the KLP and Chapter 12 of the NPPF.

4 – Impact on highway safety:

Turning to highway safety Policies LP21 and 22 of the Local Plan are relevant which seeks to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking.

The proposals would not result in an increase in bedrooms at the property and will continue to incorporate both off-street parking at both the front and rear of the property. The submitted site plan indicates that there would be two off street parking spaces to the rear of the application property, in line with policy LP22 of the KLP and the Highway Design Guide SPD. Officers are satisfied that the proposal would not increase the demand for car parking or significantly reduce off-road parking options.

The proposal will not harm the safe and efficient operation of the highway, in accordance with 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.

In this instance the extension shall be built to modern building regulation standards. Due to the small scale of the development being considered, officers are satisfied that this is sufficient to demonstrate that the proposal would not harm the climate change agenda.

6 – Representations:

No public representations were received.

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:** 2020/90905**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 and the aims of the National Planning Policy Framework.

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 and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Grouped Plans and Elevations	S01		18-Mar-2020
Design and Access Statement			18-Mar-2020
Work Specification	S03		18-Mar-2020
Proposed Grouped Plans and Elevations	S02		18-Mar-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. No amendments are sought in this instance as the development proposal is considered acceptable in its submitted form.

Report Dated: 14-Jul-2020

