

**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: 2020/62/91168/E

Site Address: 1, Patterdale Road, Dewsbury, WF12 7NP

Description: Erection of single storey side extension

Recommending Officer: Olivia Roberts

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.

Paul Dowd

AUTHORISED OFFICER

Date: 13-Oct-2020

Officer Report

Site Description

1 Patterdale Road is a detached bungalow in Dewsbury. It is constructed in brick and is designed with gable roof forms, which are finished in concrete roof tiles. The dwelling benefits from an addition to the side which appears to be an original element of the property. The property also hosts a dormer window on the front elevation and a single-storey extension to the rear. It has a garden area to the front and side and a driveway with a detached garage to the rear.

The location of the site is within a predominantly residential area, which comprises dwellings of a range of types and designs. Despite this, the predominant material of construction within the surrounding area is brick.

Description of Proposal

The application seeks planning permission for the erection of a single storey extension. The extension would be located to the side of the property, sitting flush with the front-most elevation of the dwelling and the side elevation of the existing single-storey element to the side. It is designed with a gable roof form, which would have an eaves and ridge to match existing. All external materials match existing.

The agent submitted photographs, which show that the extension is near completion.

History of negotiations/amendments received

Amended plans were sought from the agent during consideration of the application to ensure that the submitted plans correspond with what has been built on site.

The amendments were limited to the correction of window openings. Whilst an opening has been introduced to the side elevation of the extension, given that the extension has been constructed and the opening is in place, it was considered that it would not be necessary for the amended plans to be advertised, in this instance.

Relevant Planning History

2019/93808 – Erection of front and side extension and porch. Granted.

Representations

The application was advertised by neighbour letters which expired on 8th June 2020.

No representations were received following the above publicity.

Parish/Town Council comments: not applicable.

Consultation Responses

No consultations were considered necessary.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 51 – Protection and improvement of local air quality

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 14 – Meeting the challenge of climate, flooding and coastal change
- 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
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states 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 terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The proposed extension infills an existing space to the south-western corner of the dwelling. The principle of extending the property in this location was established under the previous application (2019/93808). The extension is designed with a gable roof form which slopes perpendicular to the roof form of the host dwelling, introducing a significant amount of bulk and massing to the front elevation. Notwithstanding this, the extension would not project beyond the front-most elevation of the house and is finished in materials, which match those used in the construction of the existing building. Whilst the extension does alter the appearance of the principle elevation of the dwelling, it is

considered subservient in respect of its scale and it is considered, on balance, that the proposal would not have a significantly detrimental impact on the property.

Whilst the property is located in a prominent location, on the corner of Patterdale Road and Borrowdale Road, it is set back in relation to both access roads and the extension does not project beyond the existing front and side-most elevations. The properties within the street-scene vary in terms of their design, with one of the properties to the south of Patterdale Road benefiting from an extension on the front elevation. Whilst this is not of the same scale as this extension, considering the above factors, it is considered, on balance, that the extension would not be significantly detrimental to the visual amenity of the surrounding area. The site is currently bound by substantial hedging, which would soften the visual impact to some degree.

Having taken the above into account, whilst the extension does impact on the visual amenity of the host property and the surrounding area, for the above reasons, it is considered that this impact is not sufficient to warrant refusal of the application. The proposal is therefore considered, on balance, to comply with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the NPPF.

3 – Impact on residential amenity:

Impact on 21 Borrowdale Road

The extension is located to the front of an existing projecting element to the side of this neighbouring house and does not project beyond its side elevation, nor exceed its height. Taking this into consideration, it is considered that the extension does not have a significant impact on the residential amenity of the occupiers of this property.

Impact on 3 Patterdale Road

The extension is located to the west of this neighbouring house and does not project beyond the front elevation. Whilst some of the roof form projects above that of the existing dwelling, due to its design, it is considered that sufficient distance is retained to prevent there from being a significant overbearing or overshadowing impact.

Impact on 18 & 20 Borrowdale Road

It is considered that sufficient distance is retained between the extension and these properties to prevent there from being a significant overbearing or

overshadowing impact. There is a window in the side elevation of the extension, which serves a secondary opening to the living/dining room. Given the distance retained between the properties, as well as the fact that the application site is located at a slightly lower land level, it is considered that there would be no potential for harmful overlooking. This would be further limited by the existing boundary treatment, which comprises hedging.

Impact on 2 Patterdale Road

The extension does not project beyond the front elevation of this dwelling. It is considered that the distance retained between the extension and this property is sufficient to prevent there from a significant impact in terms of residential amenity.

Having considered the above factors, the proposal is considered to result in an adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan and Paragraph 127 (f) of the NPPF.

4 – Impact on highway safety:

The extension serves a living/dining room and is, therefore, considered not to result in an intensification in the domestic use of the dwelling. The extension is located to the front of the property and, therefore, does not affect the existing parking arrangements to the rear. It is considered that the scheme would not represent additional harm in terms of highway safety in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

5 – Other matters:

Carbon Budget

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 special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations, which will need to be adhered to as part of the construction process and which will require compliance with national standards. For this reason, the proposed development is considered to comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the NPPF.

6 – Representations:

No representations have been 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: 2020/91168

Officer Recommendation: Approve

Conditions and Reasons

1. 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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP22 and LP24, of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. 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 the aims of Chapter 12 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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan			27/04/2020
Existing Plans & Elevations	19/181		27/04/2020
Proposed Site Plan	19/181	B	27/04/2020
Proposed Plans & Elevations (as amended)	19/181	A	23/09/2020

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 has, 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.

Amended plans were sought, and received, during consideration of the application, to ensure that the submitted plans corresponded with what had been built on site.

Report Dated: 13/10/2020