

**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: 2020/62/91392/W
Site Address: 29, Steeplands, Bradley, Huddersfield, HD2 1QQ
Description: Erection of single storey side extension
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: 13-Aug-2020

Officer Report

Low risk coal

Site Description

29, Steeplands, Bradley, Huddersfield.

29 Steeplands is an extended two-storey, detached dwelling constructed from brick with a grey tiled roof. The site is located on a bend on Steeplands which is a predominantly residential area. Evidence from planning history reveals that the original dwelling has previously been extended to the side and rear. Driveway access is taken directly from Steeplands and amenity space is located to the side and rear. There is a 2m close boarded fence enclosing the site.

Description of Proposal

Erection of single storey side extension.

The single storey side extension would project 3.5m from the existing two-storey side extension at a depth of 4.8m, an eaves height of 2.6m, rising to a maximum height of 3.5m to accommodate a single bedroom and en-suite. Proposed materials consist of brick walls, upvc fenestrations and a tiled lean-to roof.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

2017/92921 – Erection of single storey rear extension – conditional full permission.

94/90193 – Erection of two storey extension and W.C. and hall extension – conditional full permission.

Representations

We are currently undertaking the 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 03/07/2020.

No representations were received.

Parish/Town Council comments:

Not applicable.

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**

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 change, flooding and coastal change**

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

In regards to visual amenity, although the applicant dwelling forms a prominent part of the street scene given its location on Steeplands, the proposed side extension is modest in size and would incorporate materials to match the host property in all respects. In addition the property does not form part of a continuous row. It is sandwiched between two elements of Steeplands, with the properties to the north served off a short access road with garages forward of the properties. In this context it would not be incongruous in the streetscene. Notwithstanding the above, given the numerous extensions that the original property has had, it is considered necessary to remove permitted development rights for further extensions and buildings to protect the visual amenity of the area and prevent overdevelopment of the site.

For the reasons set out above, the proposed development is acceptable in terms of 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’.

In regards to residential amenity, given the location of the site and proposed side extension, there are no neighbours adjacent to the proposed side extension. As such, it is considered that the proposed development would not cause undue harm to the surrounding dwellings. In addition the extension is within a well enclosed site surrounded by close boarded fencing.

For the reasons above, the proposed development is acceptable in terms of residential amenity.

Impact on highway safety:

The proposed development relates to a single storey side extension that would increase the number of bedrooms on site from four to five. It appears that the site currently has the capacity for three off-road parking spaces and one on-street parking space to the front. Highways Development

management would expect to see three-off road parking spaces on site for a three bedroomed or more dwelling. As such, the provision of parking is acceptable.

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, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

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: 2020/91392

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.

4. Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no development included within Classes A, B and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior consent of the Local Planning Authority.

Reason: In the interests of visual amenity, to ensure that any future development would not lead to the overdevelopment of the site in accordance with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Block Plan	-	1	21 st May 2020
Existing Elevations	1520 - 01	1	21 st May 2020
Proposed Elevations	520 PLANNING-02	1	21 st May 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. There was no reason to contact the agent or applicant as the details were acceptable as submitted.

Report Dated: 12/08/2020