

**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: 2020/62/92518/W

Site Address: 7 , Royd Croft, Quarmby, Huddersfield, HD3 4EQ

Description: Erection of two storey side extension

Recommending Officer: William Simcock

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: 01-Dec-2020

Officer Report 2020/92518

7 Royd Croft, Quarmby

Site Description

7 Royd Croft is a semi-detached two-storey dwelling. Its main elevation faces south-west towards the public highway, which is a cul-de-sac serving a small modern housing development, and the south-east side elevation also faces it, at an angle. It is built in coursed artificial stone with a double-pitched tiled roof. It has amenity space at the front, rear and side. The front lawn is open to the street, but at the side there is a boundary wall and fence separating the garden from a small landscaping strip and parking bay on the highway side.

Description of Proposal

The proposal is for the erection of a two-storey extension to the side of the property. It is to be a maximum of 3.5m wide, but stepped in towards the front so as to be 2.1m wide. The front elevation is to be set back from the existing front elevation by 1.7m.

It would form a family room and an en-suite master bedroom. The extension would be built with a gable roof with the same pitch as the existing roof but a slightly lower ridge. A small raised terrace of about 200mm high is to be formed to the rear between the family room and the existing conservatory.

The materials are to match the existing building.

History of negotiations/amendments received

28-Oct-2020: Amended plans changing the size and design of the extension.

These were not subjected to any formal new publicity since they represented a reduction in size overall and were not considered to raise substantial new planning issues. A third party who had expressed an objection was informally notified of them by email, with a link to the Kirklees website (28-Oct-2020), and was advised that the final recommendation might be made within 7 days. No further comments were received as a result.

Relevant Planning History

None.

Representations

Final publicity date Expires: 21-Sep-2020 (publicity by neighbour letter only)

One representation received, objecting to the proposal. Summary of concerns raised:

- The extension will look very imposing because of the prominent blank wall.

Consultation Responses

None were considered necessary.

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 designation on the Local Plan.

Local Plan:

- 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 24th July 2018, 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 – Requiring good design

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. Of particular relevance is Policy LP24(c) which requires that extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials, and details and minimise impact on residential amenity of future and neighbouring occupiers. Any implications for highway safety will also be considered as required by Policies LP21-22.

2 – Impact on visual amenity: The proposal was amended during the application process because it was considered that the combination of the splayed wall and lack of window openings in the front or corner elevation would relate poorly to the host building and its surroundings.

It is considered that the latest version of the scheme represents a substantial improvement. The front elevation no longer appears to be dominated by blank walling, and the roof overhang helps to further soften its impact. It is considered that the design, proportions and detailing of the extension would respect the host building and its surroundings. The front part of the extension appears to overlap one of the fence support columns so it is likely that two panels would have to be removed; this is not considered objectionable in planning terms since most properties on this street have open frontages anyway.

It is considered that the overall effect of the extension and the existing conservatory would not give rise to overdevelopment of the site and would be subservient to the original dwelling. Subject to it being conditioned that materials match the existing building, and the roof including the overhang being constructed in accordance with the approved details before it is brought into use and thereafter retained, it would comply with the aims of Policy LP24a.

3 – Impact on residential amenity: Rear-facing windows would face towards no. 9 at a distance of approximately 8m, but would look mainly towards the blank side wall of the house, and although there would be a line of sight from the upper floor windows into no. 9's rear garden, it is considered that this would not be any more intrusive than the existing rear windows. Owing to the separation distances, the front-facing window would not have the potential to cause loss of privacy. The distance from the side wall of the extension to the nearest facing window on the southern side of the street would be roughly 15m, and it is considered that this would not give rise to an overbearing impact or material loss of outlook.

In summary it is considered it would avoid harm to residential amenity or to neighbouring land and would thereby accord with the aims of Policy LP24(b).

4 – Impact on highway safety: The proposed extension would not affect existing access, parking arrangements, or visibility, and it is considered that it would be neutral in its impact on highway safety. It is therefore deemed to be in accordance with the aims of LP21-22.

5 – Other matters:

Biodiversity:

The site is in the bat alert layer but on the basis of an external viewing would appear to have no bat roost potential. The standard precautionary note will be added to the decision notice.

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 applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects. As the proposal is for an extension to an existing dwelling within an urban area it is considered however that that it would contribute to making more efficient use of land in a relatively sustainable location. It is considered that in the circumstances the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above, and set out in NPPF Chapter 14.

6 – Representations:

No representations were made.

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: 2020/92518

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 with 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(a&c) of the Kirklees Local Plan.

4. The roof to the extension, including the roof overhang to the south-west elevation, shall be completed in accordance with the approved plans 2020/031/03 Revision B before the extension is first brought into use and thereafter the retained as such.

Reason: In the interests of visual amenity, to ensure that the south-western wall will not be overly prominent in the street scene, and to accord with Policy LP24(a&c) of the Kirklees Local Plan.

NOTE: There is the potential for a bat roost to 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.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			04-Aug-2020
Location plan	LP01		04-Aug-2020
Block plan (illustrative only based on original scheme)	LP01		14-Aug-2020
Plans and elevations as proposed	20-0310-03	B	24-Nov-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 Planning 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. The case officer undertook negotiations with the applicant to secure amended plans in the interests of visual amenity and the application was determined on this basis.

Report dated

27-Nov-2020
