

**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: 2020/62/93589/W
Site Address: 78, Ainley Road, Birchencliffe, Huddersfield, HD3 3QX
Description: Erection of single storey extension to side
Recommending Officer: Lucy Taylor

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: 21-Dec-2020

Officer Report.

Reference: 2020/93589

Location: 78, Ainley Road, Birchenccliffe, Huddersfield, HD3 3QX

Proposal: Erection of single storey extension to side.

Site Description.

78 Ainley Road is a two-storey end of terrace property located in Birchenccliffe, Huddersfield. The dwelling has a pebble dash finish on the exterior and has a blue slate hipped roof. The property benefits from a drive way and access path to the side elevation.

The property is located in a residential area where there is a strong sense of similarity within the streetscene. Although both semi-detached and terrace properties are present along Ainley Road, they are very similar in style of design and construction. Whereby, they are faced with a pebble dash finish and/or render and have tiled hipped roofs.

Description of Proposal.

The proposal is seeking permission for the erection of a single storey side extension and exterior alterations.

Single Storey Side Extension:

The proposed single storey side extension at 78 Ainley Road will project a maximum of 2.7 metres from the side elevation, have a maximum height of 3.4 metres and have a length of 7.2 metres, in turn, correlating with the length of the original dwellinghouse. It has a tapering design to follow the property boundary. The proposed finish for the extension is blockwork render and it will have a lean-to roof infilled with blue slate tiles. As a result, the roof will match the aesthetic appearance of the roof on the dominant dwellinghouse.

In regard to fenestration a new glazed access door will be erected on the front elevation of the side extension and roof lights will be erected within the lean-to roof. The roof lights will be in the form of three velux windows. Both the new door and roof lights will be constructed using white UPVC and therefore, will match the fenestration details on the original dwellinghouse.

The side extension will increase the extent of kitchen amenity space within the interior of the dwelling and will also create a sitting area.

Exterior Alterations:

It has been acknowledged that exterior alterations to the property are to occur alongside the erection of a side extension at 78 Ainley Road. This involves the removal of the pebble dash finish from the exterior of the property to be infilled

with render. As such the proposed side extension, constructed using blockwork and render, will be in keeping with the host property. In addition, this will be in keeping with the streetscene because some of the properties have render incorporated into their exterior design or have been completely refaced from render.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

No relevant planning history.

Representations.

We are currently undertaking 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 on 17th December 2020 – no representations were received.

Consultation Responses:

KC PROW

No comments were made in response to this proposal, therefore, no objection was made in regard to the proposed development from KC, PROW.

Policy/Legislation.

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:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **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 February 2019, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 12** – Achieving Well-Designed Places

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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:

The site is without notation on the Kirklees Local Plan. Policy LP1 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.

Policy LP1 goes on further to state that “the council will always work proactively 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 terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess the proposal, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

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

2. Impact on Visual Amenity:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

78 Ainley Road is located in a residential area where there is a strong sense of similarity within the streetscene. This is because all of the dwellings are similar in their style of design and construction, the majority faced with a pebble dash finish and topped with hipped roofs.

The proposed side extension is single storey in height and therefore, can be deemed to be subservient when viewed against the two-storey property and as a result, it can be concluded that the extension will not be obtrusive or result in over development to the side of the dwelling. The design relates to the shape of the plot and tapers to the rear. This is not readily apparent in the

street due to the presence of a garage within the neighbouring property. The proposed external facing material to be used on the side extension is render. It has been noted that alongside the erection of an extension at the property, exterior alterations will occur to remove the pebble dash finish from the exterior of the first floor of the property and replace it with a render finish. As such, the appearance of the extension will complement the host dwelling and be in keeping with the proposed construction materials and exterior finish, as well as maintaining a sense of similarity within the streetscene. There are other examples in the street where the external facing material has been altered in a similar manner. Furthermore, the lean-to roof will be infilled using blue slate tiles and as a result, the roof of the extension will match the roof on the dominant dwellinghouse.

In regard to the fenestration detailing, the presence of glazing is minimal and only one regular access door is to be erected. Both the door and roof lights are acknowledged to be constructed using similar materials to the fenestration detailing present on the dominant dwelling. As a result, the proposed fenestration on the side extension will not disrupt the architectural style of the dwelling as a whole.

Taking into account all of the above, it is considered that the proposed extension and alterations would comply with local, national and emerging policies in relation to design.

3. Impact on Residential Amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to *“provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”*

The site shares its boundary with properties to the east and west and has properties overlooking to the south. Therefore, development at 78 Ainley Road has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *80 Ainley Road* – This property is located to the west of the application site. It should first be noted that there is a significant separation distance between the site of erection for the proposed side extension at 78 Ainley Road and this neighbouring property. As such, due to the single-storey nature of the proposed side extension and the size and scale to which it will be erected, the extension will not cause any undue overbearing or overshadowing for this neighbouring property. In addition, the garage at the neighbouring property of 80 Ainley Road will act as a mitigator for any potential impacts that could be caused from the side extension, positioned close to the side boundary where the extension will be erected. In regard to neighbouring privacy, there is no glazing proposed on the side elevation of the extension and only roof

lights will be installed. As such, no impact upon neighbouring privacy will be caused.

- *76 Ainley Road* – This property is located to the east and adjoins the application site. This neighbouring property will not obtain any negative impacts from the proposed side extension at 78 Ainley Road due to the proposed site of erection and the attached style of the dwellings. As such, the property of the application site itself will block the presence of the proposed development and as a result, no undue overbearing or overshadowing will be caused and there will be no impact upon neighbouring privacy.
- *63 Ainley Road* – This property is located to the south and overlooks the application site. The application site and this neighbouring property have a substantial separation distance between their relative positions on Ainley Road, separated by the presence of a highway through the street. As such, in accumulation with the proposed size and scale of the extension, no undue overbearing or overshadowing will be caused. In addition, the extension will not impede upon neighbouring privacy in regard to this property because extensive glazing is not present on the front elevation and the significant separation distance will further mitigate from any potential impacts posed from the minimally glazed access door. Finally, the extension has been deemed to be in keeping with the host property from a visual perspective and therefore, will not create any negative impacts in regard to overlooking visual amenity.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

4. Impact on Highway Safety:

It has been acknowledged that there would be no further impact upon highway safety as the proposal is unlikely to intensify the domestic use at the property and at least one parking space would be retained on the site. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

5. Other Matters:

Bats

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential.

In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. However, it should be also be acknowledged that the development of a side extension to 78 Ainley Road poses no work to the existing roof of the dwelling.

Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a

licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

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

KC PROW

No comments were received after KC PROW were consulted with regard to the proposed development at 78 Ainley Road. Therefore, no objections were made and as such, it can be considered that the proposed erection of a single storey side extension to the dwelling will present no harm to the setting or users of this public footpath, with regard to both its ability to be used by the public and with consideration to various amenities such as visual amenity from the footpath.

6. Representations:

No representations were received.

7. Conclusions

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: 2020/93589

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 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. The external walls of the extension hereby approved shall be finished in through colour render to match the host dwelling before it is first occupied.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

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

Note: the application site is located in a high risk coal area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	20-052-04 Planning	-	23.10.20
Plans – Location Plan	Location Plan	-	23.10.20

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 amended plans were sought or submitted in regard to this application.

Report Dated: 18.12.20

