

**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: 2020/62/93792/W
Site Address: 13, High Green, Lepton, Huddersfield, HD8 0HW
Description: Erection of first floor front extension
Recommending Officer: Ellie Worth

DECISION – Grant 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: 19-Jan-2021

Officer report

Site description

13 High Green, Lepton is an end terrace property constructed from stone to the front elevation and render to the side and rear. The roof benefits from a dual pitch in which extends into a catslide to the front. Pedestrian and vehicular access can be taken from High Green, an adopted road. To the front, the property benefits from pedestrian access, alongside private amenity space to the rear. Land levels also fall within the vicinity, from the North East to the South West.

The site is situated within a predominantly residential area, whereby the neighbouring properties vary in design and form. Nonetheless, the common construction material appears to be stone and render. The site is also unallocated on the Kirklees Local Plan.

Description of development

The applicant is seeking permission for the erection of a first floor front extension. The measurements of the scheme are as follows:

- 5.5m in height to the eaves; 6.6m in overall height
- 6.3m in width
- 3.9m in depth

The extension will be constructed from natural stone to the front elevation and render to the side, to match the host property. The roof will also be finished in stone tiles forming another gable roof with valley between. Internally the works will provide larger bedrooms.

Parking will be retained to the rear of the site, as existing.

History of negotiations/amendments received

None have been sought during the course of this application.

Relevant Planning History

No previous planning history at the site.

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 the 25th December 2020.

As a result of the above publicity, no representations have been received.

Kirkburton Parish Council: No comment.

Consultation responses

None necessary.

Kirklees Local Plan

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP21 – Highway safety
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity

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 12 – Achieving well design places
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below:

1. Principle of development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

1.Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 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. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

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

2. Impact on visual amenity

The proposed first floor front extension would have some impact upon the amenity of the site and the wider area, given the additional bulk and massing proposed. However, it has been noted that the eaves of the extension would run parallel with the adjoining property and therefore would retain a subservient appearance. There are also numerous different house types and styles within the vicinity and therefore the proposal would harmonise well, with the host property and the neighbouring development, in which it will be read alongside. Many properties are two-storeys in height and the creation of a double gabled roof is not an uncommon way to extend older properties without adding substantial height.

There would also be no additional amenity space development as part of this application, as the works proposed would be above the existing catslide roof.

With regards to design, the extension has been considered acceptable from a visual amenity perspective, as it would follow the simple form of the neighbouring property and would be finished in stone and render to match.

New windows will be inserted at first floor, which will have a similar appearance to those that already exist on the host property. This includes setting the openings into the reveals and having stone heads and cills to replicate the architectural merits of the host property.

Whilst it is appreciated that the extension would be somewhat flush with the host property, it would be set down from the main ridge roof line, to ensure that the works do not unduly impact upon the existing solar panels. This will create a smaller dual pitched roof in which appears to be subservient to the host property.

As a result, it has been considered that the works proposed would visually enhance the characteristics of the host property, as it would appear more in keeping with the neighbouring properties. For these reasons, the scheme will therefore accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3. Impact on residential amenity

The impact of the development on each of the surrounding properties will be assessed in turn.

14 High Green, is the adjoining property to the application site. It has been noted that there would be no material impact upon these neighbour's amenity, as a result of the first floor front extension. This is due to the fact, that the extensions overall height would not exceed the ridge roof height at these neighbours. Furthermore, the works would only extend above the existing property and therefore would not protrude beyond the principle elevation at these neighbours. As such, any overbearing, overshadowing and overlooking would be limited.

11 High Green is the residential property to the North West of the application site. From undertaking the site visit, it has been noted that this property is set further back within its plot than the application site. Therefore, any potential overbearing from the additional first floor, would only be adjacent to these neighbour's single storey garage.

The first floor window within these neighbour's western facing gable elevation, is also unlikely to be severely overshadowed, given the fact that it is situated away from the host property. No new windows are proposed at first floor within the side elevation of the extension, in which will help protect these neighbour's amenity. Future first floor openings within this elevation, would also need to be obscurely glazed in order to comply with the GPDO.

As such, any impact upon these neighbour's amenity can be supported.

16 High Green is the neighbouring property to the West of the application site. Due to the orientation of this property, it has been considered that there would be no undue overbearing as a result of the works proposed. Any overshadowing would also be limited.

With regards to overlooking, it has been noted that a separation distance of approximately 10m will be retained to the only first floor opening within these neighbours north eastern elevation. Furthermore, given the size and scale of this opening, officers do not consider any impact to be detrimental to the amenity of these neighbours and therefore this relationship, on balance can be supported.

In summary the application is considered to have an acceptable impact on residential amenity and therefore complies with LP24 of the KLP from this perspective.

4. Impact on highway safety

It has been noted that the proposal would increase the internal floor space for the dwelling, however, the number of bedrooms will be retained. As such, there is no further requirement for additional parking at the site and therefore no highway concerns have been raised. This is to accord with Policies LP21 and LP22 of the KLP.

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. 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 licenced bat worker 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 is not considered reasonable to require the applicant to put forward any specific resilience measures. However, it has been noted that the extension would be partly constructed from stone, which is considered to be natural material, that can be sourced locally. The use of large areas of glazing to bedroom 4, will also help to reduce the use of artificial light and improve passive solar gain. The existing roof hosts solar panels. The design of the extension would not adversely affect the sunlight to these panels to an unacceptable degree. The design of the proposed roof form includes a low pitched roof over the accommodation formed.

6. Representations

None received as a result of the above publicity.

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 materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

Recommendation Approve

Decision Authorisation - Delegated Powers

Application Number: 2020/93792

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 Policies LP1, LP2, LP21, LP22, LP24, and LP30 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The stonework and render used on the external walls of the first floor front extension hereby approved, shall in all respects match the materials used in the construction of the existing building, in accordance with the details shown on the approved plan.

Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan and the aims 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 13.00hours , 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 work may be carried out.

NOTE: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	1369-10	-	18 th November 2020
Existing and proposed floor plans and elevations	1369-01	-	18 th November 2020
Planning statement	-	-	18 th November 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. In this instance, the application has been considered acceptable, on its original merits and therefore no amendments have been sought.

Report Dated: 19.01.21