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:	2020/62/94123/W
Site Address:	2, Little Lane, Wooldale, Holmfirth, HD9 1QF
Description:	Erection of extensions and alterations to front, side and rear, formation of raised terrace, erection of detached garage
Recommending Officer:	Ellie Worth

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 23-Feb-2021

Officer report

Site description
2 Little Lane, Wooldale is a two storey detached dwelling predominantly constructed from stone, with elements of white render to the front and gable elevation of the integral garage. Due to the changes in land levels within the site and the wider area, the driveway and landscaped garden to the front are on a slight slope. To the rear is private amenity space. Vehicular and pedestrian access can be taken from the front boundary onto Little Lane, a classified C Road. At the time in which the site visit was undertaken, boundary treatment consisted of hedging and stone walling.

The site is situated within a wider residential area, whereby the neighbouring properties are of a similar in design and form. The common construction material is natural stone. The site is unallocated on the Kirklees Local Plan, however, is adjacent to Wooldale Conservation Area, in which lies to the West.

Description of development
The applicant is seeking permission for the erection of extensions and alterations to the front, side and rear with the formation of a raised terrace, decking and detached garage. The measurements of the scheme are as follows:

Single storey front extension:
- 4.3m in width
- 4m in depth
- 2.2m in height to the eaves; 3.7m in overall height

First floor side extension (above existing garage):
- 5.2m in projection
- 7.2m in length
- 4.8m in height to the eaves; 7.4m in overall height

Rear extension with balcony above:
- 13.2m in width
- 4.2m in overall height (5.3m to include balustrade for balcony)
- 4m in projection

Decking:
- 2.3m in depth
- 13.2m in width
- 1.5m in height

Detached garage:
- 6m in length
- 6m in depth

- 3.5m in overall height

The front extension, front elevation of the first floor side extension and detached garage will be constructed from natural stone to match the host property. The side and rear elevations of both the side and rear extensions will be finished in render to match the materials used on the existing property. Internally the works will provide the additional living accommodation required by the occupants.

The driveway will be extended as part of this permission, with slight ground works to even the land to the front of the dwelling.

The works to convert the garage into living accommodation are likely to fall under the remit of permitted development and therefore no concern is raised.

An alleged breach of works has been brought to the council's attention regarding the excavation of the front garden, which currently lies with Planning Enforcement. Nonetheless, an assessment of the retrospective retaining wall has been undertaken within the report below.

History of negotiations/amendments sought
Officers have entered into discussions with the applicant regarding the impact in which the development would have upon visual and residential amenity. As such, amendments have been sought to omit the projecting two storey front extension, reduce the size and scale of the proposed garage and to alter the construction materials. These were received on the 28th January 2021. Further details regarding the retaining wall were submitted to the council alongside a landscaping plan. This was received on the 23rd February 2021.

Relevant Planning History
No previous history at the application site.

Neighbouring properties:
87/05224 Single storey extension, alterations and new chimney – Granted (4 Little Lane)
93/03013 Erection of first floor extension – Granted (4 Little Lane)
2005/93949 Erection of single storey extension – Granted (4 Little Lane)

Representations
The application has been advertised via site notice, neighbour notification letters and the press.
Final publicity expires: 11th February 2021.
As a result of the above publicity, 18 representations have been received from 10 different households. 17 were in objection, with 1 general comment. A summary of the concerns raised can be seen below:

Residential amenity
- Loss of privacy to neighbouring properties as a result of the proposed garage

- The garage has been reduced, however, the sense of open space will still be lost at neighbouring properties (enclosure)
- Overbearing and overshadowing on neighbouring properties from the additional built form
- Impact from the two storey garage
- The new door in the side of the garage conversion will impact on privacy
- Impact on overlooking from the skylights, decking and first floor terrace
- Noise disturbance during the construction of the works

Visual amenity

- Overdevelopment of the site
- Adverse impact on Wooldale park
- The new works will appear intrusive and are too big
- Loss of front garden will not be in keeping with neighbouring dwellings
- The front extensions are out of character
- The proposal will impact upon the conservation area
- The works will destroy the character of the village
- The overbearing nature does not fit in with the neighbouring dwellings
- The use of render will be out of character
- The garage will appear out of place and has an imposing nature
- The garage will be outside of the building line and will create a visual imbalance
- The garage would contravene with the Holme Valley Heritage and Character Assessment
- No building should be to the front of the house

Highway safety

- Little lane is too narrow for delivery lorries and will make it unsafe
- There will be access and visibility problems, as the site is on a bend

General objections

- Description of development is incorrect
- The application form states that no trees are being felled but they already have
- The applicant did not live at the property 21 days before submitting the planning application
- The garage will have a negative ecological impact by removing the existing front garden
- Impact on pollution and the environment from the garage
- Concerns over the garage being ran as a commercial unit
- Concerns over the time in which it will take to build the extensions and outbuilding
- Impact on surface water run off from the extended driveway as there is already history of problems within this area
- Impact on the safety of children due to delivery lorries
- Large areas of excavation have already taken place
- Impact on the watercourse/springs under the site

- Extensive preparatory works have already taken place
- Does the new garage require plumping or a bathroom?
- If the plans are approved, this will set a precedent and will ruin the area
- Impact on the sale value of neighbouring properties
- Deeds of neighbouring properties restrict such development
- The works conflict with local policy

General comment

- No objection in principle but the works should be constructed from stone rather than render
- The height of the garage should be lowered

Holme Valley Parish Council: In support

Ward Councillors: Comments have been raised regarding the works in which have already taken place.
Response: This has been passed onto Planning Enforcement to look into in more detail.

Whilst the amendments sought were to reduce the amount of bulk and massing at the site, officers considered the new scheme to be visually different and therefore a second round of publicity was undertaken, via neighbour notification letters.

Consultation responses
None 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 unallocated on the Kirklees Local Plan, however, is adjacent to Wooldale Conservation Area.

Neighbourhood Development Plans
Holme Valley Neighbourhood Development Plan has been formally submitted to Kirklees Council and Peak District National Park Authority. It covers the whole of the Holme Valley Parish Area. The plan has not been subject to publicity (Regulation 16, The Neighbourhood Planning (General) Regulations 2012) at this time. There are unresolved objections between the Kirklees Council and the neighbourhood plan body therefore the plan has no weight at this stage.

Kirklees Local Plan
• LP 1 – Achieving sustainable development
• LP 2 – Place shaping
• LP 21 – Highway safety

• LP 22 – Parking
• LP 24 – Design
• LP28 - Drainage
• LP 30 - Biodiversity
• LP34 – Conserving and enhancing the water environment
• LP 35 – Historic Environment

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 14 – Meeting the needs of climate change, flood and coastal change
• Chapter 15 – Conserving and enhancing the natural environment
• Chapter 16 – Conserving and enhancing the historic 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 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. 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 NPPF provides guidance in respect of design in chapter 12 (Achieving well designed places) with 124 providing an overarching consideration of design stating ‘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 importantly, LP24 are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Policy LP24 states that all proposals should promote good design by ensuring the following: 'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape' and that 'extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details an minimise impact on residential amenity of future and neighbouring occupiers'.

The application site is also part located adjacent to the Wooldale Conservation Area and the impact of development on the setting of the Conservation Area needs to be considered in detail. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant which sets down a statutory duty for the preservation or enhancement of the conservation area Policy LP35 of Local Plan also need to be considered along with Chapter 16 of the NPPF.

In this instance, it has been considered that the extensions and alterations would on balance appear subservient to the host property, given its overall size and scale in relation to the existing mass of the building and the reasonably large plot which the property sits within. The first floor side extension would run parallel with the existing eaves and ridge height and would benefit from a dual pitched design. The single storey front extension would be relatively small in size and scale given the size of the host dwelling, the overall plot and its restriction in only part width of the host dwelling. It is also noted that it would not be dissimilar to the front projecting element on the next door property. The rear extension with balcony and decking, would also benefit from a flat roof in order to keep the overall bulk and massing to a minimum. Finally, the detached garage will be single storey in height and is designed with a dual pitch. This will allow the original property to sit comfortably within its curtilage and therefore would not result in the overdevelopment of the site.

In terms of the impact on the Conservation Area the proposed development would be constructed from matching materials and would be of an acceptable design in keeping with the host property and the neighbouring properties. As such, officers are satisfied that there would be no significant impact upon the Conservation Area or the heritage asset.

Furthermore, the public benefits to the property, would be that the host dwelling could remain at its optimum use, as a dwelling, with the additional living accommodation required to meet the needs of the applicant.

Single storey front extension
The design of the front extension has been considered satisfactory from a visual perspective, as this element would be relatively small in size and scale. The extension would benefit from a dual pitch in order to keep in with the

design features at the application site. The extension would be constructed from stone to match the host property.

In terms of fenestration, the submitted plans show a window to be inserted into the front and side elevations. These openings are considered to be acceptable, as they will be of a similar appearance to those that exist on the host property and will be constructed from white UPVC to match.

Given that the extension is of an acceptable scale, officers are satisfied with the impact on visual amenity, as this aspect would be significantly set back from the highway. The additional bulk and massing would also be of a similar arrangement the existing front extension at no. 4 Little Lane.

First floor side extension
As outlined above, amendments have been sought to omit the projecting two storey front extension, and to include a first floor side extension above the existing integral garage. This simple form of development would retain the same eaves and ridge height as the host property. Whilst officers would prefer the extension to be set down from the ridge roof line, it has been noted that the works would appear as a continuation to the existing property and therefore any impact would not be undue. The principle of having this form of development has previously been approved on the neighbouring property and therefore the dwelling would still be perceived as a large, detached unit. Therefore, in this context any harm would not be significant.

The extension would be constructed from stone to the front and render to the side and rear to match the materials used on the existing dwelling.

The proposed fenestration has also been considered acceptable, as it would be of a similar design and form to those that already exist on the host property.

Whilst the extension would intensify development closer to the northern boundary, it would not result in an undesirable terracing effect as the property is a detached dwelling. The extension would also be situated above the existing garage and therefore would not encroach any closer to the nearest neighbours.

Single storey rear extension with balcony/terrace
The design of the single storey rear extension has been considered acceptable from a visual perspective. Whilst the works would intensify the amount of bulk and massing to the rear of the site, the extension has been designed with a flat roof in order to alleviate any harm. This has been considered acceptable, as the works would not appear overly prominent from public vantage points and would be set back from the highway. The extension would also be finished in render.

In terms of fenestration, three large sliding doors will be inserted into the rear elevation. This will enhance the extensions contemporary appearance by

allowing flexible space for the occupants. Lanterns will also be inserted into the flat roof in order to enhance passive solar gain.

The applicant is also seeking permission for a terrace above the extension which leads out from the master bedroom. Whilst this aspect, would have a projection of 4m and a width of 5m, it would be placed on the rear elevation of the host property and therefore would not appear overly prominent within the street scene. The terrace will allow the applicant to enjoy the long distance views.

Decking
Due to the lay of the land, permission is also sort for a small, decked area adjoining the rear extension. This will provide a levelled outdoor space in which the occupants can enjoy. The overall height of the decking would be 1.5m and therefore any impact upon visual amenity can be supported.

Detached garage
Amendments have been sought to reduce the size and scale of the detached garage. Along with this, the applicant has also re-configured the location of the outbuilding so that it is situated relatively closer to the host property. This will allow the addition to appear more subservient.

The garage will be constructed from stone to match and has been designed to include a large garage door within the northern elevation. This is a typical arrangement for such form of development and therefore can be supported. A pedestrian door, window and two roof lights are also proposed. These additions have been considered acceptable and therefore will allow more natural light into the outbuilding**.**

Retaining wall
Works have been undertaken to construct a retaining wall to the front of the property, which are considered to form an engineering operation. It is noted that the retaining wall has replaced a former rockery. As such, retrospective permission has been sought. In this case, it has been noted that the gabion wall predominantly consists of natural stone and therefore any visual impact would not be undue. Furthermore, officers have also acknowledged that a large proportion of the wall would be no greater than 1m in height reducing any visual impact. The retaining wall is therefore on balance, considered to be acceptable. Details have also been provided that the land in front of the retaining wall to the proposed detached garage would be covered in decorative stone which is considered to be an acceptable finish.

For these reasons, it has considered that the public benefits of the scheme are considered to outweigh the less than substantial harm. In summary the proposed extensions would be of a satisfactory design and would be in keeping with the character of the area in accordance with Policies LP24 and LP35 of the KLP and Chapter 12 and 16 of the NPPF.

3. Impact on residential amenity

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

4 Little Lane is the neighbouring property to the North of the application site. These neighbours are situated on a slightly lower level given the change in topography within the area. Nonetheless, officers do not consider there to be any material impact upon these neighbours' amenity, as a result of the single storey front extension. As this aspect would be located at the opposite side of the host property.

In terms of the first floor side extension, the submitted plans show this to be situated above the existing integral garage and therefore the existing separation distance of approximately 6m will be retained. At the time in which the site visit was undertaken, there was no evidence of any existing first floor openings within these neighbours southern facing side gable and therefore any overbearing and overshadowing would not be undue. The plans also show no new openings to be inserted into the side elevation of the extension and therefore there would be no further overlooking. Future first floor openings within this elevation would need to be obscurely glazed in order to comply with permitted development.

It has been noted that these neighbours are situated further back into their plot, when compared to the application site and therefore the main bulk and massing from the single storey rear extension and terrace would be adjacent to these neighbour's side elevation. As such, any overbearing and overshadowing would be limited. The plans show no additional openings to be inserted into the northern facing side elevation of the extension, which will further protect these neighbour's amenity. However, given the close relationship, officers consider it necessary to remove further permitted development rights for ground floor openings, within this elevation.

A 1.8m high obscurely glazed balustrade is also shown to the northern boundary of the terrace, in which will help protect these neighbour's amenity. This has been considered reasonable and therefore a condition will be attached to the decision notice to ensure that the screen is in place before the terrace is first brought into use.

The submitted plans show the decked area to protrude beyond these neighbour's rear elevation, having the ability to impede on their privacy. As such, officers consider it necessary to attach a condition to the decision notice regarding the installation of a 1.8m privacy screen. This will help mitigate any impact, along with the existing boundary treatment (shrubs).

Given the reduction in the size, scale and footprint of the proposed garage and the location of the retaining wall, there would be no material impact upon the amenity of these neighbours, as a separation distance of approximately 20m would be retained to the nearest elevation.

1 Woolcroft Drive is the neighbouring property to the South West of the application site. Given the significant changes in levels within the vicinity,

officers have noted that these neighbours are situated on a slightly higher level. There is also extensive boundary treatment in place between these properties, alongside no.1 being situated further forward within their plot.

As such, officers are confident that there would be no material impact upon these neighbour's amenity, in terms of overbearing, overshadowing and overlooking, as a result of the additional bulk, massing and openings contained within the extensions and outbuilding.

To the front of the property is a recreational park and to the rear are open fields. Nonetheless, the land to the rear is allocated for housing in the Kirklees Local Plan. However, given that the host property benefits from a large garden, the works are unlikely to prejudice the use of this land for housing.

4. Impact on highway safety

Whilst the proposed development has the potential to intensify the domestic use at the property, officers have noted that there would be an acceptable level of onsite parking provided.

In this case, the driveway will be extended, and a double garage will be provided. This would be suitable for at least four vehicles. For these reasons, the proposal is not considered to give raise to any highway safety or parking concerns.

However, it has been considered reasonable to impose a condition to ensure that the additional driveway is appropriately surfaced and drained in accordance with standard guidance to ensure that the additional hard surface does not result in an increase in surface water run-off and flood risk. This would accord with Policies LP28 and LP34 of the Kirklees Local Plan.

For these reasons, it has been considered that the proposal would have an acceptable impact on highway safety and flood management and therefore is considered to comply with Polices LP21 and LP22 of the Kirklees Local Plan.

5. 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 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 a substantial amount of the extensions would be constructed from stone, which is a natural material, that can be locally sourced. The use of large openings to habitable room windows will also reduce the use of artificial lighting and improve solar gain.

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.

Culverted watercourse
The outbuilding and rear extension would be situated relatively close to a culverted watercourse, in which runs underneath part of the site. However, in this instance a stand off distance of 5m will be retained to the detached garage and 3m from the rear extension, which has been considered acceptable for this type of development. This is to accord with Policy LP28 of the KLP.

6. Representations
As a result of the above publicity 18 representations have been received by 10 different households over two period of publicity. 17 comments are in objection, with 1 general comment. A summary of the concerns raised alongside officer correspondence can be seen below.

Residential amenity

- Loss of privacy to neighbouring properties as a result of the proposed garage
- The garage has been reduced, however, the sense of open space will still be lost at neighbouring properties (enclosure)
- Overbearing and overshadowing on neighbouring properties from the additional built form
- Impact from the two storey garage
- The new door in the side of the garage conversion will impact on privacy
- Impact on overlooking from the skylights, decking and first floor terrace
- Noise disturbance during the construction of the works
  Comment: The above concerns have been noted, however, a thorough assessment has been taken upon the amenity of the neighbouring properties in which share a boundary with the application site. Relevant conditions regarding screening will be attached to the decision notice below.

Visual amenity

- Overdevelopment of the site

Comment: Officers do not consider the works to result in the overdevelopment of the site.

- The proposal will impact upon the conservation area
- The works will destroy the character of the village
- Adverse impact on Wooldale park
  Comment: These comments have been noted, however, officers do not consider the works to detrimentally impact upon the wider amenity or Wooldale Conservation Area.

- The new works will appear intrusive and are too big
  Comment: Amendments have been sought to reduce the overall built form. A full assessment can be found within section 2 of the report above.

- Loss of front garden will not be in keeping with neighbouring dwellings
  Comment: This concern has been noted, however, officers do not consider any harm to be detrimental.

- The front extensions are out of character
  Comment: This comment has been noted and therefore amendments have been sought to omit the projecting two storey front extension.

- The overbearing nature does not fit in with the neighbouring dwellings
  Comment: Officers consider the overall built form to be acceptable, as the side and front extensions will be in keeping with the works at no.4 Little Lane.

- The use of render will be out of character
  Comment: Officers have sought amendments to reduce the amount of render to the gable elevation on the side extension and to the rear extension.

- The garage will appear out of place and has an imposing nature
- The garage will be outside of the building line and will create a visual imbalance
- The garage would contravene with the Holme Valley Heritage and Character Assessment
- No building should be to the front of the house
  Comment: The garage as originally submitted was unacceptable, however, officers have secured amendments in which have reduced its size, scale and footprint.

Highway safety

- Little lane is too narrow for delivery lorries and will make it unsafe
- There will be access and visibility problems, as the site is on a bend
  Comment: These concerns are noted, however, given that the scheme is for extensions to a domestic property, it is considered that an acceptable arrangement could be achieved.

General objections

- Description of development is incorrect
  Comment: Officers consider the description of development to correctly reflect the works proposed.

- The application form states that no trees are being felled but they already have
  Comment: This has been noted, however, the shrub's/small trees within the site do not benefit from a tree preservation order and therefore could be cut down without permission.

- The applicant did not live at the property 21 days before submitting the planning application
  Comment: This concern is outside the realms of planning and therefore officers have to take the application on face value, in line with the legal certificate in which has been signed as part of the application form.

- The garage will have a negative ecological impact by removing the existing front garden
  Comment: Whilst the majority of the front garden will be lost as part of this application, any impact upon ecology is not considered to be undue. As such ecological enhancements are not required for this type of development.

- Impact on pollution and the environment from the garage
- Concern over the garage being ran as a commercial unit
  Comment: Given that the application has been submitted as a householder scheme, any impact upon pollution and the environment would not be detrimental. If the applicant was to use the garage for commercial purposes, separate permission would be required.

- Concerns over the time in which it will take to build the extensions and outbuilding
  Comment: Given the nature of the proposal, it is not considered that the works would take a substantial amount of time to construct.

- Impact on surface water run-off from the extended driveway as there is already history of problems within this area
  Comment: This has been noted and therefore a condition will be attached to the decision notice to ensure that the additional driveway is laid in a permeable surface.

- Impact on the safety of children due to delivery lorries
  Comment: This is not a material planning consideration and therefore cannot be assessed as part of this application.

- Large areas of excavation have already taken place

Comment: This has been noted and is being investigated by Planning Enforcement.

- Impact on the watercourse/springs under the site
  Comment: This has been noted, however officers consider an acceptable stand off distance to be achieved. Nonetheless, a note will be attached to the decision notice accordingly, to make the applicant aware of this.

- Extensive preparatory works have already taken place
  Comment: This has been noted.

- Does the new garage require plumping or a bathroom?
  Comment: Given that the outbuilding will be used for the parking of vehicles, it is unlikely that additional plumbing will be required.

- If the plans are approved, this will set a precedent and will ruin the area
  Comment: This has been noted and a thorough assessment of all material planning considerations has been undertaken.

- Impact on the sale value of neighbouring properties
  Comment: This is not a material planning consideration and therefore cannot be assessed as part of this application

- Deeds of neighbouring properties restrict such development
  Comment: This is not a material planning consideration and therefore cannot be assessed as part of this application. This is a separate legal matter.

- The works conflict with local policy
  Comment: The works have been assessed in line with local and national policy.

General comment

- No objection in principle but the works should be constructed from stone rather than render
- The height of the garage should be lowered
  Comment: These comments have been noted.

The above comments have been carefully considered in the determination of this application. However, they are not deemed to substantiate defendable reasons for refusal for the reasons outlined above.

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: 2020/94123
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, LP28, LP30 and LP34 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The stonework used on the front elevation of the first floor side extension, single storey front extension and detached garage hereby approved, shall in all respects match the stone 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 and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. The render to be used on the side and rear elevations of the first floor side extension and single storey rear extension, shall in all respects match the render 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 and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

5. The roofing materials of the extensions hereby approved shall in all respects match those 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 and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

6. The extensions hereby approved shall not be brought into use until the extended driveway as indicated on the approved block plan (dwg no. 08 Rev A) has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

7.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order

revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the northern facing side elevation of the single storey rear extension hereby approved.
Reason: So as not to detract from the amenities of neighbouring properties by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

8. Before the first floor terrace and rear decking is first brought into use, a 1.8m high obscurely glazed privacy screen shall be erected along the North Boundaries. The privacy screens shall thereafter be retained.
Reason: So as not to detract from the amenity of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

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.

NOTE: There is a culverted watercourse in which runs across part of the application site. This should be protected during the course of the construction phase.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received

Location plan and existing floor plans	01	-	9th December 2020
Existing elevations and site plan	02	-	9th December 2020
Existing elevations and site section	03	-	9th December 2020
Proposed floor plans	04	A	28th January 2021
Proposed elevations and site plan	05	A	28th January 2021
Proposed elevations and site section	06	A	28th January 2021
Garage floor plans and elevations	07	A	28th January 2021
Proposed block plan	08	A	28th January 2021
Landscaping plan	05	A	23rd February 2021

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, officers have entered into discussions with the applicant regarding the impact in which the development would have upon visual and residential amenity. As such, amendments have been sought to omit the projecting two storey front extension, reduce the size and scale of the proposed garage and to alter the construction materials. These were received on the 28th January 2021. Further details regarding the retaining wall were submitted to the council alongside a landscaping plan. This was received on the 23rd February 2021.

Report Dated: 23rd February 2021