

**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: 2020/62/94323/E

Site Address: 149, Hunsworth Lane, Hunsworth, Cleckheaton, BD19
4DR

Description: Erection of single storey front and side extension with
associated works

Recommending Officer: Josh Kwok

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.**

Paul Dowd

AUTHORISED OFFICER

Date: 01-Mar-2021

Officer Report

Site Description

149 Hunsworth Lane, Cleckheaton comprises a two-storey stone-built detached house, a single storey stone-built wraparound extension, a detached garage and a spacious lawned garden. The site is enclosed by dry stone walls and hedgerows. Its vehicle access is on Westroyd Avenue.

This stretch of Hunsworth Lane is characterised by mostly residential development of various sizes and appearance. All buildings clustering around the adjacent Grade II listed Savile Arms public house are constructed with natural stone, with a traditionally designed frontage.

Description of Proposal

Planning permission is sought for erection of a single storey front and side extension with associated works. Details of this development are set out as follows.

- 4.4m wide x 10.8m deep x 3.9m high
- Facing and roofing materials to be charred timber cladding and flat roof membrane

History of negotiations/amendments received

Some minor amendments were sought to the built form and scale of this development to achieve a better design quality. The revised drawings were received on 26-02-21. No further amendments or details were requested thereafter.

Relevant Planning History

No record of similar planning applications found at the site and its surroundings.

Representations

This application was publicised by neighbour letter, site notice and news advert, which expired on 24-Feb-2021. No written representations have been received following this publicity.

Consultation Responses

No consultations required for this application.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 (KLP):

- **LP 01** – Achieving sustainable development
- **LP 02** – Place shaping
- **LP 21** – Highway safety and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **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 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- 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 highway safety
- 5) Other matters

- 6) Representations
- 7) Conclusion

1 – Principle of development:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan (KLP). This policy stipulates that proposals that accord with policies in the KLP will be approved without delay, unless material considerations indicate otherwise. Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations, along with others, are addressed in the following sections in this report.

2 –Impact on visual amenity:

This application seeks to replace the existing wraparound extension with a new one. Whilst the proposed extension would be considerably larger than the one it would be replacing, it would be single storey in height and, therefore, would not appear overly dominating when viewed with the host building. The extension would be set away from Hunsworth Lane and Westroyd Avenue. This would minimise the potential of impact on the local street-scene. Furthermore, there would remain appropriate spacing between the proposed and existing development. For these reasons, despite being relatively large in scale, the wraparound extension could, on balance, be supported in terms of policy LP24 of the KLP.

The extension would have a dark coloured timber cladding finish. It would look different from the main house constructed with regular coursed natural stone. Notwithstanding this consideration, the surrounding buildings are already constructed with various materials such as brick, stone, and coloured render. In this local context, taking account of the scale and siting of this development, officers are satisfied that the selected materials of construction could be acceptable.

The extension would have a flat roof with large openings in the front elevation. This design, although different from the host building, is, on balance, acceptable in view of the built form and fenestration of the existing wraparound extension. The visual impact arising from the proposed extension is considered not to be significantly greater than that of the existing extension. Consequently, there would be no issues in design terms.

In conclusion, the development in question is of a satisfactory quality in scale, design, and materials. It would not harm the overall appearance of the main house and the character of its immediate surroundings. The potential of an adverse impact on the street-scene of Hunsworth Lane and Westroyd Avenue is considered low and acceptable. The proposed development complies with policy LP24 of the KLP and chapter 12 of the NPPF.

3 – Impact on residential amenity:

The development concerned would bring the host building closer to the adjacent end-terraced house at 147 Hunsworth Lane. However, it is considered that the proposal would not give rise to a significant detrimental impact on the privacy of these neighbours as the existing house already has several openings with a direct view of the garden of this adjoining house. In addition, no.147 is set perpendicularly to the southern boundary of the application site, which means that the potential of overlooking impact upon its residents is minimal.

As noted in the visual amenity section, the development in question would maintain at an appropriate separation distance from the development nearby, so it would have very limited overshadowing and overbearing impacts upon the occupants of the neighbouring houses.

No other houses in the vicinity of the application site would be adversely affected by the current proposal. In short, this development is satisfactory from a residential amenity perspective and compliant with policy LP24(c) of the KLP.

4 – Impact on highway safety:

The proposed development would neither intensify the current use of the house, nor would it affect the parking arrangement of the site. Therefore, it accords with policies LP21 and LP22 of the KLP in terms of highway safety and parking.

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 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.

The proposal is a small-scale domestic development to an existing dwelling. As such, no specific measures are required in terms of the planning application, with regards to carbon emissions. However, there are controls in place in terms of Building Regulations, which will need to be adhered to as

part of the construction process and which will require compliance with national standards.

Ground condition

The development concerned would fall within a “Development High Risk Area” identified by the Coal Authority. In this case, the proposal is for extensions to an existing residential property. Given that, it would be exempted from the requirement of Coal Mining Risk Assessment, in accordance with the Coal Authority Exemption List. The site is considered suitable for the development in question.

Listed building setting

To the north-eastern aspect of the site is the Grade II listed Savile Arms public house. Given this, consideration should be given to the design and siting of this development to ensure that it does not prejudice the setting of this designated heritage asset. In this case, since the extension is to be placed to the south-western aspect of the site, it is considered that there would be no adverse impact on the significance of this Grade II listed building. Thus, this development conforms to policy LP35 of the KLP and chapter 16 of the NPPF.

Ecology

The site is located within a bat alert layer. Following a site visit, the building appeared to be well-sealed and there was no evidence of bat roosts, nor was any bat roost potential found. A footnote has been added to the decision notice to provide the applicant with advice should bats, or evidence of bats, be found during construction. This would accord with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations were received following the statutory 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 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: 2020/94323

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 to ensure the satisfactory appearance of the development on completion, and to accord Policies LP21, LP22 and LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external walls of the single storey wraparound extension hereby approved shall be faced with dark coloured timber cladding in accordance with the approved details received on 05-Feb-2021 and the roofs shall be covered with matching flat roof membrane.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Block plan	(20)002 - BLOCK PLAN A3		26-Feb-2021
Existing plans and elevations	(EX)001 - EXISTING GA A1		18-Dec-2020
Proposed plans and elevations	(20)001 PROPOSED GA A1		26-Feb-2021
Location plan	(EX)002 - LOCATION PLAN A4		18-Dec-2020
Materials			05-Feb-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 Authority has, 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 case, some minor amendments were sought to the built form and scale of this development to achieve a better design quality. The revised drawings were received on 26-02-21

Report Dated:

01-Mar-2021
