

**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: 2021/62/90035/E

Site Address: 80-82, Stocks Bank Road, Mirfield, WF14 9QB

Description: Demolition of existing front gable and single storey side extension and erection of new front gable with new window positions and single storey side extension with raised roof line

Recommending Officer: Callum Harrison

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: 15-Mar-2021

Officer Report

2020/90490

80-82 Stocksbank Road, Mirfield, WF14 9QB.

Site Description

The application site is a single storey, detached stone dwelling located on Stocksbank Road, Mirfield. It has a small yard area to the front, and there is a car park to the rear, which is within different ownership. The site is mainly within a residential area outside of any local or town centre designation but is otherwise unallocated on the Local Plan.

Description of Proposal

The application is seeking permission for the demolition of existing front gable and single storey side extension and erection of new front gable with new window positions and single storey side extension.

The replacement side extension would have the same length and width as the existing side extension. However, the roof form would be mono-pitched, and continue the roof plane of the dwelling. The front facing elevation of this side extension would contain the front door.

The replacement gable would be set to the same height and in the same position. The gable would have one new window at first floor level and see two doors removed. Three rooflights in total are also proposed in the roof planes.

The walls would be faced in coursed natural stone, reclaimed where possible, with ashlar stone sills, jambs and mullions. The walls of the side extension would be cedar clad.

History of Negotiations

No amendments were sought for the proposal. The plans original submitted were incorrect. The correct plans were received on 26/01/2021.

Relevant Planning History

2020/90490 - Prior notification for change of use from office to one dwelling was approved.

Representations

The application was advertised by neighbour notification letters. Publicity expired on 11/03/2021. No representations were received.

Consultations

Mirfield Town Council – No comments.

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 in the Kirklees Local Plan 2019.

Kirklees Local Plan (KLP):

LP 1 – Achieving sustainable development

LP 2 – Place shaping

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 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 12 – Achieving well-designed places

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 amenity
- 5) Other matters
- 6) Representations
- 7) Conclusion

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. In terms of extending and making

alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

2. Impact on Visual Amenity

Policy LP24 of the KLP states that “proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape” and ensure that “extensions are subservient to the original building, are in keeping with existing buildings in terms of scale, material and details”.

The proposed replacement gable and side extension are not materially larger than the existing structures. The replacement gable will see two doors removed and a window inserted at first floor level. This gable will have a balanced finish that is in-keeping with the host building and street scene. The side extension is slightly taller than the existing extension. However, the continuation of the dwelling’s roofline through the side extension will demonstrate a uniformed finish. The cedar cladding will offer a contemporary style, which would respect the host dwelling and wider street scene. The rooflights are modest in scale and quantity and would also represent good design. Therefore, the proposal is considered acceptable in terms of visual amenity and accords with policy LP24 of the KLP.

3. Impact on Residential Amenity

Policy LP24 of the KLP states that proposal should “provide a high standard of amenity for future and neighbouring occupiers”. The proposed replacement gable and side extension would not materially impact on any neighbouring occupiers, given that they are not materially larger than the existing dormer and extension. Furthermore, the proposed window to the front will face the highway, thus would not impacting on the residential amenity of any neighbouring dwellings. By virtue of their design, rooflights offer a viewpoint upwards. Considering this and their position on the side elevations that do not view towards the windows of habitable rooms, these rooflights are also considered not to impact on the residential amenity of any neighbouring occupiers. Therefore, the proposal is considered acceptable in terms of residential amenity and accords with policy LP24 of the KLP.

4. Impact on Highway Amenity

Given that the proposed development would neither intensify the site, not impact on the existing parking arrangement, the proposal is considered not to materially impact upon the highway.

5. Other Matters

None.

6. Representations

None.

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.

As set out above, 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: 2020/90035
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 with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

Plans and specification schedule:

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	DL628-01B Existing & Proposed	2	26/01/2021
Supp Info - General	20-02-18-R Designline Structural Appraisal	1	19/01/2021

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 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. No amendments were sought for the proposal. The plans original submitted were incorrect. The correct plans were received on 26/01/2021.

