

**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: 2021/62/90254/W

Site Address: 24, Roaine Drive, Holmfirth, HD9 1EX

Description: Erection of ground floor front and first floor side extensions

Recommending Officer: William Simcock

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.

Emma Thompson

AUTHORISED OFFICER

Date: 19-Mar-2021

Officer Report 2021/90254

Site Description

24 Roaine Drive is a two-storey semi-detached dwelling (the left-hand half of a pair) which is built in artificial stone with an attached single garage at the side and a porch at the front. There is also a 4.0m by 4.5m garden room extension at the rear. It is situated within a row of similar properties. There is a driveway at the front with access to the highway. The site is near-level, without steep gradients.

Description of Proposal

The proposal is for the erection of:

- A two-storey side extension of 2.45m in width, replacing the existing garage and forming a new single garage, utility room and WC, with a gable roof continuing the line of the existing roof;
- A single-storey front extension with a lean to roof, continuing the line of the existing porch.

Materials are to match the existing building.

Relevant Planning History

None.

Representations

Final publicity date Expires: 08-Mar-2021 (publicity by neighbour letter only thus complying with the Development Management Procedure Order)

Holme Valley Parish Council – Support.

No representations have been made by other third parties.

Consultation Responses

No consultations were deemed 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 without designation on the Local Plan.

Local Plan:

LP 21: Highways and access

LP 22: Parking

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 24th July 2018, 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 – Requiring good design

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.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. Of particular relevance is Policy LP24(c) which requires that extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials, and details and minimise impact on residential amenity of future and neighbouring occupiers. Any implications for highway safety will also be considered as required by Policies LP21-22.

2 – Impact on visual amenity: It is considered that the scale and bulk of the proposed extensions would not amount to overdevelopment of the site. The side wall of the main extension would reach the boundary but since no. 24 and the neighbouring property are staggered and do not form a continuous building line, it is considered that it would not appear cramped or give rise to a terracing effect. It is therefore considered that subject to matching materials (which can be conditioned) it would respect the appearance of the street scene and visual amenity, and accord with the aims of Policy LP24(a&c).

3 – Impact on residential amenity: The adjacent property, no. 26, has its main outlook to the front and rear and has no openings in the side elevation. There is an adjacent upper floor window in the front elevation, which is presumed to be habitable, which might experience a small degree of impact on light and outlook since it is set back from the street compared to the extension, but it is considered that this would be very minor and certainly not enough to warrant a refusal.

To the rear, it is noted that the rear-facing upper-floor window is very close to the boundary, and that the garden boundary line is not straight. It is designated as an en-suite facility (in which case it would presumably be obscurely glazed) although this could change. However, it is considered that the degree of overlooking it could give rise to would be minimal and not enough to be perceived as intrusive, so in the circumstances it is considered unnecessary to make it obscurely-glazed and non-opening. With regard to properties at the rear it is considered that no significant overlooking would occur beyond what is already the case.

In conclusion it is considered it would avoid harm to residential amenity or to neighbouring land and would thereby accord with the aims of Policy LP24(b&c).

4 – Impact on highway safety: The proposed garage would, like the existing one, be of sub-standard dimensions, and would leave approximately 6.5m of space on the driveway, which is enough to park a standard car. The development would therefore not make the existing situation any worse from the point of view of parking or access and it is considered unlikely that the increased living accommodation would give rise to an increase in demand for parking that could not safely be met within the site. It is therefore considered to accord with the aims of Policies LP21-22.

5 – Other matters:

Biodiversity:

The site is not in the bat alert layer nor is it in any other area that is designated for ecological purposes. There is negligible opportunity for ecological enhancement and no conditions will be imposed.

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.

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects. As the proposal is for an extension to an existing dwelling within an urban area it is considered however that that it would contribute to making more efficient use of land in a relatively sustainable location. It is considered that in the circumstances the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above, and set out in NPPF Chapter 14.

6 – Representations:

No representations were made.

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: 2021/90254

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 with Policies LP21, LP22 and LP24 of the Kirklees Local Plan.

3. The external walls and roofing materials of the extensions 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			25-Jan-2021
Plans and elevations as existing	004-21-PL01		25-Jan-2021
Plans and elevations as proposed	004-21-PL02		25-Jan-2021
Location plan	004-21-PL03		25-Jan-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 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. The case officer did not undertake negotiations with the applicant as no amended plans were considered necessary.

Report dated:

18-Mar-2021

