

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: 2021/62/90765/E

Site Address: 10, Score Croft, Skelmanthorpe, Huddersfield, HD8 9EA

Description: Demolition of existing rear extension and erection of rear extension

Recommending Officer: Nina Sayers

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: 27-Apr-2021

Officer Report

Site Description

10 Score Croft is a two-storey detached dwelling in Skelmanthorpe. It has a garden and driveway to the front and a garden to the rear. It is located on the corner of Score Croft. The exterior of the property is constructed from stonework walls, tiled roofing and UPVC windows and doors.

The location of the property is within a residential street, with properties of a similar style, age but a variety of sizes.

Description of Proposal

The applicant is seeking permission for the demolition of the existing conservatory and the erection of a rear extension.

The existing conservatory, which would be demolished as part of the proposed development, projects 2.9 metres from the rear elevation of the host dwelling. It is 3 metres wide, with a hipped style roof that has a total height of 3.3 metres.

The proposed rear extension would be built on a similar footprint to the existing conservatory. It would project 3.5 metres with a width of 3.5 metres. It would have a hipped style roof with a total height of 3.5 metres and would have openings on all three exterior walls. The proposed would also have bi-folding doors in the southern side elevation. The proposed would serve a sunroom.

The proposal would be constructed from stonework walls and uPVC windows and doors, all the match the existing. The roofing would be light weight tiled roofing in a colour that matched the existing dwelling.

History of negotiations/amendments received

No amendments were sought or received.

Relevant Planning History

88/902039 – erection of proposed residential development. Granted conditionally.

Representations

The application was advertised by neighbour letter. Final publicity expired on 21st April 2021.

No representations were received.

No objections received from Denby Dale Parish Council.

Officer comments will be made in section 6 of this report.

Consultation Responses

No consultees were considered necessary 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:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP30** – Biodiversity and geodiversity

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
- 1) Impact on visual amenity and historic environment
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The proposal is for the erection of a single storey rear extension to an existing residential property. 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.

The proposal is for an extension within the curtilage of an existing residential property. The extension would be relatively small in scale in relation to the host property and would be located with an existing garden area. 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

The proposed development would be to the rear of the dwelling but due to this being a corner plot, it would be visible from the street scene. It would be built on a similar footprint to the existing conservatory and would only be slightly bigger in size. The proposed development is small in scale and single storey so is considered subservient to the host dwelling, which would remain the dominant feature following development. The development would be in keeping with the existing property in terms of design and materials.

Therefore, it is considered this development would not cause any significant harm to the visual amenity of either the host dwelling or wider street scene, thus complying with policy LP24 in the KLP and the aims of chapter 12 of the NPPF.

3 – Impact on residential amenity

Impact on 8 Score Croft

The proposed development would be on the southern side of the rear elevation and so would remain a significant distance from 8 Score Croft. There is a similar number of openings on the proposed sunroom as on the existing conservatory, so no additional overlooking harm would be caused as result of the proposed development.

Impact on 12 Score Croft

The proposed development would project towards this neighbouring property. It appears there are no openings on the side elevation of the neighbouring property and the proposal has a similar number of windows in the rear elevation as the existing conservatory, so no additional overlooking harm is considered to be caused. The proposed extension would be to the east of the neighbouring property and is slightly set down, so there is no significant risk of overshadowing to the neighbouring property. It is, therefore, considered that no harm would be caused to the amenity of this neighbouring property.

Due to the location of the proposed development in relation to the neighbouring properties, it is considered no significant harm would be caused to the amenity of any other neighbouring properties.

Having reviewed the above, the proposals are considered not to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, thereby complying with Policy LP24 of the KLP and chapter 12 of the NPPF.

4 – Impact on highway safety

The extension would serve a sunroom and is, therefore, considered not to result in any intensification in the domestic use of the dwelling, so the existing parking provision is acceptable. It is considered that the proposed extension will not cause any additional harm in terms of highways safety and the proposal complies with policies LP21 and LP22 of the KLP.

5 – Other matters

Ecology

The site is located within a bat alert layer. 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.

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.

6 - Representations

No representations were received.

7 – Conclusion

This application to demolish the existing conservatory and erect a single storey extension to the rear of 10 Score Croft has been assessed against relevant policies in the development plan, as listed in the policy section of the report, the NPPF and other material considerations.

Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered acceptable.

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: 2021/90765

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

3. The external walls of the extension 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 and the aims of Chapter 12 of the National Planning Policy Framework.

4. The roofing of the extension hereby approved shall be finished in light weight tiles, coloured to match the existing dwelling, as demonstrated on the approved plan "Page 2 date 20.02.2021", and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of 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 species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally 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 bats 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: Please note that the granting of planning permission does not override any private 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 may involve access to land outside your ownership

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 13.00 hours, 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 may control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Date Received
Location Plan		24/02/2021
Site block plan		24/02/2021
Grouped existing plans and elevations	Page 1 date 20.02.2021	24/02/2021
Grouped proposed plans and elevations	Page 2 date 20.02.2021	24/02/2021

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.

As the submitted plans were considered acceptable, no changes were sought.

Report Dated: 26/04/2021

