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:	**2022/62/90488/E**
Site Address:	8, Willow Croft, Moorbottom, Cleckheaton, BD19 6JE
Description:	Erection of single storey front and first floor side extensions and exterior alterations
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.

Emma Thompson

AUTHORISED OFFICER

Date: 16-May-2022

Officer Report

Site Description

8 Willow Croft is a two-storey, detached dwelling in Moorbottom, Cleckheaton. The property has a driveway to the front of the dwelling which leads to an attached double garage. There is a garden which wraps around the front, side and rear of the property. The property is finished in Marshalite and Bradstone walls and grey concrete tiled roofing.

The property is located in a residential cul-de-sac with other dwellings erected at a similar time to the host dwelling, but a variety of sizes and designs.

Description of Proposal

The applicant is seeking permission for the erection of a single storey front extension, first floor side extension and exterior alterations.

Front extension and exterior alterations
The proposed front extension would project a total of 2 metres out the front elevation of the existing snug and 1.5 metres out the existing WC and hallway. The proposed would adjoin the existing single storey side projection and would have a hipped roof design with a total roof height of 3.8 metres. To the front of the dwelling the proposed would have a lean-to roof. The existing front steps would be amended to provide stepped access to the proposed front door.

Side extension
The proposed side extension would add a first floor to the existing garage. It would be built on the same footprint as the garage. The proposed would have a pitched roof design to extend the existing roof, but would be set down from the existing roof ridgeline. It would have a total roof height of 7.7 metres.

The proposed would be finished in artificial stone to match the existing and grey interlocking roof tiles to match the existing.

History of negotiations/amendments received

No amendments were sought or received.

Relevant Planning History

86/03762 Outline application for erection of residential development. Granted conditionally
88/06450 Erection of 11 detached houses with garages. Granted conditionally
97/91718 Erection of single storey extension and conservatory. Conditional full permission.

Representations

The application was advertised by neighbour letter. Final publicity expired 04/04/2022.

No representations were received.

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 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).

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

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 20th July 2021, 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 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.

These issues along with other policy considerations will be addressed below.

2 – Impact on visual amenity

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring 'extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details'.

Key design principles 1 (local character and street scene) and 2 (impact on the original house) given in the Kirklees Householder extensions SPD reflect the above.

Front extension and exterior alterations
The proposed front extension would project 1.5 metres out of the principal elevation of the property which is considered an appropriate projection. It would serve a porch and cloakroom with stepped access. The front extension to the single storey element to the side of the dwelling would project 2 metres to align with the proposed porch and cloakroom.

The application site is a corner plot in a residential cul-de-sac and therefore, although the proposed would be to the front of the property, it would not be prominent in the street scene. There is variety in the front elevations of the

neighbouring properties and it is therefore considered that the proposed would not cause harm to the amenity of the wider street scene.

Side extension
The proposed side extension would add massing to the side of the property. This is considered acceptable, in this instance as it would be built on the same footprint as the existing garage, so it is considered an appropriate location and projection. The proposed would be in keeping with the design of the existing dwelling and would be set back and down form the host dwelling, so would remain subservient to the host dwelling which would remain the dominant feature following development.

It is noted that 6 Willow Croft has had a similar first floor extension approved and erected under application 2011/92065, and therefore the proposal would be in keeping with the design and character of the surrounding area.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out in terms of policy LP24 c), which states that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

Impact on 6 Willow Croft
6 Willow Croft is the adjacent property located due west of the application site. It is noted that the neighbouring property has had a first-floor side extension of a similar design and scale, approved and erected to the east of their property. The proposed first floor extension would be adjacent to the extension approved at 6 Willow Croft. There would be no openings in the side elevation of the proposed extension, or the neighbouring property. Those proposed in the first floor rear will not result in any material loss of privacy when compared to the existing relationship.

The proposed front extension would remain a significant distance from the boundary with 6 Willow Croft. Therefore, no overshadowing, overbearing or overlooking harm is considered to be caused to the occupants on 6 Willow Croft.

Impact on 9 Willow Croft
9 Willow Croft is located north of the application site. The proposed front extension would project towards 9 Willow Croft but would remain approximately 4 metres from the shared boundary which is considered a

significant distance to prevent any overshadowing or overbearing harm. There would be windows proposed in the front elevation of the extension, however, there are existing windows in the front elevation of the host dwelling, and there are no openings on the southern elevation of 9 Willow Croft. Therefore no significant overlooking harm would be caused.

Impact on 5 Thorn Garth
5 Thorn Garth is located south of the application site. There would be windows proposed in the first-floor rear elevation of the proposed side extension which is set back 0.9 metres from the rear elevation of the existing dwelling. There are existing windows in the first-floor rear elevation of the existing dwelling, as well as window in the first floor rear elevation of the extension at 6 Willow Croft, which aligns with the proposed extension. There would remain approximately 13 metres between the rear elevation of the proposed extension and the shared boundary with 5 Thorn Garth. It is therefore considered that no significant harm, over and above the existing arrangements on site, would be caused to the occupants of 5 Thorn Garth as a result of the proposed extension.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety

The extension would serve an additional bedroom, taking the property from a four-bedroom to a five-bedroom dwelling. The existing parking arrangements would be unaffected by the proposal and there would be adequate, in-curtilage parking for three vehicles. Therefore, the existing parking provision is considered acceptable. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extension SPD.

5 – Other matters

Ecology
The site is located within a bat alert layer. If approved, a footnote would be 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.

Carbon Budget
The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in

terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

6 - Representations

No representations were received.

7 – Conclusion

This application to erect a single storey front and first floor side extension to 8 Willow Croft has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Design SPD, the National Planning Policy Framework and other material considerations.

Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be 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: 2022/90488

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 LP1, LP2, LP21, LP22, LP24 and LP30 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD and the aims of the National Planning Policy Framework.

3. The external walls of the extension hereby approved shall be finished in “artificial stone” and “new coursed stone” as demonstrated in the approved plan “DL742-02”, to match the existing building, and thereafter retained.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD and the aims of chapter 12 of the National Planning Policy Framework.

4. The external walls of the extension hereby approved shall be finished in “grey concrete interlocking roof tiles” as demonstrated in the approved plan “DL742-02”, to match the existing building, and thereafter retained.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD 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 13.00hours, 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 the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing plans and elevations	DL742 – 01		14/02/2022
Proposed plans and elevations	DL742 – 02		14/02/2022

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.

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

Report Dated: 13/05/2022