

**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:	2022/62/93314/W
Site Address:	The Gables, 5, Thornhill Road, Edgerton, Huddersfield, HD3 3AT
Description:	Erection of single storey rear extension at lower ground level to form garage with deck and terrace over [within a Conservation Area]
Recommending Officer:	Lucy Taylor

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.

John Holmes

AUTHORISED OFFICER

Date: 27-Mar-2023

Officer Report.

Reference: 2022/93314

Location: The Gables, 5, Thornhill Road, Edgerton, Huddersfield, HD3 3AT

Proposal: Erection of single storey rear extension at lower ground level to form garage with deck and terrace over.

Site Description.

The Gables is a two-storey detached property located in Edgerton, Huddersfield. The external walls of the property are faced in brick, with a mix of both gable and hipped roofing forms, which are infilled with tiles. Within the wider curtilage, the property benefits from outdoor amenity space to the southern side elevation and rear. The front elevation is hard surfaced, with additional parking amenity space to two attached garages at the rear.

The property is located in the Edgerton Conservation Area, with several Grade II Listed Buildings located close by.

Description of Proposal.

Planning permission is sought for the erection of a single storey rear extension at lower ground level with deck and terrace over.

The proposed rear extension at lower ground level would have a length of 7.5 metres, with a width of 6.6 metres and a height of 2.8 metres. A garage door is proposed to the rear elevation and two small windows are proposed to the northern side elevation.

The exterior walls of the extension would be faced in brick, with a flat roof above constructed from grp/rubber.

This flat roof would form part of the terrace, which would have a total length of 12 metres to the rear of the property. In addition, decking is proposed to the southern side elevation of the property, of a total length of 9.85 metres.

Glazed balustrade would be installed to the decking/terrace. This would have a height of 0.9 metres.

The extension would function as a garage which would provide parking for two vehicles.

History of Negotiations.

Following an informal consultation with KC Conservation and Design, the case officer sought amended plans to remove the originally proposed boundary fencing from the proposal.

The applicant submitted amended plans, which removed the proposed boundary treatment from the front boundary. In turn, the final determination of this application is on the basis of the amended proposed plans submitted 16th March 2023.

The applicant provided written agreement via email to a modified description of proposal removing the balcony to front to reflect the amended plans that were submitted.

Relevant Planning History.

- 92/05311 – Conservation Area Consent for removal of unsafe chimney and making good of roof. *Conservation Area Consent Granted.*
- 2010/91869 – Conversion of residential care home to one dwelling and erection of 2 dwellings. *Conditional Full Permission.*
- 2013/91227 – Erection of single storey extension, attached double garage, elevated sun terrace and decked balcony and formation of revised vehicle access and hard standing. *Conditional Full Permission.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters, a site notice and within the newspaper.

Final publicity date = 9th December 2022.

One comment was received, stating the following: ‘...it is essential that the right of way to the garage of 12A Thornhill Road is accessible at the end of the building work’.

One representation was received, which raised the following concerns:

- Concerned that previous planning applications have not been adhered too, namely the cutting down of mature trees and replacement of wooden windows for UPV window frames in a property listed. Replacement trees planted in unreasonable locations, exacerbating concerns of neighbouring properties.
- During the recent refurbishments (last 8-10 years) the land to the rear has been ‘flattened and raised’ to allow for flat access to the rear garden and parking behind the property, which hasn’t been used in at least 8 years. There is already ample parking to the rear of No. 5 through availability of a double-garage (although acknowledging it is currently uneven across the site). The current owner/occupiers keep vehicles to the front of the property. It is unlikely that any further

development would enhance parking unless a further use is retrospectively intended.

- The previous work undertaken is likely to apply excessive pressure to the party-wall and thus forcing it on to our side.
- The suggestion of a party-fence on Thornhill Road may benefit the owners but, it will create a barrier of some 3-5ft (1-1.5m) on the road side and further exacerbate the aesthetic view in a conservation area.
- The property already has expansive patio area to its rear (more than most would have) and it is unclear why or what benefits a further creation of expansion to the patio would give.
- The Additional space could be used for storage associated with a business use rather than in association with the dwelling.

It was not considered necessary to re advertise the amended plans, given they set out a reduction in the level of development for which permission is being sought.

Consultation Responses.

KC Conservation and Design (informal) – raised no objections to the proposed extension, decking or terrace. Concerns were raised with regard to the originally proposed boundary treatment along the frontage, however, this was removed from the proposal and amended plans submitted.

KC Highways – Confirm the proposals are considered acceptable to Highways Development Management, subject to condition.

Policy/Legislation.

Section 38(6) of 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 application site is located in the Edgerton Conservation Area, with several Grade II Listed Buildings located close by. Protected trees are adjacent to the front boundary of the site. The site is within the 200m zone of a known landfill site.

In addition, the site is located in an area with a known presence of bats and within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP53 Contaminated and unstable land

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD - The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, together with Circulars, Parliamentary 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 4 – Decision-Making
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing and Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Legislation:

- The Town & Country Planning Act 1990 (as amended)
- The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment.

The following matters will be considered as part of the assessment of the proposal. These considerations will be looked at in detail individually:

- 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

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions..."*

Chapter 2 of the NPPF goes on to further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment..."*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district"*.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as the conservation area setting, highway safety, setting of a listed building, trees, land stability and any other impacts that may arise. These will be discussed below.

1) Impact on Visual Amenity (and Historic Environment)

Visual Amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*
- *c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
*“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...
c. 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 and 2 of the Council’s adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality specifically stating the following:-

Key Design Principle 1 (Local Character and Street Scene) – *‘Extensions and alterations to residential properties should be in keeping with the appearance scale design and local character of the area and the street scene.’*

Key Design Principle 2 (Impact on the Original House) – *Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.'*

Section 5.6 of the SPD specifically refers to single storey rear extension which should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings)
- not exceed 4 metres in height
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraced houses or by 4 metres for detached properties
- where they exceed 3 metres in length, the eaves height should generally not exceed 2.5 meters
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

In terms of visual amenity, the single storey rear extension would be subservient when viewed against the host dwelling, due to the setting of the extension, to the rear of the property at lower ground level and in keeping with the existing attached garages already erected at The Gables. It is therefore considered that works would comply with Key Design Principle 1 of the SPD.

Whilst noting that the extension would not strictly conform with the above guidance within the SPD in relation to rear extensions due to the proposed extension having a length of 7.5 metres, it is not considered that the additional length would be visually intrusive or out of keeping with the host property, aligning with the projection of the existing attached garages at The Gables. It should also be noted that the size/scale of the extension is reflective of that of the host property.

The proposed extension would be constructed from brick which would match the host property and therefore is compliant with Key Design Principle 9 of the SPD. With regard to fenestration, the proposed insertion of a garage door to the rear is in keeping with the proposed use of the extension as a garage.

The proposed decking and terrace would be acceptable contemporary interventions to the host property. The installation of glazed balustrade helps to retain an open and spacious appearance.

Key Design Principle 7 of the SPD relates to outdoor space. The submitted site location/block plan demonstrates that the layout of the site with the proposed extension and decking/terracing would not result in an overdevelopment of the site.

The extension, decking and terracing are considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 and LP24 of the

Kirklees Local Plan, having regard to Key Design Principles 1, 2, 7 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Historic Environment:

Due to the site's location within the Conservation Area, Paragraph 195 of the NPPF is relevant, which requires that the Local Planning Authority identify and assess the particular significance of any heritage assets affected and take this into account when considering the impact of the proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The requirements of Section 72 & 66(1) of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 are also relevant.

Policy LP35 of the Kirklees Local Plan will also be taken into account, stating that *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”*.

The host property is considered to contribute to the heritage significance of the Edgerton Conservation Area and it's location in close proximity to several Grade II Listed buildings should also be taken into consideration upon assessing the impacts to heritage assets.

As part of this application, the applicant submitted a Heritage Statement, which made the following summarised points:

- the alterations are tasteful and in-keeping with the surrounding area and do not intrude nor conflict with the surrounding dwellings.

KC Conservation and Design have been (informally) consulted as part of the assessment of this application, their comments are detailed in the 'Consultation Responses' section of this report.

It is considered that the proposal would not detract from the architectural style of the host dwelling in its current form, with the proposed extension sited subserviently and the decking and terracing considered to be modest contemporary additions. The proposals materials of the extensions would be in keeping with the vernacular of the host property, proposing exterior brick walls. Emphasis should also be given to the screened and set back position of the property, mitigating to an acceptable degree, visibility of the proposed developments from public vantage points within the wider streetscene.

Therefore, for these reasons, the proposal is not considered to have a detrimental impact upon the heritage significance of the Edgerton

Conservation Area or the setting of any of the Grade II Listed buildings located close by.

Taking account of the submitted statement, response from KC Conservation and design / visual impact of the proposal, in the context of the existing property it is considered that the proposal would not lead to harm to the setting of the Conservation Area and Grade II neighbouring buildings.

For these reasons, the proposal to is not considered to have a detrimental impact to the heritage significance of the application site and surrounding area. Therefore, it is concluded that the proposal appropriately complies with policies within Chapter 16 of the NPPF and Policy LP35 of the Kirklees Local Plan.

2) Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

With regards to overshadowing and/or overbearing, the property is detached, and the proposed extension would be set approximately 7 metres from the nearest neighbouring property of No. 7 Thornhill Road. Given this separation distance, and the fact that the extension is to be single storey and set to a lower ground level, it is concluded that its erection would not result in undue levels of overbearing or overshadowing for the occupiers of this neighbouring property.

It is also worth noting that the proposed garage extension to The Gables would be erected directly adjacent to a blank elevation of a solid stone detached garage within the curtilage of No. 7.

With regard to overlooking, no glazing is proposed to the side elevation of the extension which faces towards No. 7 Thornhill Road. Furthermore, it is not considered that the proposed terracing or decking would give rise to a detrimental increase of overlooking in comparison to the existing situation on site, including the existing areas of outdoor amenity space and rear elevation fenestration. In turn, an appropriate level of residential privacy is concluded to be retained between No. 5 and No. 7 Thornhill Road.

It is considered that the proposed rear extension would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

No. 7 Halifax Road, located to the rear of the site, is set over 21 metres from the site of the proposed extension, terrace and decking.

The proposed works are to be located to the southern side of existing built form at No. 5 would be located approximately 14 metres from the shared boundary with No. 8 Ravensdeane, located to the north east of the site.

For these reasons, the proposed development to 5 Thornhill Road is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposal appropriately complies with policies within Chapter 12 of the NPPF, Policy LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Plan and Key Design Principles 5 and 6 of the Council's adopted House Extensions and Alterations SPD.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions and Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposal is not considered to have any highway safety implications.

Adequate turning areas within the site are to be maintained to allow for vehicles to access and egress the site in forward gear.

Upon any grant of planning permission, a condition is recommended to be imposed, to ensure that vehicle parking areas are surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded.

It is therefore considered that, with the inclusion of a condition relating to surfacing, the proposal would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

4) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11

request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 predates 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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bats:

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The proposed works do not pose any works or alterations to any existing roofing forms at The Gables.

Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

Land Stability

The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response.

The land upon which the development would be sited has a reasonably steep gradient and it is considered some level of excavation over an above that ordinarily required for creation of foundations may need to be undertaken. Paragraph 184 of the NPPF sets out that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. It is recommended this is brought to the applicant's attention by way of informative note upon any grant of permission.

As such it is considered that the proposal is acceptable with regard to ground stability in accordance with policy LP53 & paragraphs 174 and 183 of the National Planning Policy Framework.

5) Representations

In response to publicity, one comment and one objection were received. Where not addressed elsewhere in this report the representations received are summarised / addressed below:

It is essential that the right of way to the garage of 12A Thornhill Road is accessible at the end of the building work.

Response: All of the works are within the red line boundaries of the application site, therefore, would not be considered to impact upon rights of way to neighbouring properties within the immediate vicinity. The applicant's attention will be brought to the fact that any grant of permission does not override legal covenants on properties or Private Rights of Way as these private matters fall outside the remit of the Local Planning Authority.

- Concerned that previous planning applications have not been adhered too, namely the cutting down of mature trees and replacement of wooden windows for UPV window frames in a property listed. Replacement trees planted in unreasonable locations, exacerbating concerns of neighbouring properties.

Response: Matters relating to previous planning applications are not considered to be material planning considerations in the assessment of this planning application. Failure to adhere to previous planning applications would be a separate matter, that would need to be investigated with by the Council's Planning Enforcement team.

- During the recent refurbishments (last 8-10 years) the land to the rear has been 'flattened and raised' to allow for flat access to the rear garden and parking behind the property, which hasn't been used in at least 8 years. There is already ample parking to the rear of No. 5 through availability of a double-garage (although acknowledging it is currently uneven across the site). The current owner/occupiers keep vehicles to the front of the property. It is unlikely that any further

development would enhance parking unless a further use is retrospectively intended.

Response: The proposed garage extension is considered to be acceptable from a highway safety perspective with regard to access and parking. The use of the garage extension is determined on the basis of the floor plans as submitted.

- The previous work undertaken is likely to apply excessive pressure to the party-wall and thus forcing it on to our side.

Response: Matters related to previous works undertaken on site and subsequent impact upon a party wall relate to a civil matter between the relevant land owners.

- The suggestion of a party-fence on Thornhill Road may benefit the owners but, it will create a barrier of some 3-5ft (1-1.5m) on the road side and further exacerbate the aesthetic view in a conservation area.

Response: The boundary treatment was removed from the proposal within amended plans.

- The Additional space could be used for storage associated with a business use rather than in association with the dwelling.

Should there be a material change of use in the way the site operates, such as a mixed storage and distribution / residential use of the site, this would constitute development for which further permission would be required and would be considered by the LPA were such a change of use to be applied for / arise.

6) 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: 2022/93314

Officer Recommendation: Approve

Conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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, LP30, LP35, LP51 and LP53 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15 and 16 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and Policies within Chapters 2, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. The external wall materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principle 15 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and the Council's adopted Highways Design Guide

NOTE: With regard to land stability, it is brought to the applicant / developers' attention that responsibility for securing a safe development rest with the developer and/or landowner.

NOTE: Whilst the grant of planning permission is given, the applicant should be aware that Planning Permission does not override legal covenants on properties or Private Rights of Way as these private matters fall outside the remit of the Local Planning Authority. Applicants are reminded that they

ensure that the relevant land ownership should be respected and that that the works carried out is lawful.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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 to 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.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Note: The application site is located in a low risk coal area.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Existing Plans	2216 A(00)-01	-	7.10.22
Proposed Plans	2216 A(10)-01C	C	16.3.23
Design and Access Statement	-	-	13.10.22

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amended plans were sought and submitted to remove the originally proposed boundary treatment from the scheme.

Report Dated:

17. 3. 23