

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:	2024/62/91031/E
Site Address:	10, Crowlees Road, Mirfield, WF14 9PJ
Description:	Erection of front porch and garage conversion with associated alterations
Recommending Officer:	Morgan Braithwaite

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 25-Jul-2024

OFFICER REPORT

Site Description

10, Crowlees Road, Mirfield, WF14 9PJ is a detached two-storey dwelling constructed from brick with pebble dash render at first floor level. The property benefits from parking provision to the front of the property, while a larger area of amenity space can be found at the rear which includes an outbuilding.

The dwellings that form the street scene are not uniform in scale or appearance but are constructed from a similar material palette. The area is predominantly residential with schools/nurseries, shops, recreation areas and sports grounds in close proximity.

Description of Proposal

This application has been received for the erection of a front porch and garage conversion. The proposed porch would be located to the front (north) of the applicant property projecting 1.4m with a width of 2.7m. Windows would be placed to the side elevations of the proposed porch; a new front door shall be installed with full length windows either side of the door, which would be similar in design to the existing.

The proposed garage conversion would see the removal of the existing garage door which would be infilled with brick and shall receive render which is proposed to be either white, light grey, oyster or ivory in colour, which would be similar to the property adjacent (no.21). The garage conversion would include the internal alteration to a study and a utility space with two window openings. New render shall also be received to the proposed porch.

Relevant Planning History

97/92707 - Erection of extension. Conditional Full Permission.

99/92785 - Erection of utility/W.C extension. Conditional Full Permission.

Representation

The application was advertised by neighbour notification letters, which expired on 31.05.2024.

No representations have been received as a result of site publicity.

It is noted that there is a PROW (MIR/53/10) which runs along the rear (south) of the applicant property. However, the proposal would have no adverse impact upon the PROW due to the proposed works taking place to the front (north) of the dwelling. As such, PROW publicity was unnecessary.

Consultation Responses

None required.

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 unallocated on the Kirklees Local Plan.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, and 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 – Achieving well-designed and beautiful places

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) 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 the property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and 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 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:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) state that extension and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area of the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes onto state that 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 details.

The proposal would be visible from the street scene as the alterations would be to the principal elevation which faces onto a highway. However, any impact would be mitigated due to the minimal projection of the porch and the fact that the dwelling is set back from the street scene. While brick is the material prevalent on the street scene, there is a dwelling opposite the applicant property which incorporates a light grey render and therefore setting the precedent for render use within the street scene.

The garage conversion will include minimal alterations which are deemed appropriate for the area creating no adverse visual amenity issues.

Taking 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.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 (c), which sets out that proposal should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principal 3 on privacy, Key Design Principal on overshadowing/loss of light, Key Design Principal 6 on preventing overbearing impact and Key Design Principal 7 for outdoor space.

The proposal would not take up any amenity space due to being located to the front of the property while the dwellings amenity space is found to the rear. It is considered that; the proposal would not take up any useable amenity space and sufficient amenity space would be retained if the application was to receive approval. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

Impact on 8, Crowlees Road, Mirfield, WF14 9PJ

There is approximately 8.2m between the side elevation of each dwelling. The garage conversion shall see no additional projections or increases in height, while the porch would see a small single storey projection. The proposal would however be screened by the established hedge acting as a boundary treatment between the dwellings. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 12, Crowlees Road, Mirfield, WF14 9PJ

There is approximately 8.9m between the side elevation of each dwelling. The garage conversion shall see no additional projections or increases in height, while the porch would see a small single storey projection. The proposal would however be screened by the established trees and hedges acting as a boundary treatment between the dwellings. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 21, Crowlees Road, Mirfield, WF14 9PJ

There is approximately 29.4m between the front elevation of each dwelling. The garage conversion would see no additional projections or increases in height while the porch would see a small single storey projection. The proposed works would see an alteration in the appearance of the application property, especially with the introduction of proposed rendering. However, no.21 has received light grey render, setting the precedent for the street scene. The above points, along with the significant separation distance would see no significant issues arising from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 23, Crowlees Road, Mirfield, WF14 9PJ

There is approximately 29.3m between the front elevation of each dwelling. The garage conversion would see no additional projections or increases in height while the porch would see a small single storey projection. The proposed works would see an alteration in the appearance of the application property, especially with the introduction of proposed rendering. No.21, the neighbouring property to the west of no.23 has received light grey render, therefore setting the precedent for the street scene. The above points, along with the significant separation distance would see no significant issues arising from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 25, Crowlees Road, Mirfield, WF14 9PJ

There is approximately 30.9mm between the front elevation of each dwelling. The garage conversion would see no additional projections or increases in height while the porch would see a small single storey projection. The proposed works would see an alteration in the appearance of the application property, especially with the introduction of proposed rendering, however, a precedent has been set for render by no.21 Crowlees Road. The above points, along with the significant separation distance would see no significant issues arising from overlooking, overshadowing/loss of light or overbearing impact.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principals of the House Extensions and Alterations SPD.

4 – Impact on highway safety:

The proposal would result in some intensification of the domestic use of the property. While the proposal does not include the addition of any bedrooms, it does see the loss of a parking space due to the garage conversion. However, submitted plans indicated that the property would have three parking spaces to the front of the property on the driveway.

Therefore, the proposal would not represent any additional harm in terms of highway safety and as such, complies with the Policy LP22 of the Kirklees Local Plan along with Key Design Principals 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

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.

PROW

It is noted that there is a PROW (MIR/53/10) which runs along the rear (south) of the applicant property. However, the proposal would have no adverse impact upon the PROW due to the proposed works taking place to the front (north) of the dwelling.

6 – Representations:

No representations received.

7 – Negotiations:

No alterations were requested during the course of the application.

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials condition.

9 – Conclusion:

The application to erect a front porch and garage conversion at 10, Crowlees Road, Mirfield, WF14 9PJ has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

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: 2024/91031

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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external facing and roofing materials 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, Key Design Principles of the House Extensions and Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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
Location Plan	1037627	1037627	19.04.2024
Proposed Site / Block Layout	2024/451/03	1037626	19.04.2024
Grouped Plans and Elevations – Existing floor plan & elevations	2024/451/01	1037882	22.04.2024
Proposed Elevations	2024/451/03	1037626	19.04.2024

Plan Type	Reference	Version	Date Received
Location Plan	1037627	1037627	19.04.2024
Grouped Plans and Elevations – Proposed Floor Plan, Elevation and Section	2024/451/02	1037624	19.04.2024

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.

No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 27.07.2024