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**Report of the Head of Development and Master Planning**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 18-Jul-2019**

**Subject: Planning Application 2019/91689 Erection of single storey extension  
52, Brockholes Lane, Brockholes, Holmfirth, HD9 7EB**

**APPLICANT**

S Kinder

**DATE VALID**

21-May-2019

**TARGET DATE**

16-Jul-2019

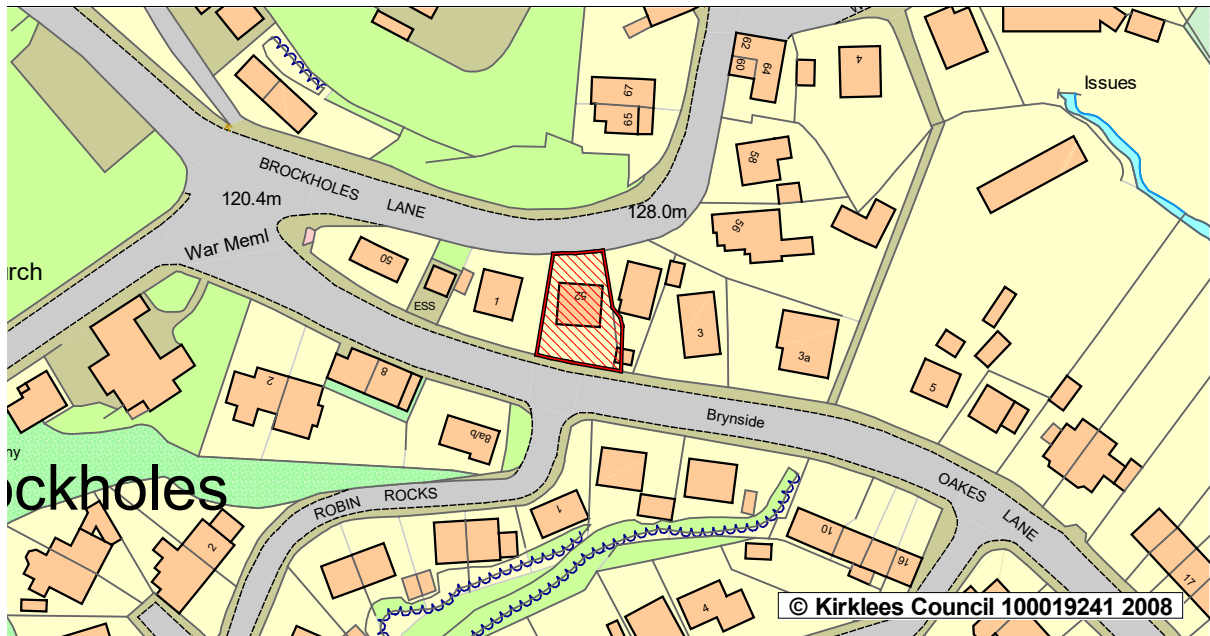
**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral Wards Affected: Holme Valley North**

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report.

**1.0 INTRODUCTION:**

1.1 The application has been brought to Planning Sub Committee as the applicant is related to a member of staff of Kirklees Council Planning Service.

**2.0 SITE AND SURROUNDINGS:**

2.1 52 Brockholes Lane, Brockholes is a detached bungalow constructed from stone and partly faced in render with a concrete tiled roof. The property benefits from a gravelled area to the North and a grassed area to the South. At the time in which the site visit was undertaken it was evident that vehicular and pedestrian access can be taken from the southern boundary onto Oakes Lane and from the northern boundary onto Brockholes Lane. Boundary treatment consists of medium sized fencing and shrubs to the southern facing and side boundaries and low stone walling to the northern boundary.

2.2 The site and the wider area is predominantly residential, dwelling types vary in design and form. Land levels also fall within the wider area from East to West, however, within the application site, land levels are relatively flat.

**3.0 PROPOSAL:**

3.1 The application is seeking full permission for the erection of a single storey extension to the southern facing elevation for the purpose of providing a garden room with W.C facilities. Included in the application is the installation of a new door within the eastern facing side elevation.

3.2 The proposed extension would have a projection of 4m and a width of 4.2m. The height to the eaves would be 2.2m with an overall height of 3.8m.

3.3 Additional fenestration would also be inserted into the front elevation of the extension which would be in keeping with those that exist on the host property. Alongside this, composite double doors would be inserted into the western facing elevation.

3.4 The extension would be externally faced in render to the front elevation and stone to the side elevations to match the host property in its entirety. The roof would be tiled in concrete roof tiles.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

4.1 No history at application site

4.2 Wider vicinity:

2004/93551 Erection of extension – Granted (54 Brockholes Lane)

2007/93063 Erection of conservatory – Granted (54 Brockholes Lane)

2018/93127 Demolition of existing dwelling and erection of replacement dwelling – Granted (54 Brockholes Lane)

#### **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)**

5.1 The officer entered into discussions with the applicant as there were no existing elevation plans. These were received on the 24.06.19. However, no amendments were sought throughout the course of the scheme.

#### **6.0 PLANNING POLICY**

6.1 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).

6.2 The site is unallocated on the Kirklees Local Plan.

##### Kirklees Local Plan

6.3 LP 1 – Achieving sustainable development  
LP 2 – Place shaping  
LP21 – Highway safety  
LP22 – Parking  
LP 24 – Design  
LP30 –Biodiversity

##### National Planning Guidance

6.4 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 12 – Achieving well design places

Chapter 15 – Conserving and enhancing the natural environment

## **7.0 PUBLIC/LOCAL RESPONSE**

7.1 The application was advertised by neighbour notification letters and a site notice. Final publicity expired on the 29.06.19. No representations were received.

7.2 Holme Valley Parish Council: - "Support subject to materials being in keeping with the surrounds".

## **8.0 CONSULTATION RESPONSES:**

8.1: Statutory: None

8.2: None statutory: None

## **9.0 MAIN ISSUES**

- Principle of development
- Visual amenity
- Residential amenity
- Highway Safety
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

10.1 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. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

10.2 In this case, the principle of development is acceptable and shall be assessed against other material planning considerations below.

### Visual amenity

10.3 The proposed extension, by reason of its design, mass and scale would appear subservient to the host property. Nonetheless, there would be additional amenity space developed under this proposal. However, due to the size of the plot, it has been considered that the application would not result in the overdevelopment of the site and sufficient amenity space would be retained for future occupiers.

10.4 The design of the single storey extension would harmonise with the host building in terms of visual amenity, as the proposed materials would match those that exist on the existing dwelling. Nonetheless, the use of such materials would be conditioned to ensure visual amenity is protected in accordance with LP24 of the Kirklees Local Plan.

- 10.5 The proposed extension would have a dual pitched roof with a southern facing gable elevation. The proposed roof pitch will also follow through with the existing pitch on the host property and therefore will have an acceptable impact on visual amenity.
- 10.6 The submitted plans show openings to be inserted into the southern facing elevation and double doors to be inserted into the western facing elevation of the proposed extension. The size and design of the openings are considered acceptable from a visual perspective.
- 10.7 It is noted that there is no clear distinction between the front and rear elevations at the host property, as the application site fronts two highways. Historically, it appears that vehicular access was taken from the southern boundary onto Oakes Lane. At the time at which the site visit was undertaken, it was evident that the proposed extension could be perceived as being on the principal elevation of the dwelling house. However, it has been noted that within close vicinity, the properties along Brockholes Lane and Oakes Lane do not have uniformed frontages and therefore, the location of the extension has been considered on balance acceptable. Future vehicular access will be taken from Brockholes Lane.
- 10.8 Overall the proposed extension would be of a satisfied design quality and therefore for such reasons, would accord with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

#### Residential amenity

- 10.9 LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring that 'extensions... minimise impact on residential amenity of future and neighbouring occupiers'. This is also reiterated in Chapter 12 of the National Planning Policy Framework which states that development should seek a good standard of amenity for all existing and future occupiers.
- 10.10 *Oakes Lane* is the neighbouring property to the west of the application site. It has been noted that the neighbours are situated on a slightly lower level than the application site due to changes in land levels within the wider area. The proposed extension would be approximately 7m inset from the shared boundary as a consequence it has been assessed that there would be no undue harm on overbearing and overshadowing. There is also sufficient boundary treatment in place along the western boundary which will be retained as part of this proposal.
- 10.11 The submitted plans show double doors to be inserted into the western facing side elevation facing no. 1 Oakes Lane. Taking into account the points already raised above it is considered that there would be no undue harm as a result of any potential overlooking.
- 10.12 *54 Brockholes Lane* is the neighbouring property to the east of the application site. It has been assessed that the harm on these neighbours amenity would be minimal as the extension proposed is single storey in height with a dual pitched roof. The extension will also be inset from the shared boundary by 5m and as a result there will be no impact from being overbearing or from overshadowing.

- 10.13 The submitted plans also show no additional openings to be inserted into the eastern facing side elevation, however, the existing boundary treatment would mitigate against any future harm.
- 10.14 *Sarnia House, 8A and 8B Oakes Lane* are the neighbouring properties adjacent to the southern elevation at the host property. Given the significant separation distance between these neighbours and the nature of the development, it has been assessed that there would be no detriment to any occupants due to being overbearing, overshadowing or any matters of overlooking.
- 10.15 In summary the application is considered to have an acceptable impact on residential amenity and therefore complies with LP24 of the KLP from this perspective

#### Highway safety

- 10.16 The submitted plans show two spaces to be retained as part of this application. As such, it has been assessed that there would be no highway safety issues, given that the proposal is unlikely to intensify the use at the application site.

#### Other matters

- 10.17 The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention was paid when undertaking the site visit to look to evidence of bat roost potential. In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats.
- 10.18 Even so, as a cautionary measure, a note could be added to the decision notice stating that if bats are found development shall cease and the advice of a licenced bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF

#### Representations

- 10.19 No representations have been received as a result of the above publicity.

### **11.0 CONCLUSION**

- 11.1 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.
- 11.2 This application has been assessed against relevant policies in the development plan and other materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

**12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development and Master Planning)**

- 1. Development within 3 years**
- 2. In accordance with the approved plans**
- 3. Matching materials**

**Background papers**

**Link to application:**

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f91689>

**Certificate of Ownership. Certificate A completed on the application form**