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

**HEAVY WOOLLEN PLANNING SUB-COMMITTEE**

**Date: 23-Jun-2022**

**Subject: Planning Application 2022/91339 Alterations from rendered finish to wood cladding finish on 2 walls Chellow House Cottage, Chellow Terrace, Birkenshaw, BD11 2PB**

**APPLICANT**

**DATE VALID**

19-Apr-2022

**TARGET DATE**

14-Jun-2022

**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.

[Public speaking at committee link](#)

**LOCATION PLAN**



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

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**Electoral wards affected: Birkenshaw**

**Ward Councillors consulted: No**

**Public or private: Public**

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**RECOMMENDATION:**

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

**1.0 INTRODUCTION:**

1.1 This application is brought to the Heavy Woollen Planning Sub Committee for determination as the applicant is employed by Kirklees Council as part of the Directors Group. This is in accordance with the Council's Scheme of Delegation within the Constitution.

**2.0 SITE AND SURROUNDINGS:**

2.1 Chellow House Cottage is a detached, rendered, two storey dwelling with a small garden area to the front, an existing attached garage to the rear and a rear yard area with vehicular access and parking. At the time of the site visit, the extension approved in 2018 had been substantially completed.

2.2 The property is located in a residential area with a mix of house types in terms of age, style and use of materials.

**3.0 PROPOSAL:**

3.1 The application seeks planning permission for an alteration to the approved single and two storey rear extension.

3.2 The single and two storey rear extension approved in 2018 originally included a render finish on all elevations. However, this application proposes that the side and rear walls of the single storey element would be clad with timber.

**4.0 RELEVANT PLANNING HISTORY:**

4.1 2018/92395 - Erection of single & two storey rear extension - approved

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

5.1 Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants. In this instance, no negotiations were required.

## **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 27<sup>th</sup> February 2019).

The application site is unallocated on the Kirklees Local Plan.

### Kirklees Local Plan (2019):

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

### Supplementary Planning Guidance / Documents:

- 6.3 Kirklees Council adopted supplementary planning guidance on house extensions on 29<sup>th</sup> 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 Planning Guidance:

- 6.4 Chapter 12 – Achieving well-designed places

## **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 The application has been advertised by neighbour letter giving until 07/06/2022 for interested parties to comment. No representations have been received.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

None

### **8.2 Non-statutory:**

None

## 9.0 MAIN ISSUES

- Principle of development
- Impact on visual amenity
- Impact on residential amenity
- Impact on highway safety
- Other matters
- Representations

## 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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extension and Alterations Supplementary Planning Document 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 material planning considerations, including visual and residential amenity, as well as highway safety.
- 10.2 Planning permission was granted under application 2018/92395 for the erection of a single and two storey rear extension. The current application seeks to modify the materials for the single storey element. At the time of the officer site visit, the extensions had already been substantially constructed although the render finish had not been applied. Given the nature of the application, for only the change in materials, the single storey rear element is being considered.

### Visual amenity

- 10.3 The property is located within a residential area with a diverse range of properties in terms of age, style, size and materials. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.
- 10.4 Key Design Principle (KDP) 1 of the House Extension & Alteration supplementary planning document (SPD) does state that 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. Furthermore, KDP 2 of the SPD goes on to 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.
- 10.5 The surrounding dwellings include a mixed palette of materials including stone, brick and render. As such the wood cladding on the side and rear of the single storey extension would not appear out of character with the wider area and is considered to be acceptable in terms of visual amenity.

- 10.6 *Conclusion:* Having taken the above into account, the proposed alteration to the material for the single storey rear extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene. With the modification to the facing material, the proposed extension would still comply 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.

#### Residential Amenity

- 10.7 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 proposals 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 Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.
- 10.8 Given the position of the single storey element, the only property with the potential to be affected is the adjacent 84 Kingsley Drive. The alteration proposed for the facing material of the single storey rear extension would not result in any additional impact on the neighbouring property than that which was previously established as being acceptable under approved application 2018/92395 and which exists at present now the that extensions has been substantially completed.
- 10.9 With regards to the impact on the adjacent 84 Kingsley Drive, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 130 of the NPPF and the proposals are considered to be acceptable.
- 10.10 Having considered the above factors, the proposals are not considered to result in any significant adverse impact upon the residential amenity of any of the surrounding neighbouring occupants. The proposals therefore comply with policy LP24 of the KLP, KDP3, KDP5 & KDP6 of the House Extension SPD and paragraph 120 (f) of the NPPF.

#### Highway issues

- 10.11 The proposals will result in no intensification of the domestic use. The proposals therefore comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principle 15 of the House Extension SPD.

#### Other Matters

- 10.12 *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.

10.13 There are no other matters for consideration.

## **11.0 CONCLUSION**

11.1 This application to alter the materials of the previously approved single storey rear extension at Chellow House Cottage has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

11.2 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. It is considered that the development proposals accord with the development plan when assessed against policies in the NPPF and other material consideration.

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

1. Standard time scales
2. Accordance with the approved plans

### **Background Papers:**

Application and history files.

#### Current application

[Link to application details](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2f91339>

Certificate of Ownership –Certificate A signed.

#### Previous approval

[Link to application details](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f92395>