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**Report of the Head of Strategic Investment**

**HEAVY WOOLLEN PLANNING SUB-COMMITTEE**

**Date: 25-Jan-2018**

**Subject: Planning Application 2017/93470 Demolition of existing garage  
erection of detached dwelling with integral garage and associated site works  
adj, 93, Stocks Bank Road, Mirfield, WF14 9QB**

**APPLICANT**

Mr & Mrs Knibbs

**DATE VALID**

09-Oct-2017

**TARGET DATE**

04-Dec-2017

**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: Mirfield

No

Ward Members consulted  
(referred to in report)

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### RECOMMENDATION:

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

#### 1.0 INTRODUCTION:

- 1.1 This application is reported to the Heavy Woollen Planning Sub-Committee following a request by Councillor Martyn Bolt who states:

*"I have concerns relating to road safety and vehicle movements/sight lines, the impact of the development on adjacent properties and in the view of the concerns of residents hope it can be taken to committee"*

- 1.2 The Chair of the Sub Committee has confirmed that Councillor Bolt's reason for making this request is valid having regard to the Councillors' Protocol for Planning Sub Committees.

#### 2.0 SITE AND SURROUNDINGS:

- 2.1 The site relates to land adjacent to no. 93 Stocks Bank Road, Mirfield which currently has a single storey brick double garage on it and is on a slightly lower level than Stocks Bank Road itself. The site is accessed from Stocks Bank Road and is currently hardstanding which is used as a parking area for no. 93. The site has a stone wall and hedging as a front boundary treatment and there is access to Ford Drive to the northwest of the site.
- 2.2 Surrounding the site there is a mixture of house types. To the northeast (front) of the site, there is a row of two storey terraced properties constructed of stone, to the northwest of the site is a detached dwelling constructed of artificial stone, with detached dwellings on a lower level to the southeast and northwest. To the southeast of the site is no. 93 which is a detached two storey dwelling constructed of render and brick with a conservatory to the rear. There is a variety of dwellings of different appearances and materials.

### **3.0 PROPOSAL:**

- 3.1 Planning permission is sought for the erection of one detached dwelling. The proposal also includes a new access for the existing dwelling off Stocks Bank Road. The existing structures are to be demolished.
- 3.2 The dwelling will be 11.1 metres in length, will be 10.3 metres in width and will be 7.4 metres in overall height (4.4 metres to the eaves).
- 3.3 The dwelling will be constructed of brick for the external walls, timber cladding for part of the external walling material, and large expanses of glazing. The roof will be covered in roof tiles.
- 3.4 There will be trees on the rear boundary of the site and a fence at two metres in height surrounding the site.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 2007/92341 – Erection of conservatory APPROVED (no. 93 Stocks Bank Road)
- 4.2 91/01747 – Erection of two storey extension REFUSED (no. 93A Stocks Bank Road)
- 4.3 91/05186 – Erection of double garage extension APPROVED (no. 93A Stocks Bank Road)

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Amendments have been secured following concerns relating to residential and visual amenity. The amended plans, as discussed below, are considered to address the initial concern of officers.

### **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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25<sup>th</sup> April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the Nation Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not carry from those within the UDP, do not attract significant unresolved objections and are consistent with the Nation Planning Policy Frameworks (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved policies 2007) remains the statutory Development Plan for Kirklees.

The site is unallocated on the UDP proposals map and also as part of the PDLP.

6.2 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

**D2** – Unallocated land  
**BE1** - Design principles  
**BE2** – Quality of design  
**BE12** – Space about dwellings  
**T10** – Highway Safety  
**T19** – Parking Provision  
**H1** – Meeting the housing needs of the district

6.3 National Planning Policy Framework (NPPF):

**Chapter 6** – Delivering a wide choice of high quality homes  
**Chapter 7** – Requiring good design  
**Chapter 11** – Conserving and enhancing the natural environment

6.5 Kirklees Publication Draft Local Plan: Submitted for examination April 2017 (PDLP)

**PLP1** – Achieving sustainable development  
**PLP2** – Place Shaping  
**PLP3** – Location of new development  
**PLP21** – Highway Safety and Access  
**PLP22** - Parking  
**PLP24** – Design  
**PLP51** – Protection and improvement of local air quality  
**PLP33** – Biodiversity and geodiversity

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 Five representations have been received as a result of the publicity of the amended plans. All representations are summarised below and area addressed in section 10.0 of this report.

- The new build detached property will not be in keeping with the other properties in the area/ materials are out of keeping.
- Height of the property will have an oppressive impact on the surrounding area, especially those on Stocks Bank Road and Ford Drive
- Construction of the dwelling will be difficult given that Ford Drive is a privately owned and maintained driveway – means of access should not be obstructed
- Depth of ground works involved in building such a property is most likely to have a detrimental effect on other residents' land.
- Garden will be overlooked and privacy invaded – windows will overlook into gardens.
- Road access on to Stocks Bank Road can be tricky – further access has been requested, causing more vehicles coming out onto the road/ traffic congestion.

- Disappointment that not advised of the amended application, nor are there signs on Stocks Bank Road
- Concerns not taken into consideration as amended plans changes not significant
- Cannot see a change in the proposal – building will continue to overlook bedroom and patio, reducing privacy.
- Will dominate location and not in keeping with current properties. Building is approx. 30% larger than no.93a.
- Window of building will overlook upstairs study and straight into glass conservatory, bedroom and garden area – invading privacy of no.1 Ford Drive
- Overbearing, overshadowing and oppressive on surrounding properties
- Proposed dwelling appears much taller as ground level falls steeply, nos. 1 and 3 Ford Drive are bungalows – building will bring built form unreasonably close.
- Size and mass of proposed house on small plot that it occupies
- Concerns relating to foundations and impact of new foundations on retaining wall.
- Foul mains drainage will be taken to discharge to mains drainage in Stocks Bank Road
- No planning permission for large shed – this has led to a loss of open space but has no windows.
- Submitted location plan is misleading and does not show an accurate representation of area. Plans do not show the slope of land from Stocks Bank Road/ drawings fail to show a path which effectively narrows our driveway.
- How will a suitable boundary treatment be implemented
- Size of property is larger than surrounding properties and will fit on a smaller area of land.
- Proposed property is opposite kitchen window, side door and landing window (serving home office). Proposed windows will overlook kitchen and side door at a distance of only 3.3 metres.
- Would be in complete shade until mid-morning at the earliest and kitchen window has uninterrupted views and light.
- Front elevation is unsightly

- Parking concerns given that majority of dwellings are terraced (on street parking)

7.2 Ward Councillor Martyn Bolt has commented on the proposals; his comments are set out in section 1.0 of this report.

7.3 Mirfield Town Council have been consulted but have made no comments.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

**K.C Highways Development Management** – no objection (following receipt of amended plans).

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

None

## **9.0 MAIN ISSUES**

- Principle of development
- Visual amenity/local character
- Residential amenity
- Highway issues
- Representations
- Other matters

## **10.0 APPRAISAL**

### **Principle of development**

10.1 The site is unallocated on the UDP proposals map and as such there is a presumption in favour of development unless it would have a detrimental impact on residential or visual amenity, highway safety or the character of the area. At the heart of the NPPF is also a presumption in favour of sustainable development.

10.2 The site is also unallocated on the emerging Local Plan. Policy PLP1 sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF; Policy PLP3 sets out that development will be permitted where it supports the delivery of housing and employment growth in a sustainable way; Policy PLP24 of the PDLP sets out a variety of design considerations to take into account in the assessment of a planning application.

10.3 Paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant housing policies should be considered to be out of date, in the event that the Council is unable to demonstrate a 5 year supply of deliverable housing sites.

- 10.4 The Council is currently unable to demonstrate a 5 year supply of deliverable housing sites, and the site is in a sustainable location. As such there is no objection to the site coming forward for residential development at this stage.
- 10.5 Taking the above into account, and when considering the sustainable location of the site within a predominantly residential amenity, the principle of residential development on the site is considered to comply with the aims of both local and national planning policy.

**Visual amenity/local character:**

- 10.6 The impact on visual amenity is considered to be acceptable by officers. The Stocks Bank Road area is characterised by a variety of dwelling types with varying levels of density.
- 10.7 The dwelling itself is located in a plot which is an acceptable size for the proposed dwelling. The development will retain an area of separation between the neighbouring dwellings which is considered to be an important characteristic of this side of Stocks Bank Road. Although there are terraced houses on the opposite side of the highway, there are gaps between the dwellings on Stocks Bank Road, creating a spacious character.
- 10.8 This feature of the area is retained and the dwelling is not considered to constitute a cramped form of development. The proposed dwelling has a reasonable amount of amenity space surrounding it.
- 10.9 To reinforce this, the design of the dwelling has been amended to incorporate a roof form (*Jerkinhead hipped-roof which has a hipped top part with the gabled bottom half*) which further reduces the bulk of the dwelling and visually increases the gap between no. 93 Stocks Bank Road and the proposed dwelling.
- 10.10 Although this roof form is not characteristic of the area and adds a contemporary style and design along with the materials and glazing, consideration has to be given to Chapter 7 of the NPPF. Paragraph 64 states that local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, however it is important to seek to promote or reinforce local distinctiveness.
- 10.11 In this instance, the design of the dwelling and the proposed materials are not considered by officers to be detrimental to the character of the area. There is a variety of property styles within the area, with a range of materials used. For example, no.93 Stocks Bank Road is constructed of render and brick for the external walls, with no. 93a Stocks Bank Road being constructed of artificial stone.
- 10.12 Although this is the first introduction of these materials in the immediate streetscene, it is considered by officers that the palette of materials which predominantly features timber cladding and brick, along with the glazing would contribute to a contemporary style that fits in with the character of the area. Although it could be argued that there are no dwellings that are of such a modern design, local distinctiveness is reinforced, complying with the aims of paragraph 60 of the NPPF. The contemporary design is appropriate in its layout, materials and scale in relation to neighbouring buildings and the local

area more generally. This is due to the varied palette of materials within the area and the different building types. It is noted that a planning application has been submitted for three contemporary style dwellings at no. 97 Stocks Bank Road. This has not yet been determined.

- 10.13 Within the streetscene, the dwelling would not be read as an incongruous feature. To the northwest, the land slopes downwards. From the streetscene plan submitted by the agent on drawing reference (35) 001, it is clear that the proposed dwelling would not be incongruous in height and scale to the dwellings in which it sits close to. It would have a lower height than no. 93A Stocks Bank Road and a lower height than no. 93 Stocks Bank Road and would sit in its proposed location harmoniously. The dwelling would not exceed the height of the surrounding dwellings and would not therefore be an unduly incongruous or prominent feature. The height of the dwelling is consistent with its surrounding houses and the dwellings are not closely spaced to appear cramped.

#### Summary

- 10.14 In all, officers consider that the proposal is satisfactory from a visual amenity perspective and complies with the aims of policies D2, BE1, BE2 of the UDP, Chapters 6 and 7 of the NPPF, as well as policy PLP24 of the Kirklees Draft Publication Local Plan.

#### **Residential Amenity:**

- 10.15 The impact on residential amenity is acceptable. Five objections have been received. The impact on each of the surrounding residential properties will be assessed below.

#### Impact on no. 93A Stocks Bank Road

- 10.16 The proposed dwelling will be located approximately 6 metres from the side elevation of this dwelling which has 3 openings in the side elevation and a conservatory to the rear. These openings serve non habitable rooms and therefore, despite there being a distance of less than 6 metres, this relationship is considered by officers to be acceptable.
- 10.17 Despite UDP policy BE12 recommending that the distance between habitable room windows and non-habitable room windows should normally be 12 metres, the policy also states that distances less than this can be acceptable if mitigating circumstances are present. In this case, there is a two metre high fence proposed along the boundary with this neighbouring dwelling and there are land level changes in which no. 93A is on a slightly lower level.
- 10.18 Given the permanent screening on the boundary with this dwelling, the impact of the habitable dining room windows facing onto this neighbouring property will be mitigated sufficiently to ensure that there will be no undue overlooking/loss of privacy from these windows. This screening can be seen on streetscene drawing no. (35) 002. It is also noted that no. 93a and the ground floor windows would be overlooked from the private driveway and could currently be overlooked from this area as well as the driveway area of no. 93. Any overlooking from the dining room windows would lead to a loss of privacy over and above the existing situation.

- 10.19 There is an en-suite window at first floor but given that this is serving a non-habitable room, there will not be any overlooking/loss of privacy. A condition will be recommended to ensure that this is obscurely glazed.
- 10.20 Given that the windows of this neighbouring dwelling serve non habitable rooms (a door, a kitchen and a landing/home office), there would be no overbearing impact as a result of the proposed dwelling 6 metres from this side elevation. The roof of the dwelling is also hipped away from the boundary, further reducing its bulk and massing and reducing this impact.

#### Impact on no. 93 Stocks Bank Road

- 10.21 There is a distance of 1.7 metres between the proposed dwelling and no. 93 which is within the applicant's ownership (as shown in the blue line on the site location plan). In the side elevation of no. 93 Stocks Bank Road, there are two openings at first floor level which are likely to serve non habitable rooms – landings. The opening at ground floor is likely to serve a hallway given its positioning in the side elevation.
- 10.22 Policy BE12 of the UDP does not provide specific guidance on distances from a wall with a door in it and those with non-habitable room windows. Given that these windows are non-habitable and there will be no windows overlooking from the proposed dwelling (there is a utility room door proposed in this side elevation), there will be no loss of privacy. It is not considered necessary to condition the removal of permitted development rights for new openings given that any views would not be onto private areas. Any first floor openings would be controlled by the Town & Country Planning (General Permitted Development) Order (the 'GPDO').
- 10.23 Given the non-habitable nature of the side openings, there will be overbearing impact as a result of the proposal. The roof of the proposed dwelling has a Jerkinhead hip which would also slightly reduce its bulk close to this boundary.

#### Impact on no. 1 Ford Drive

- 10.24 No.1 Ford Drive is on a lower level than the application site and has two elevations in relatively close proximity to the application site. The northern elevation has a door at ground floor level and a first floor opening which is likely to serve a landing. The south eastern elevation has a habitable conservatory which takes up the majority of the elevation, with amenity space to the side and rear of the site.
- 10.25 Policy BE12 of the UDP suggests that the distance between habitable room windows of the new dwelling and habitable room windows of existing dwellings should be 21 metres unless level changes or permanent screening means that a shorter distance is acceptable.
- 10.26 In this case, there is a distance of approximately 13 metres between the sites. Officers consider that, in this instance, there are factors that make this shorter distance acceptable. The relationship between the dwellings is indirect – the rear elevation of the proposed dwelling is not directly facing either of the elevations of no. 1 Ford Drive, but is located in between the two. This

relationship, the level differences in which the proposed dwelling is on a higher level, the screening on the boundary, and the fact that no. 93 is closer to no.1 than the proposed dwelling, all contribute to the fact that the impact of the dwelling is not considered, by officers, to be significantly detrimental to residential amenity in terms of overbearing.

- 10.27 There is a kitchen (non-habitable room) window facing this site at ground floor and a habitable room annotated as a 'snug' on the submitted plans. At first floor, there is a window serving a bedroom. Given the screening on the boundary and the fact that the proposed dwelling would be on a higher level, along with the fact that the views from this proposed 'snug' opening would not be directly onto the conservatory (instead it would be onto the corner of the bungalow), there would be no undue overlooking over and above the existing situation from no. 93.
- 10.28 At first floor level, the bedroom window has a more direct relationship with the front elevation of no. 1 Ford Drive which does not have any habitable room windows and is visible from the streetscene. Given the level differences and the bungalow nature of this dwelling, the majority of the views would overlook the dwelling and therefore not cause harmful residential amenity issues. The main amenity space for this dwelling is located directly between no. 93 and therefore will not be detrimentally affected by the proposed development.

*Impact on properties to the front of the site – a row of terraced properties (nos. 108-98 Stocks Bank Road)*

- 10.29 UDP policy BE12 suggests that 21 metres is required between habitable room windows of existing and proposed dwellings. In this case, there is a shortfall of 3-4 metres – there is a distance of approximately 18 metres from the proposed dwelling to this row of terraced dwellings. There are non-habitable and habitable room windows in the front elevation of the proposed dwelling facing this row of terraced dwellings. Given that the proposed dwelling will not extend beyond no. 93 which has an established relationship with these terraced properties to the north east, a precedent has been set for this relationship and therefore, it is considered by officers that there would be no undue overlooking compared to the existing situation.
- 10.30 Furthermore, given that there is a highway in between the sites and the relationship of the new dwelling with these terraced properties is the same as the relationship with no. 93, there would be no overbearing impact as a result of the proposed dwelling.

*Summary*

- 10.31 In all, for the reasons set out above, the proposals are considered satisfactory by officers in relation to residential amenity and would comply with the aims of policy D2 of the UDP as well as policy PLP24 of the PDLP.

**Highway issues:**

- 10.32 Following a formal consultation with Highways Development Management (HDM) and receipt of an amended plan showing the dwelling in its amended location, there is no objection to the proposal. The reasons for this will be discussed below.

- 10.33 Following a site visit by the case officer and an amended consultation response from HDM, there is no objection to the proposal. The proposed dwelling will use the existing access for no. 93 with a new access proposed for the existing dwelling.
- 10.34 The parking provision at the site is acceptable. The plan shows that two parking spaces can be accommodated outside the proposed dwelling, with a further space accommodated within the integral garage. At the front of the site, there is adequate space to turn on site, thus not impacting on highway safety and efficiency.
- 10.35 Following a formal consultation with HDM, at the existing dwelling, the plan shows a new access with acceptable visibility splays and width to ensure that access and egress from the site would be acceptable without causing highway safety issues. There is also capacity to accommodate three spaces to the front of the existing dwelling.

### Summary

- 10.36 For the above reasons, there will be no highways safety issues over and above the existing situation. Taking into account the above information, the proposal is considered to comply with policy T10 of the UDP, as well as policy PLP21 of the PDLP. Furthermore, the proposal is also considered to be in accordance with policy PLP22 of the PDLP and policy T19 of the UDP in relation to the parking provision to serve the existing and proposed dwelling.

### Representations

- 10.37 Five representations have been received. Officers respond to the issues raised as follows:
- The new build detached property will not be in keeping with the other properties in the area/ materials are out of keeping.  
**Officer response:** *This has been fully assessed in the visual amenity section of the report. As set out above, there are a variety of house types within the immediate vicinity and it is therefore the view of officers that the proposed dwelling would not adversely affect the character of the area.*
  - Height of the property will have an oppressive impact on the surrounding area, especially those on Stocks Bank Road and Ford Drive  
**Officer response:** *This has been fully assessed in the residential amenity section of this report and is considered, by officers, to be satisfactory. Due to its position and overall design, it is considered that the proposed dwelling would result in a satisfactory relationship with the surrounding properties and would not result in significant undue harm being caused to residential amenity.*
  - Construction of the dwelling will be difficult given that Ford Drive is a privately owned and maintained driveway – means of access should not be obstructed  
**Officer response:** *this is not a material planning consideration. However, a suggested footnote can be attached to the decision notice setting out that the granting of planning permission does not override any private legal matters relating to ownership of land or access rights.*

- Depth of ground works involved in building such a property is most likely to have a detrimental effect on other residents' land.  
**Officer response:** *building/land stability is primarily a Building Control matter. Furthermore, paragraph 120 of the NPPF does set 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.*
- Garden will be overlooked and privacy invaded – windows will overlook into gardens.  
**Officer response:** *this has been fully assessed in the residential amenity section of this report above. Whilst all distances may not strictly comply with those set out in policy BE12 of the UDP, these distances are recommended and, if specific circumstances exist, as set out in policy BE12, shortfalls can be accepted. In this instance, it is the view of officers that the new dwelling has been designed in such a way so as to mitigate any undue overlooking of neighbouring properties.*
- Road access on to Stocks Bank Road can be tricky – further access has been requested, causing more vehicles coming out onto the road/ traffic congestion.  
**Officer response:** *this has been fully assessed in the highway safety section of this report above. The proposal is not considered to result in any significant harm to highway safety and efficiency.*
- Disappointment that not advised of the amended application, nor are there signs on Stocks Bank Road  
**Officer response:** *neighbour letters were sent to the properties adjoining the red line boundary.*
- Concerns not taken into consideration as amended plans changes not significant  
**Officer response:** *the comments submitted have been considered and amendments to make the development acceptable to officers have been sought.*
- Cannot see a change in the proposal – building will continue to overlook bedroom and patio, reducing privacy.  
**Officer response:** *this has been fully assessed in the residential amenity section of this report.*
- Will dominate location and not in keeping with current properties. Building is approx. 30% larger than no.93a.  
**Officer response:** *this has been fully assessed in the visual amenity section of this report.*
- Window of building will overlook upstairs study and straight into glass conservatory, bedroom and garden area – invading privacy of no.1 Ford Drive  
**Officer response:** *this will be covered in the residential amenity section of this report.*

- Overbearing, overshadowing and oppressive on surrounding properties  
**Officer response:** *this will be covered in the residential amenity section of this report.*
- Proposed dwelling appears much taller as ground level falls steeply, no.s 1 and 3 Ford Drive are bungalows – building will bring built form unreasonably close.  
**Officer response:** *this will be covered in the residential amenity section of this report.*
- Size and mass of proposed house on small plot that it occupies  
**Officer response:** *covered in visual amenity section of this report.*
- Concerns relating to foundations and impact of new foundations on retaining wall.  
**Officer response:** *this is not a material planning consideration. As discussed above, paragraph 120 of the NPPF does set 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*
- Foul mains drainage will be taken to discharge to mains drainage in Stocks Bank Road  
**Officer response:** *this is not a planning matter. This is a building control matter.*
- No planning permission for large shed – this has led to a loss of open space but has no windows.  
**Officer response:** *the shed will be removed. The impact on residential amenity in terms of windows overlooking has been assessed.*
- Submitted location plan is misleading and does not show an accurate representation of area. Plans do not show the slope of land from Stocks Bank Road/ drawings fail to show a path which effectively narrows our driveway.  
**Officer response:** *a site visit has taken place and the topography and site characteristic have been assessed by the case officer.*
- How will a suitable boundary treatment be implemented  
**Officer response:** *If the application is approved and it is considered to be necessary, a condition can be put on the decision notice to ensure that appropriate boundary treatments are on site.*
- Size of property is larger than surrounding properties and will fit on a smaller area of land.  
**Officer response:** *this is covered in the visual amenity*
- Proposed property is opposite kitchen window, side door and landing window (serving home office). Proposed windows will overlook kitchen and side door at a distance of only 3.3 metres.  
**Officer response:** *this is covered in the residential amenity section of this report.*

- Would be in complete shade until mid-morning at the earliest and kitchen window has uninterrupted views and light.  
**Officer response:** covered in residential amenity section of this report.
- Front elevation is unsightly  
**Officer response:** this is covered in the visual amenity section of this report.
- Parking concerns given that majority of dwellings are terraced (on street parking)  
**Officer response:** Highways Development Management has assessed the proposal and it is considered that the parking provision at the site is acceptable. This is discussed in the highway safety section of this report.

Councillor Bolt's representation:

- Highway safety especially relating to vehicle movements/sight lines  
**Officer response:** *this will be discussed in the highway safety section of this report. A block plan showing vehicle movements has been submitted and assessed by Highways Development Management.*
- Impact on the adjacent residential properties  
**Officer response:** *this is discussed in the residential amenity section of this report. The impact on each individual property surrounding the site is assessed above.*

## 11.0 CONCLUSION

- 11.1 To conclude, the proposed dwelling, in terms of its layout, scale, and design, is considered acceptable by officers in this location. It would relate satisfactorily to the varied development within the vicinity of the site and, in the view of officers, would not result in any significant residential amenity implications either. In addition, the proposal is not considered to result in any undue highway safety implications either.
- 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.
- 11.3 This application has been assessed against relevant policies in the development plan and other material considerations and it is considered that the development would constitute 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 Strategic Investment)**

1. 3 year time limit to commence development
2. Development carried out in accordance of approved plans
3. Materials
4. One charging point to be installed
5. Footnote re hours of construction
6. Footnote re access/ownership rights
7. Surfacing re parking area
8. En suite to be obscurely glazed
9. Boundary treatments to the side and rear to be retained

**Background Papers:**

Link to the application details:-

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017/93470>

Certificate of Ownership – Certificate A signed and dated 09/10/2017.