

**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: 2017/62/92430/E

Site Address: 20, Thomas Street, Heckmondwike, WF16 0NW

Description: Erection of single storey rear extension and dormers
windows to front and rear

Recommending Officer: Jennifer Booth

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.

Sarah Longbottom
AUTHORISED OFFICER

Date: 11-Sep-2017

OFFICER REPORT

Site Description

20 Thomas Street is an end terrace property with stone front and rear elevations and a red brick side elevation. The front door of the property opens onto the back of the pavement and there is long garden to the rear.

The property backs onto Walkley Lane. There are business units to the south east, Moorbank mills on the opposite side of Thomas Street and similar terraces to the north west of the site.

Description of Proposal

The applicant is seeking permission for the erection of a dormer to the front, a single storey extension to the rear and a dormer within the rear roof plane.

The front dormer would be centrally sited, would have a width of 2.5m and a pitched roof form. The dormer is proposed to be clad with vertically hung tiles.

The single storey rear extension would extend across the width of the dwelling (4.2m), project 3m from the original rear wall of the dwelling and would have a pitched roof form. The eaves height is proposed to be 3.4m and the overall height is proposed to be 4m. The walls of the extension would be constructed using stone with tiles for the roof covering.

The rear dormer would have a width of 4.2m and a height of 2.4m. The roof form would be flat and the dormer would be clad with vertically hung tiles.

History of negotiations

The initially submitted plans were annotated to the effect that the single storey rear extension would be constructed using artificial stone. None of the other properties within this row have been extended and due to a change in levels to the rear, any single storey rear extensions would require planning permission. The use of artificial stone would have the potential to form an awkward relationship with the host property and if others within the row were to apply for similar extensions, this could be damaging to the character of the properties within this row and visual amenity in general. As such, it was considered appropriate to ask for the plans to be amended to show the use of natural stone.

Relevant Planning History

None

Representations

The application was advertised by site notices and neighbour letters, which expired on 19/08/2017

As a result of the above publicity, no representations have been received.

Consultation Responses

None

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased 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 on the Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **BE15** – Front dormer
- **T10** – Highway Safety
- **T19** – Parking

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, 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 7 – Requiring good design

Publication Draft Local Plan Policies

PLP 22 - Parking

PLP 24 - Design

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) Conditions
- 7) Conclusion

1 – Principle of development:

The site is unallocated within the Unitary Development Plan. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

Thomas Street hosts a mix of residential and business properties with varying sizes of building and age. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The scheme under consideration consists of three distinct elements which shall be addressed below.

Front dormer

The front dormer has been designed within most of the parameters of Policy BE15. The distance between the top of the dormer and the ridge of the roof has not been achieved; however the design is for a small pitched roof which necessitates the additional height. This is considered to be a preferable design in terms of visual amenity. It is noted that there are no other similar dormers within the row. However, this is not considered to be sufficient to

substantiate a reason for refusal of the proposals as the design and form of the dormer is considered to be acceptable in terms of visual amenity.

Single storey rear extension

The scale of the rear extension can be considered to be acceptable relative to the size of the host property and its associated curtilage. The materials proposed would match the main house and the detailing can be considered to be appropriate for a development of this type. As such, the single storey rear extension can be considered to be acceptable in terms of visual amenity.

Rear dormer

The design of the dormer is based on function rather than form. There would be views of this from the grounds of the adjacent dance studio and the gardens of the neighbouring properties. Given the significant scale of the dormer, the resultant development would have the potential to result in an incongruous within the wider area.

Notwithstanding the above, the size and location of the dormer is such that it is likely to constitute permitted development. Taking into consideration the provisions of Schedule 2, Class B of The Town and Country Planning (General Permitted Development) Order 2015, the development would not exceed the highest part of the roof, is not to the principal elevation, the cubic content of the resulting roof space would not exceed 40 cubic metres (taking into account the proposed front dormer as well the dormers would result in 33.57 cubic metres), it does not include a veranda, balcony or raised platform, the plans indicate that the development would not involve the installation, alteration or replacement of a chimney, flue or soil and vent pipe and the site is not within a Conservation Area.

Having taken the above into account, the proposed extensions would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policies D2, BE1, BE13 and BE14 of the UDP and the aims of chapter 7 of the NPPF.

3 – Impact on residential amenity:

There are no residential neighbours directly to the front or rear of the property. The building to the south east side is a commercial property.

The adjoining neighbour to the north west is a residential property. Given the scale and siting of the front and rear dormers, there would be no harm caused to the amenities of the occupiers of the adjoining property. The single storey rear extension would be constructed along the common boundary with the adjoining property and the elevated nature of the ground floor of each of the dwellings is such that the height of the single storey extension is exaggerated to a degree. However, the projection is limited to 3m and the extension is single storey in nature. As such, any impact on the amenities of the occupiers of the adjoining property is minimal.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with policies D2, BE1 and BE14 of the UDP.

4 – Impact on highway safety:

The proposals will result in some intensification of the residential use. However whilst there is no off road parking provision on site at present and the proposals do not include the provision of a such a facility, there is on street parking available on Thomas Street. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with policies D2, T10 and T19 of the UDP.

5– Other matters:

There are no other matters for consideration.

6 – Representations:

None

7 – 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 to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

8 – Conclusion:

This application to form dormers within the front and rear roof plane of 20 Thomas Street and erect a single storey rear extension 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. Given the acceptable design and lack of significant harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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: 2017/92430

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 Policies D2, BE13 and BE14 of the Kirklees Unitary Development Plan and the aims of the National Planning Policy Framework.

3. The external walls 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 BE13 of the Kirklees Unitary Development Plan and the aims of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location plan	-	640764	17/07/2017
Proposed floor plans	-	640772	17/07/2017
Proposed plans	-	654116	08/09/2017

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.

The initial plans detailed the use of artificial stone for the single storey rear extension which would have had the potential to be damaging to the character of the host property and terrace. As such, amended plans were sought and received to amend the detail to show the use of natural stone.

Report Dated: 11/09/2017

