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: 2017/62/92613/E

Site Address: 19, Mead Way, Highburton, Huddersfield, HD8 0TG

Description: Erection of single storey front and rear extensions

Recommending Officer: Josh Kwok

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.

Julia Steadman

AUTHORISED OFFICER

Date: 24-Oct-2017

Officer Report

Site Description

The application site is 19, Mead Way, Highburton. It consists of a two storey detached property and two gardens; one to the front and the other to rear of the property. A single garage and two off-street parking spaces are situated to the front of the property. The external walls of the house are constructed with random stones and the roof with concrete interlocking tiles. The house appears to be built as part of a wider residential scheme and therefore shares a number of similarities with its neighbouring properties in terms of design, layout and material. The application site is separated from the neighbouring properties by wooden fences to the north and the south eastern side and a dense hedge to the south western side. The existing boundary treatment is at least 2 metres in height.

The application site and its surrounding area are wholly residential characterised by two storey detached properties. The land is relatively flat with all properties being set at a similar ground level. A number of properties in close vicinity already have extensions of similar size on the rear elevation as this application.

Description of Proposal

The proposal is for erection of a front and rear extension. The extensions are to provide additional space for the existing lounge and to be served as a new sun room.

Front Extension

This extension is to project off the front wall of the original dwelling house by 1.5 metres, to align with the front wall of the integral garage, and it is to have a width of approximately 6 metres. The existing lean to roof on the front elevation is to be extended across the whole width of the original dwelling house. The maximum height and the eaves height of the extension are to be identical to those of the existing single garage and portico. The proposed materials are to be natural stones and concrete interlocking tiles that match the host property.

Rear Extension

This extension is to have a footprint of 3.9 metres (from the back wall of the host dwelling) by 4.9 metres (in width). The maximum height and the eaves height are to be 3.3 metres and 2.2 metres respectively. The roof form is to be a lean to roof. This extension would have a door on the side elevation to replace the existing door on the rear elevation. There are to be two roof lights on the roof plan of the extension.

History of negotiations/amendments received

The initially submitted plans and drawings were not acceptable as they were not drawn to a recognised scale and have a number of discrepancies. Some amendments to the submitted drawings and plans have been requested. The applicant returned on 02/10/2017 and submitted two revised drawings. They form part of the application documents upon which this report is based.

Relevant Planning History

No record of any planning application on site however, there have been applications for extensions in immediate vicinity e.g.

2012/90386 – Erection of single storey extension (8, Mead Way) – Approved

2013/91728 – Erection of two storey side extension and demolition of existing garage (6, Mead Way) – Approved

2014/92620 – erection of single storey extension to front and alterations to the existing conservatory to rear to form sun room (11, Mead Way) – Approved

Representations

This application was advertised by site notices and neighbour letters, which expired on 24/10/2017. As a result of the above publicity, no public representations have been received.

Kirkburton Parish Council – No comment

Consultation Responses

No consultations are required for this application.

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 both the UDP Proposals Map and on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway safety
- **T19** – Parking

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP21** – Highway and access
- **PLP22** – Parking
- **PLP 24** – Design

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

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1 – Principle of development:

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development … of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.

2 –Impact on visual amenity:

The proposal under consideration comprises two distinctive elements which shall be addressed below

Front extension:

This element would have a footprint of about 1.5 metres by 6 metres. The maximum height would be no greater than that of the existing integral garage. The overall dimension of this element would appear to be reasonable relative to the host property and its associated curtilage. The proposed materials are natural stones and concrete interlocking tiles to match the existing property and the properties in close proximity. The proposed design would be in-keeping with the existing character of the area. This extension is not considered to constitute a prominent or an incongruous feature within the street scene because of the single storey nature and the use of matching materials. Furthermore, it was noted on the date of the site visit that no. 11 Mead Way already has a front extension of similar size and design. For the above reasons, this element can be acceptable in visual amenity terms.

Rear extension:

The rear extension would project from the back wall of the original dwellinghouse by 3.9m. This would be in excess of the suggested distance of 3 metres in policy BE14 of the UDP in relation to terraced, semi-detached, or closely-spaced dwellings. However, in this instance, the host dwelling is a detached dwelling set within a reasonable sized site, with an open play area to the rear. In addition, taking the detached nature of the property into account, under permitted development, an extension with a projection of 4.0m from the original elevation could therefore be erected. Its projection from the back wall of the original dwellinghouse by 3.9m is therefore considered acceptable.

The width and the maximum height of this extension would be 4.9 metres and 3.3 metres respectively. Whilst it is acknowledged that the size of the back garden would be reduced as a result of this application, it can be acceptable in this instance because a reasonable sized curtilage would still be retained and furthermore, the neighbouring properties already have similar size rear extensions.

In terms of the materials, they would be identical to those used on the host property and this would help ensure that the existing character of the area in retained. The proposed roof form is a lean to roof, which is not considered uncommon for a rear extension. This element of the proposals is therefore also considered acceptable from a visual amenity perspective.

In all, the proposal extensions as whole would appear to be sympathetic in scale, material and design to the host property and its surrounding area, complying with Policies D2, BE1, BE2, and BE13 of the UDP, Policy PLP24 of the Publication Draft Local Plan, as well as Chapter 7 of the National Planning Policy Framework.

3 – Impact on residential amenity:

In relation to 17, Mead Way

This neighbouring property is a two storey detached house adjoining the northern side boundary of the application site. The back garden of this neighbouring property is separated from the application site by 2 metre high wooden fences. Given the occupants of this neighbouring property have already started building a rear extension on the opposite side of the boundary fence, the proposed rear extension would have no adverse impact in terms of overshadowing. Furthermore, because of the lack of window on this side of the elevation, it would not result in any loss of privacy of this property or its associated curtilage.

The front extension again would have no impact on the privacy of these neighbouring occupants because it would have no window on the site elevation. It might potentially have some overshadowing impact on the single garage immediately adjacent to the side boundary of the application site. Nevertheless, given there would be no effect on any habitable room window of this property, the proposed front extension could be acceptable in this regard.

In relation to 21, Mead Way

This neighbouring property is a two storey detached house to the south of the application site. It is separated from the application site by dense evergreen hedges of 2 metres. The proposed rear extension would be set back from the side wall of this neighbouring property by at least approximately 10 metres, which would be sufficient to mitigate any overshadowing impact associated with this extension. It would have no window on this side of the elevation, hence no impact on the privacy of these neighbouring occupants. The front extension would be situated on the opposite side of this neighbouring property. As such, it would have no harm on the residential amenity of these neighbours.

In relation to 8, Mead Way

This neighbouring property is a two storey detached house to the north eastern direction of the application site. Although the proposed front extension would inevitably reduce the gap in between the two properties, it is not considered to give rise to any residential amenity concerns because of the substantial boundary treatment existing at the front boundary of both sites and the reasonable separation distance in between. Having considered the above circumstance, the proposed development would not be prejudicial to the amenity of these neighbouring occupants

In relation to 18, Birkhead Close

This neighbouring property is a two storey terraced house adjoining the rear boundary of the application site. It is separated from the application site by a mix of dry stone walls and wooden fences. Because of the lack of window opening fronting this neighbouring property and the single storey nature of the rear extension, it is not considered to cause any harm on the residential amenity of these neighbouring occupants.

To summarise, the proposal as a whole would be acceptable from a residential amenity perspective, complying with Policies D2, BE1 and BE2 of the UDP and Policy PLP24 of the Publication Draft Local Plan. To safeguard the residential amenity of the neighbouring occupants in the future, a condition can be added to remove the permitted development rights for any new windows on the north eastern side elevation of the rear extensions.

4 – Impact on highway safety:

The proposal would result in some intensification of the domestic use existing at the site but it would not affect the existing parking arrangement. There would remain three parking spaces within the application site to meet the need of the occupants, in accordance with Policy T19 of the UDP and Policy PLP22 of the Publication Draft Local Plan.

The occupants of this dwelling may have to reverse onto the highway but this is the existing arrangement, thus not representing any additional impact on highway safety and efficiency, in accordance with Policies D2 and T10 of the UDP and Policy PLP21 of the Publication Draft Local Plan.

5 – Other matters:

No other material planning matters are considered relevant to the determination of this application.

6 – Representations:

No representations have been received for this application.

7 – Conclusion:

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.

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:
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, Policy PLP24 of the Kirklees Publication Draft Local Plan, and Chapter 7 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions 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 Policy PLP24 of the Kirklees Publication Draft Local Plan.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed on the north eastern side elevation of the rear extension at any time.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy D2 and BE14 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing and proposed floor plan			22/08/2017
Location plan			22/08/2017
Existing and proposed elevations			02/10/2017
Proposed elevations north			02/10/2017

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 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 applicant has been requested to make a number of amendments to the submitted drawings and plans. The revised drawings and plans have been received on 02/10/2017 and they are considered acceptable for the purpose of decision making.

Report date: 25/10/2017