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: 2017/62/92685/W

Site Address: 21, Springwood Avenue, Springwood, Huddersfield, HD1 4BH

Description: Erection of single storey rear extension

Recommending Officer: Oliver Corbett

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 19-Oct-2017

Officer Report

Reference- 2017/**92685**

Applicant- F Ajaib
21 Springwood Avenue
Springwood
Huddersfield
HD1 4BH

Location – 21 Springwood Avenue, Springwood, Huddersfield, HD1 4BH

Proposal – Erection of single storey rear extension

Site Description

The application relates to an end terrace, two storey property in Springwood, Huddersfield. The property is constructed in stone which has been painted cream, with a similar design to a number of properties on Springwood Road and in the wider area. The property possesses a small rear extension forming a kitchen.

Description of Proposal

The application proposes the erection of a single storey rear extension replacing the existing single storey extension. It would measure 3.6 metres in projection with a width of 5.9 metres. It would be flush with the north-western elevation of the property (which has no attached neighbour) and would be set in from the boundary with no. 19 by approximately 1.4 metres. It will possess a pitched roof with a height of 3.8 metres and an eaves height of 2.7 metres. The extension would possess two windows to the rear elevation and a roof light. It is to be constructed in stone and concrete roof tiles to match the host and neighbouring properties.

History of negotiations/amendments received

No negotiations or amendments were required.

Relevant Planning History

2017/91482 - **HHPD Extension – single storey rear extension**
NANR – Permission not required. The application met the Permitted Development limits and no neighbour representations were received.

2017/92253 - **HHDP Extension – single storey rear extension**
Withdrawn – the extension would not meet Permitted Development rights as it would be larger than half the width of the original dwelling.

Representations

Final publicity date expires: 11th September 2017.

No representations have been received.

Consultation Responses

No consultations have been requested.

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 and the PDLP Proposals Map.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles

- **BE2** – Quality of design
- **BE13** – Extensions (design principles)
- **BE14** – Extensions (scale)

Kirklees Publication Draft Local Plan: Submitted for examination April 2017:

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **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]".

The Publication Draft Local Plan (PDLP) states that:

"Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise."

All these considerations are addressed later in this assessment.

2 –Impact on visual amenity:

There would be some impact on visual amenity. The proposal would result in a mid-sized extension to the rear, which would not be visible within any street scene including Springwood Road, and is therefore not considered to have a detrimental impact to visual amenity in this regard. The extension would be small in scale and would not dominate the host property or result in overdevelopment of the site. Although the rear amenity space of the property would be reduced in size, there would still be a garden to provide good amenity for the residents. It would be constructed in materials to match the host property. It is not considered that there would be a significant detrimental impact to visual amenity as a result of the proposal.

It is therefore considered that the proposed development adheres to the guidelines set by Policies BE1, BE2, BE13 and BE14 of the UDP, and Policies PLP 1, 2 and 24 of the PDLP.

3 – Impact on residential amenity:

There would be some impact on residential amenity. It is noted that in neither of the previous HHPD applications have the neighbouring properties commented on the plans nor in this application. The neighbours most likely to be affected are no's. 19 and 23 Springwood Road.

In terms of the impact on no. 19, there is likely to be some impact as a result of the proposal. The extension would replace an existing extension which appears to project 2 metres to the rear. Although this would represent an increase of 1.6 metres in addition to the current extension, it would have a pitched roof which serves to reduce the overall massing and height of the extension away from the rear elevation of the property. It is noted that the property no. 17 has a two storey rear extension, but this would not prejudice the granting of permission for a single storey extension at this site.

In terms of the impact on no. 23, there would be a low impact. The property is situated at a higher elevation than the application property and there is a high stone boundary wall in place. This, in addition to the height difference, gives the impression that there would not be an overbearing or overshadowing impact and there is not likely any potential for overlooking.

It is therefore considered that the proposed development adheres to the guidelines set by Policies BE1, BE2, BE13 and BE14 of the UDP, and Policies PLP 1, 2 and 24 of the PDLP.

4 – Impact on highway safety:

There would be no impact on highway safety.

5 – Other matters:

There are no other matters.

6 – Representations:

No representations have been received.

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: 2017/92685
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.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	1728.1	-	07/08/2017
Existing Ground Floor and Section	1728.2	-	07/08/2017
Existing Rear Elevation	1728.6	-	07/08/2017
Proposed Ground Floor Plans	1728.3A	A	07/08/2017
Proposed Rear Elevation	1728.4	-	07/08/2017
Proposed Side Elevations	1728.5	-	07/08/2017

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 application as submitted was considered to be acceptable to Planning Officers, no negotiations or amendments were therefore required for this application.

Report Dated: 18/10/2017