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:	2017/62/93458/W
Site Address:	46, Scarhouse Lane, Golcar, Huddersfield, HD7 4DX
Description:	Erection of single storey rear extension to rear with balcony to side and canopy to front (within a Conservation Area)
Recommending Officer:	Julie Greatbatch

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 08-Feb-2018

Officer Report

Application: 2017/62/93458/W

Site: 46, Scarhouse Lane, Golcar, HD7 4DX

Proposal: Erection of single storey rear extension to rear with balcony to side and canopy to front (within a Conservation Area)

Site Description

The application relates to a detached dwelling, located in a residential area of Golcar. The property is the first of three dwellings, located on a small track off Scarhouse Lane, set down from Kiln Brow and Scar Top to the north. The site is located within the Golcar Conservation Area.

The site and surrounding land slope steeply from north to south. Accordingly, the application dwelling is 2.5 storeys high at the front (south elevation) and single storey at the rear. To the front of the property is a paved driveway and lawned garden. The rear garden, accessed via steps adjacent to the east gable, is terraced and planted. There is a mature tree to the north-west of the application property, which is protected by virtue of its location within the Conservation Area.

The application building is constructed from random stone, with a blue slate tiled roof and oak-coloured upvc windows. The house has previously been extended to the side and rear.

Description of Proposal

The proposal includes three distinct elements:

(i) Single storey extension to the rear (north). The proposed extension would be a continuation of the existing extension to the rear of the application property, projecting 2m from the face of the original dwelling and extending an additional 3.6m across the rear of the dwelling. It would have a duo-pitched roof with an eaves height of 2.60m, a ridge height of 3.85m (both to match the previous extension). All materials are proposed to match the existing.

(i) Balcony to side (west). The proposed new balcony would project 2.0m from the surface of the existing two-storey side extension, and would be 3.40m wide (the full width of the existing extension). The base of the balcony would meet the existing ground level towards the rear of the application property and, due to the topography of the site, would be approximately 2.50m above ground level towards the front. The balcony would appear to be constructed from steel.

(ii) Canopy to front (south). The proposed new canopy over the front door would be 2.30m wide and would project 1.00m from the front elevation. The canopy would be duo-pitched with, with a ridge height of 3.50m above the top doorstep. The canopy would be centrally aligned with the front doorway and first floor window above. Materials are proposed to match the existing.

Relevant Planning History

2012/91496: 46 Scarhouse Lane – Erection of single storey rear extension. Implemented.

2003/91842: 46 Scarhouse Lane – Erection of two-storey extension and detached garage. Implemented (extension built but not garage).

Representations

The proposal was publicised by site notice and press advertisement, and neighbours were notified.

Final publicity date expired: 19th January 2018.

No public representations were received.

Consultation Responses

The council's tree officer was consulted in relation to the existing tree to the north-west of the application site; no objections were raised to the proposed developments on the site.

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 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 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. 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 unallocated in the Kirklees Publication Draft Local Plan. It is located within the Golcar Conservation Area; designated as such in the PDLP.

Kirklees Unitary Development Plan (UDP)

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design

- **BE5** – Conservation areas
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

Kirklees Publication Draft Local Plan (PDLP)

- **PLP1** – Achieving sustainable development
- **PLP2** – Place shaping
- **PLP24** – Design
- **PLP33** – Trees
- **PLP35** – Historic environment

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.

- **Paragraph 17** – Core planning principles
- **Chapter 7** – Requiring good design
- **Chapter 12** – Conserving and enhancing the historic environment

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) Conclusion

<u>1 – Principle of development</u>

The NPPF provides a presumption in favour of sustainable development.

Policy D2 of the UDP requires that new development on unallocated sites does not prejudice the implementation of proposals in the plan; the avoidance of over-development; the conservation of energy; highway safety; residential amenity; visual amenity; the character of the surroundings; wildlife interests; and the efficient operation of existing and planned infrastructure.

As the proposal comprises extensions to an existing dwelling that is situated within an established residential area, it is regarded as sustainable development and is acceptable in principle, subject to appropriately addressing other planning matters.

2 – Impact on visual amenity, including the character of the Golcar Conservation Area

The site is located within the Golcar Conservation Area. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Additionally, UDP Policy BE5, PDLP Policy PLP35 and NPPF Chapter 12 outline the principle of development and restrictions for development in Conservation Areas.

The site's secluded position, enhanced by the topography of the land, ensures that the proposal will have minimal visual impacts upon the character or appearance of the neighbouring properties or upon the wider conservation area. That said, the proposed additions to this relatively modern dwelling are modest in scale, are to be constructed in materials to match the existing and are considered to be in keeping with the design of the host dwelling. Although the property has been previously extended, the total additions remain subservient to the host dwelling.

The proposed balcony is less in keeping with the design of the original dwelling. However, it is relatively modest in scale and a similar existing balcony is visible at the neighbouring property to the east (number 44). As such, the balcony proposed at number 46 cannot be said to detract from the visual amenity of the area.

The overall visual impacts of the proposed extension, balcony and canopy are acceptable in relation to the application property, neighbouring properties and the wider Golcar Conservation Area. The proposal therefore complies with the requirements of Policies D2, BE1, BE2, BE5, BE13 and BE14 of the Kirklees Unitary Development Plan and Policies PLP1, PLP2, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan.

3 – Impact on residential amenity

The proposed rear extension is modest in scale, would not project any further to the rear of the property than the existing extension and would not extend beyond the side of the original house. Due to the topography of the site, the extension is set down from any neighbouring properties. As such, no overbearing, overshadowing or overlooking impacts are anticipated from this element of the proposal.

The proposed balcony would project 1.00m further west than the existing extension. The application property is set well away from its neighbours to the west and south and it is not anticipated that the proposed balcony would lead any undue overbearing, overshadowing or overlooking impacts upon these neighbouring dwellings.

The proposal will not have an adverse impact on the residential amenity of neighbouring dwellings. The proposal is deemed to comply with Policy D2 of the UDP, Policy PLP24 of the PDLP and Paragraph 17 of the NPPF.

4 – Impact on highway safety

None.

5 – Other matters

Bats

The application site is within a bat alert area; however there is no indication that there is a bat roost on site. Given the scale of the works proposed, a bat survey would not be required in this case. However, a note recommending that the advice of licensed bat work to be sought if any bats are found during the development will be relayed on to the applicant if this application is approved for the proposal, to comply with Chapter 11 of the NPPF.

Trees

There is a mature tree within the site boundary that is protected by virtue of its location within a conservation area. However, it is not believed that this tree will be negatively impacted by the proposal.

6 – Representations

No representations were received.

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 it is therefore recommended for approval.

Recommendation: Approve

Report Dated: 07/02/2017