

**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: 2017/62/93637/W
Site Address: 8, Parkwood Court, Longwood, Huddersfield, HD3 4TJ
Description: Erection of single storey rear extension
Recommending Officer: Josh Kwok

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: 05-Jan-2018

Officer Report

Site Description

The application site is no.8 Parkwood Court, Longwood. It consists of a two storey terraced house, a hardstanding area to the front and the side for parking and turning and a reasonable sized garden to the rear. The house at the application site is constructed with natural stones and grey concrete interlocking roof tiles. The existing boundary treatment is characterised by garden fences. The houses in immediate vicinity appear to be similar to that at the application site in terms of their forms, materials and designs.

The site and its surrounding are wholly residential characterised by two storey terraced properties. There is an open field, immediately adjacent to the rear boundary of the application site, which is designated as Green Belt land along with the application site. There are also two grade II listed buildings to the opposite side of the road.

Description of Proposal

The proposal is for erection of single storey rear extension. A review of the planning history shows that a full permission has already been granted for erection of single storey rear extension in 2016 (*Ref: 2016/92863*). This application seeks some minor amendments to the size of the approved scheme. The design and the material are shown to be remained the same as the approved scheme.

Single storey rear extension

- The depth being reduced from 3.6m to 3.3m
- The width being increased from 3m to 3.3m
- To be constructed with grey concrete interlocking tiles and natural local coursed stone to match those of the existing house
- Lean to roof with Velux window on top

Given a similar scheme has already been thoroughly assessed and approved, this report only assesses the additional impact associated with the proposed amendments as shown on the submitted group plan no. 2016/019/03 Rev A.

History of negotiations/amendments received

No amendments have been requested during the course of this application.

Relevant Planning History

2016/92863 – Erection of single storey rear extension (8, Parkwood Court) – Approved

2005/95091 – Erection of two storey extension (5, Parkwood Court) – Approved

2005/90272 – Erection of conservatory (7, Parkwood Court) – Approved

Representations

The application was advertised by site notices and neighbour letters, which expired on 03-Jan-2018. As a result of the above publicity, three representations have been received from a neighbour, who expressed the following concerns:

- There is concern that if the gap between the extension and the wall of the house on no.7 Parkwood Court not properly sealed and it could result in infestation between the walls.
- Potential impact on the wall of the house on no.7 Parkwood Court, its foundation and drainage
- Insufficient space between the extension and the house on no.7 Parkwood Court for future maintenance

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 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 designated as Green Belt on the UDP Proposals Map and on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D11** – Extension of building in Green Belt

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

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP21** – Highway safety
- **PLP 24** – Design
- **PLP35** – Historic environment
- **PLP57** – Extension, alteration or replacement of existing buildings in Green Belt

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
- Chapter 9 – Protecting Green Belt land
- Chapter 12 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development:

The site is designated as Green Belt on the UDP Proposals Map and Policy D11 (Extensions of buildings within the Green Belt) states “proposals for the extension of building within the Green Belt will be considered having regard to (i) the impact on the openness and character of the Green Belt, (ii) the size of the extension in relation to the existing building which should remain the dominant element and (iii) the effect on the character of the existing building”.

Paragraph 86 of the NPPF stipulates that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in

very special circumstance. Paragraph 89 further explains that “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building” could be deemed appropriate in Green Belt. This application is assessed against the UDP policies alongside the relevant paragraphs of the NPPF and other material planning considerations.

It is acknowledged that a number of properties in close vicinity already have extensions of various scale and design. This is a relevant material planning consideration in determining this application.

2 – Impact on Green Belt

The house at the application site, unlike the adjoining properties, has not been extended in the past. The proposed extension would only amount to a small addition to the original dwellinghouse, thus complying with the aims of policy D11 of the UDP, policy PLP57 of the PDLP and paragraph 89 of the NPPF.

Given a full permission has already been granted for a single storey rear extension and that the submitted scheme does not appear significantly different from what have already been approved, there is considered to be no additional harm to the appearance, character and openness of the Green Belt. Furthermore, a number of neighbouring properties have already had extensions to the rear and; it is thought that the extension at the proposed scale would not result in any major detrimental impact on the Green Belt over and above what has already existed at other sites at Parkwood Court.

Having considered the above circumstances, the proposal can be considered acceptable from a Green Belt perspective and it would accord with the relevant policies in the UDP and PDLP and the guidance in the NPPF.

2 –Impact on visual amenity:

The material and design of the proposal would remain the same as the approved scheme. As such, there should be no additional impact on visual amenity. The group plan indicates some minor changes to the dimension of the extension. These changes are not considered to cause any material effect on the amenity of the surrounding area. Taking these into account, the proposal can be deemed appropriate from a visual amenity perspective and it would conform to the aims of policies BE1, BE2, BE13 and BE14 of the UDP, policy PLP24 of the PDLP and chapter 7 of the NPPF.

3 – Impact on residential amenity:

In relation to no.7 Parkwood Court

This neighbouring property is a two storey terraced house adjoining the side wall of the house at the application site. It already has a conservatory to the rear. The proposal is not considered to prejudice the amenity of these

neighbouring occupants over and above what has already been approved in 2016.

There are no residential development to the west and the north of the application site. No properties in immediate vicinity would be affected either positively or negatively by the proposed development. As such, the proposal as submitted would be in compliance with policies BE1 and BE2 of the UDP and policy PLP24 of the PDLP.

4 – Impact on highway safety:

The extension would neither intensify the residential use existing at the site nor would it affect the existing parking arrangement. Therefore, there would be no effect on highway safety and efficiency, complying with policy T10 and policy PLP21 of the PDLP.

5 – Other matters:

Impact on designated heritage asset

The buildings on no.14 and 16 Parkwood Road are grade II listed and they are situated in reasonably close proximity to the application site. However, given the scale and position of the extension relative to these buildings, there are considered to be no effect on the setting of the designated heritage asset. The proposal could be deemed appropriate from a conservation point of view, complying with the aims of policy PLP35 of the PDLP and chapter 12 of the NPPF.

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

6 – Representations:

Three representations have been received from a neighbour, who raised the following concerns:

- There is concern that if the gap between the extension and the wall of the house on no.7 Parkwood Court not properly sealed and it could result in infestation between the walls.
Response: this is not a material consideration from a planning point of view and the development would need to be constructed with the necessary approval of all interested parties. A note to this effect will be added to the decision notice to highlight this to the applicant.
- Potential impact on the wall of the house of no.7 Parkwood Court, its foundation and drainage
Response: The proposed extension is shown to be detached from the side wall of the house on no.7 Parkwood Court. There is no evidence to suggest that to approve the application would result in any damage to the wall, the foundation or the drainage of this property. Paragraph 120 of the NPPF is clear that the responsibility for securing a safe

development rest with the developer and/ or landowner. Furthermore, these issues could form part of a building regulation application and could be scrutinised further should there be any significant risk to the structure of this adjoining property. As set out above a note will be attached to the decision notice regarding this.

- Insufficient space between the extension and the house on no.7 Parkwood Court for future maintenance

Response: the arrangement of maintenance in the future is to be discussed between the applicant and the relevant parties. It does not constitute a material consideration 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:** 2017/93637**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 protect the character and appearance of the Green Belt in accordance with Policies D11, BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP57 of the Kirklees Publication Draft Local Plan and Chapter 7 and 9 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 protect the character and appearance of the Green Belt in accordance with Policies D11 and BE13 of the Kirklees Unitary Development Plan and Policies PLP24 and PLP57 of the Kirklees Publication Draft Local Plan.

NOTE: The granting of planning permission does not override any private ownership rights or legal covenants that apply to the land forming part of this planning application.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LP01		20-Oct-2017
Group plan	2016/019/03	Rev A	20-Oct-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. In this instance, no amendments have been requested because the proposal is considered acceptable in its submitted form.

Report Dated: 05-Jan-2018

