

**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: 2017/62/93661/W

Site Address: 46, Cockley Hill Lane, Kirkheaton, Huddersfield, HD5
0HH

Description: Erection of single storey side extension

Recommending Officer: Aimee Procter

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: 22-Dec-2017

Officer Report

Application: 2017/62/93661/W

Site: 46, Cockley Hill Lane, Kirkheaton, Huddersfield HD5 0HH

Proposal: Erection of single storey side extension

Site Description

The application relates to an end terrace dwelling in Kirkheaton. The dwelling is constructed in stone with a pitched roof covered on slate roof tiles. A small tarmacked access road is taken off Cockley Hill Lane and leads to the dwelling. To the side of the dwelling is an attached single storey garage.

The surrounding properties of Cockley Hill Lane are of a similar size, style and architectural design as the applicant dwelling. To the north is the adjoining terraced dwelling no. 44 Cockley Hill Lane; to the north east is the adjacent dwelling no.52 Cockley Hill Lane. To the south and west borders of the applicant site is a large enclosed piece of land known as Kirkheaton Assarts.

Description of Proposal

The proposal seeks planning permission for the replacement of the existing attached garage with a single storey side extension. The extension will project from the side elevation of the dwelling by approx. 4.3m and extend along the full length of the dwelling by approx. 7.2m. The extension will include a lean-to roof and will reach a height of 2.3m to the eaves and 3.8m to the ridge.

The proposal will be constructed using render, timber cladding and slate roof tiles to match the existing dwelling. The proposal will include the installation of one door to the front elevation, two window openings to the side elevation, and bi-folding doors to the rear elevation.

Relevant Planning History

None

Representations

The final publicity date expires on 5th December 2017.

No public representations have been received.

Consultation Responses

No consultations were deemed necessary.

Health and Safety Executive (HSE) – Does not advise against the granting of planning permission

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 on the 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)

Kirklees Publication Draft Local Plan (PDLP):

- **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]*”. All these considerations are addressed later in this assessment.

Furthermore the site is without notation on the Publication Draft Local Plan. Policy PLP1 states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The assessment below takes into account the aims of PLP1.

2 –Impact on visual amenity:

The proposal seeks planning permission for the erection of a single storey side extension. The proposal will allow the occupiers more habitable space to the ground floor of the dwelling, including an office, store and shower room/W/C. The extension will be constructed using blockwork and render and slate roof tiles. The roofing tiles would match the existing dwelling and the use of render and timber cladding is considered to be acceptable given that the existing structure is formed from painted brick with timber cladding and render and cladding will match this existing appearance. Furthermore render is a material used on the gable end of no.52. The use of these material is therefore considered to be acceptable.

In the context of the site and its surrounding area, the proposed works would not create a visually intrusive feature in the local area in term of its size and design, given the works are to match the existing dwelling in terms of construction materials, and given the extension is to be constructed to the same footprint as the existing garage. The proposal is for an extension to the side of the dwelling; it is replacing an existing structure and will not increase in size, therefore it will not over dominate the street scene.

Given the above, the proposal complies with policies D2, BE1, BE13 and BE14 of the Unitary Development Plan, policies PLP1, PLP2 and PLP24 of the Publication Draft Local Plan, and chapter 7 of the NPPF.

3 – Impact on residential amenity:

The impact of the development on residential amenity needs to be considered in relation to policies D2 and BE14 of the Unitary Development Plan. The host dwelling is surrounded by a number of dwellings, the closest of which being nos.44 and 52 Hexham Green.

It is considered that due to the extension being on the same footprint as the existing dwelling, has no windows facing any residential neighbours, and given the small increase in ridge height of approx. 0.1m it is considered that

the proposal will not result in any overbearing, overshadowing or loss of outlook to neighbouring dwellings.

Given the above, it is considered that the overall impact of the proposal on residential amenity is acceptable, and as such, complies with the requirements of policies D2, BE1 and BE14 of the Unitary Development Plan, policy PLP24 of the Publication Draft Local Plan and core planning principles of the NPPF.

4 – Impact on highway safety:

The development would result in the loss of a garage but as this is only 2.2m in width it is unsuitable for modern cars. There are no opportunities to provide alternative arrangements for car parking but this would not materially change the existing situation. The extension would not increase the demand for parking on the site.

5 – Other matters:

The HSE does not advise against the granting of planning permission, these comments are noted.

6 – Representations:

The final publicity date expires on 5th December 2017.
No public 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: 2017/62/93661/W

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 Policy PLP24 of the Kirklees Publication Draft Local Plan.

3. The 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 Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped plans and elevations	17-095-01Rev B		24/10/2017

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 was not contacted during the course of the application as the proposal was deemed acceptable in its submitted form.

Report Dated: 15/12/2017

