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:	2017/62/93923/W
Site Address:	10, Groves Houses, Gynn Lane, Honley, Holmfirth, HD9 6LA
Description:	Erection of single storey extension
Recommending Officer:	Julie Greatbatch

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: 10-Jan-2018

Officer Report

Application: 2017/62/93923/W

Site Address: 10, Groves Houses, Gynn Lane, Honley, Holmfirth, HD9 6LA

Site Description

10, Groves Houses is a large, semi-detached, two-storey, residential property, located in a residential area. The property is of traditional stone construction with part slate pitched roof and part flat roof, not visible from the ground.

The property is set in a 0.12ha garden and currently includes large south-facing patio windows and a decked area, both of which will be replaced by the proposal. The garden contains mature hedges and two trees with TPOs; none of these will be directly impacted by the proposal.

Description of Proposal

The proposal is for the erection of a single storey extension. The extension is to be positioned on the south-facing (side) elevation, projecting out 3m and measuring 6m across.

The extension is to be largely glazed, set upon a low-level stone cill. The roof is to be flat with a lantern light.

History of negotiations/amendments received

No amendments to the application were considered necessary.

Relevant Planning History

2012/92118 - Erection of detached garage with room over – Refused

Representations

Final publicity date expired 27 December 2017.

No public representations were received.

Holme Valley Parish Council supports the application.

Consultation Responses

No consultations were required.

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 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 (including any heritage considerations)

3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
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 will introduce a single storey extension to the side of the existing dwelling. The extension is relatively small in scale when considered against the host property and will remain subordinate to the host dwelling.

Due to the configuration of the existing building, the extension will not be visible from the front elevation (Gynn Lane). The southern face of the extension will be approximately 15m from Marsh Platt Lane and will be no closer to this highway than the most southerly parts of the existing dwelling. Impact on the streetscene will be minimal and the proposal will not prejudice the visual amenity of the building.

The proposed stone plinth is in keeping with the existing property, and the proposed glazed walls are considered appropriate for this type of extension.

Overall the proposal will not create a visually intrusive feature in the local area in terms of its size and design. The overall visual impact of the proposed extension is acceptable. As such, the proposal complies with the requirements of policies D2, BE1, BE2, BE13 and BE14 of the Unitary Development Plan and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

The proposed extension will not extend the property any nearer to existing dwellings to the south (14 and 16 Marsh Platt Lane).

The proposal includes new east-facing windows which are closer than existing to the existing dwelling to the east (8 Groves Houses). However, the proposed new windows are 5.5m from the boundary, do not face any habitable rooms and are not anticipated to outlook this neighbour. Given the position of the extension in relation to its neighbours it is not considered that it would lead to any other overbearing or overshadowing impact to adjacent properties.

The overall impact on residential amenity is acceptable and therefore compliant with policies D2 and BE14 of the UDP and Paragraph 17 of the NPPF.

4 – Impact on highway safety:

None.

5 – Other matters:

Ecology – The site is located within the bat alert layer, however the proposal would not interfere with the roof of the building, it is therefore considered that the proposal would not be detrimental to local bats. A note will however be attached to the decision notice advising of the potential presence of bats.

6 – Representations:

No public representations were received. Holme Valley Parish Council supports the 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:2017/93923
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.

NOTE: The Council's Environment Officer has commented that a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	Draw No. 17/51		20/11/2017

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. No additional engagement with the applicant was considered necessary for this proposal.

Report Dated: 10/1/2017