

**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: 2017/62/93946/W

Site Address: 308, Coppice Drive, Netherton, Huddersfield, HD4 7WR

Description: Erection of single storey and first floor extension and alterations to convert integral garage to living accommodation

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: 11-Jan-2018

Officer Report

Application: 2017/62/93946/W

Site Address: 308, Coppice Drive, Netherton, Huddersfield, HD4 7RW

Site Description

The application relates to a detached dwelling in a residential area of Netherton. The existing property occupies a corner plot and comprises a two storey, four-bedroomed house with an attached single storey garage.

The property is constructed in stone with a concrete tiled roof and timber and UPVC windows.

The garden is part-lawn, part hardstanding, and there is a paved car-parking area at the front of the property.

Description of Proposal

The applicant seeks planning permission for the erection of single storey and first floor extensions, and alterations to convert the integral garage to living accommodation.

The existing garage is proposed to be modified to include a larger hall and dining area, and will be extended to the rear to include a new kitchen. The proposed ground floor extension will measure 6.5m x 3m.

The first floor part of the extension, containing a fifth bedroom, ensuite and bathroom is proposed to sit above the existing garage footprint, measuring 6.5m x 5.4m.

All construction materials are proposed to match existing.

History of negotiations/amendments received

Amendments were secured to provide obscured glazing to the proposed first floor rear windows, in order to prevent overlooking of neighbouring private amenity space.

Relevant Planning History

No relevant planning history.

Representations

Final publicity date expired 27th December 2017.

Concerns were raised regarding overlooking of neighbouring private amenity space and habitable rooms.

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 proposed first floor and ground floor extensions respect the footprint of the existing dwelling and will appear from all elevations to be part of the original house. The roof design corresponds well to the existing roof, and the consistent use of materials and alignment of fenestration further contribute to a harmonious design. While substantial, the proposed extension is not disproportionate in scale to the existing dwelling nor to surrounding properties.

The proposal would thus not compromise the visual appearance of the existing dwelling or the surrounding area. The proposal is thus considered to be compliant with Policies BE1, BE2, BE13, BE14 and D2 (criteria vi) of the UDP.

3 – Impact on residential amenity:

To the rear (SE facing elevation), the proposed ground floor extension will be close to the boundary with the neighbouring property at 62 Netherton Moor Road. No windows are proposed on this face of the building (at ground floor level) and any visual or overbearing impacts are minimised by the addition of a pitched roof.

The first floor extension is to be set back 3.9m from the boundary and potential overlooking issues from the proposed first floor windows have been raised. The applicant has agreed that these windows should be obscure glazed, this can be secured by planning condition.

With this amendment, 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:

One additional bedroom does not represent significant intensification of use. There will be a loss of garage space but off-road surface parking is in use within the curtilage of the dwelling which is considered to be sufficient for the dwelling.

5 – Other matters:

None.

6 – Representations:

Concerns were raised regarding overlooking of neighbouring private amenity space and habitable rooms.

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:** 2017/62/93946/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 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.

4. The development shall not be occupied until the two first floor windows in the south-east elevation of the extension hereby approved have been obscure glazed minimum grade 4 and fitted with fixed (non-opening) or top-opening lights only. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazing shall thereafter be retained.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 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
Proposed Plans and Elevations	17-THO-02	Rev A	20/12/2017
Existing Plans and Elevations	17-THO-01		20/11/2017
Site Layout	17-THO-03		20/11/2017
Location Plan	17-THO-OS		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. The case officer undertook negotiations with the applicant to secure amended plans to ensure the scheme minimised the impact on the neighbouring property.

Report Dated:

10/01/2017
