

**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: 2018/62/90052/W

Site Address: 36, Wilmar Drive, Salendine Nook, Huddersfield, HD3
3XQ

Description: Erection of single and two storey side and rear
extension and porch to front

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: 08-Mar-2018

Officer Report

Application: 2018/90052

Site: 36 Wilmar Drive, Salendine Nook, Huddersfield HD3 3XQ

Proposal: Erection of two storey side and rear extension and porch to front

Site Description

The application relates to a two storey semi-detached dwelling in Salendine Nook, Huddersfield. The dwelling is situated at the end of a cul-de-sac, and is constructed in red brick and render with concrete roof tiles and brown upvc openings. The ground slopes eastwards significantly at the rear. The dwelling benefits from front, side and rear garden amenity space, with a driveway suitable for off-street parking. The rear garden is enclosed by timber post fencing to the side boundaries with a dry stone wall to the rear boundary which separates the site from the rear garden areas of dwellings on Hadrians Close.

Description of Proposal

The application proposes the erection of a two storey side extension, single storey rear extension and front porch.

Side Extension

This extension will project from the side elevation of the dwelling by 3.6m and extend the full length of the dwelling. The side extension will be a continuation of the existing hipped roof style and will reach the same eaves and ridge height.

Rear Extension

This extension will project from the rear elevation of the dwelling by 2.7m and extend the full width of the dwelling. The extension will have a lean to roof and reach a height of approx. 3.2m to eaves and 4.2m to the ridge. The rear extension will also have a small balcony and stairs giving access from the double doors to the garden.

Front Porch

This extension will project from the front elevation of the dwelling by approx. 1.2m and extend in width approx. 2.5m. The porch will have a pitched roof reaching a height of approx. 2.5m to the eaves and 3.5m to the ridge.

The extensions will be constructed in red brick and render with concrete roof tiles to match the existing dwelling, with grey door and window openings.

Relevant Planning History

None.

Consultation Responses

No consultations were deemed necessary to this application.

Representations

The final publicity date expired on the **12th February 2018**.

No public representations have been received.

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 is 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
- 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 two storey side extension, single storey rear extension and front porch to the dwelling. The proposal includes the addition of new habitable living accommodation for the occupiers by providing a sitting room, utility room and larger living space to the ground floor and a large master bedroom and en-suite to the first floor. The extension will be constructed using red brick and render with concrete roof tiles to match the existing dwelling, with grey door and window openings, which is acceptable in appearance terms.

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 terms of its size and design, given the works are to match the existing dwelling in terms of construction materials given the extension has been designed to be a continuation of the existing dwelling in terms of design, and given the number of dwellings along Wilmar Drive that have benefitted from some form of extension.

The overall visual impact of the proposed works is acceptable, and as such, complies with the policies D2, BE1, BE2, 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:

A core principle of the National Planning Policy Framework is to seek high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. The impact of the development on residential amenity also 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 no.34 Wilmar Drive to the south. An assessment is carried out below.

No.34 Wilmar Drive

This neighbour is the adjoining semi-detached dwelling to the south of the applicant site.

It is considered that the front porch will have no material impact upon the amenity of this neighbouring dwelling, given the porch is single storey, small in scale and set away from the boundary with this adjoining dwelling.

It is considered that the two storey side extension will have no material impact upon the amenity of this neighbouring dwelling, given the side extension will not be visible from this neighbouring dwelling.

The rear extension will be set in from the boundary with this adjoining dwelling by approx. 0.2m and will project out approx. 2.7m, extending the full width of the dwelling. Given that the site slopes considerably to the rear, the rear extension will have a lean to roof and reach a height of approx. 3.2m to eaves and 4.2m to the ridge. It is considered that some overshadowing may occur through this proposal, although it is deemed to be acceptable given that the rear extension is single storey, given the openness of these neighbouring sites to the rear, and given the orientation of these dwellings facing east at the rear therefore benefitting from some direct sunlight. The rear extension will also have a small balcony and stairs giving access from the double doors to the garden, it is considered that given the size of the balcony is not suitable for seating and will be used purely for access, it gives no rise to any issues relating to the privacy of surrounding dwellings. Furthermore, it is considered that a good level of amenity would remain through this proposal.

It is considered that the proposal complies with the requirements of policies D2, BE13 and BE14 of the Unitary Development Plan, policies PLP1, PLP2, PLP24 of the Publication Draft Local Plan, and core planning principles of the NPPF.

4 – Impact on highway safety:

The proposed development is to the side and rear of the dwelling and will not obstruct any existing access to the dwelling, nor will it reduce any off-street parking for the site, therefore the proposal is considered to have no impact upon the highway safety of the site.

5 – Other matters:

Bats

The Council's GIS system indicates that the property is within a Bat Alert Area. Bats are a European protected species under regulation 41 of the

Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally 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.

The proposal would only result in the demolition of the existing single storey outhouse, which is considered to not be a reasonable likelihood of a bat roost given the lack of roof space. The proposal would involve alterations to the roof of the dwelling, however it was noted that during site visit the dwelling appeared well-sealed with no cracks/crevices present. Taking this into account it is considered that there is not a reasonable likelihood that this is a bat roost. However, as a precaution an advisory note will be added to the decision notice to the effect that if bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

6 – Representations:

The final publicity date expired on the **12th February 2018**.

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: 2018/90052

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, Policies PLP1, PLP2 and PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 of the NPPF.

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 and Policy PLP24 of the Publication Draft Local Plan.

Note: There is potential for a bat roost to 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
Location plan	103/12/17		11/01/2018
Proposed site / block layout	104/12/17		11/01/2018
Proposed and Existing plans and elevations	101/12/17	-	11/01/2018
Design and Access statement	102/12/17		11/01/2018

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 application as submitted was considered to be acceptable to Planning Officers and no amendments were required.

Report Dated:

05/03/2018

