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:	2018/62/90180/W
Site Address:	4, Rose Mount, Birkby, Huddersfield, HD2 2BU
Description:	Erection of rear dormer window and alterations to convert integral garage to living accommodation
Recommending Officer:	Olivia Roberts

DECISION – conditional full 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.

Teresa Harlow

AUTHORISED OFFICER

Date: 23-Apr-2018

Officer Report

Reference: 2018/90180

Location: 4 Rose Mount, Birkby, Huddersfield, HD2 2BU

Proposal: Erection of rear dormer window and alterations to convert integral garage to living accommodation

Site Description

The application relates to a two storey detached dwelling in Birkby, 4 Rose Mount. It is principally finished in render on all elevations. The property is designed with gable roof forms which are finished in concrete roof tiles. The dwelling benefits from extensions which have provided a living room, utility room, two additional bedrooms, a garage and a garden store (89/02002). The integral garage which is located to the north of the site is accessed via a single width driveway that leads off Rose Mount. The front of the dwelling is set back from the access road with a small garden and amenity space to the front and a larger garden to the rear. Boundary treatment comprises a stone wall which is located to the front of the property. Fencing forms the boundary to the north and rear of the site whilst hedging is located to the south.

The site is located in a residential area with the vicinity comprising properties of a range of characters, styles and designs. Despite this, a number of properties along Rose Mount are constructed in render with accents of stone.

Description of Proposal

The application seeks planning permission for the erection of a rear dormer window and alterations to convert the existing integral garage into living accommodation.

The proposed rear dormer window will project 1.50 metres at most from the roof plane of the host dwelling and will have a height of approximately 1.25 metres. The dormer extension will be set up from the eaves of the host dwelling by 1.80 metres and down from the ridge by approximately 0.25 metres. It will be set in from the northern elevation of the roof form of the host dwelling by 5.60 metres and the southern elevation by 1.15 metres. The cheeks of the dormer will be constructed in a 100 x 50 mm SW dormer framework. The dormer extension will be designed with a flat roof form which will be finished in mineral felt. Windows are proposed for the rear elevation of the dormer extension which will be finished in UPVC to match existing.

The existing velux window which is located on the rear elevation of the dwelling will be replaced as part of the proposal.

The existing integral garage will be converted into a games room as part of the development. The existing garage doors on the front elevation of the dwelling will be replaced with windows which will be finished in UPVC to match existing.

History of negotiations/amendments received

No amendments were sought or received during the process of the application.

Relevant Planning History

89/02002: Erection of extension to form living and utility room, two bedrooms, garage and garden store. Granted Conditionally.

Representations

Final publicity date Expires: 17 April 2018.

A site notice was posted and neighbours were notified.

No representations were received.

Parish/Town Council comments: not applicable.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

K.C. Highways Development Management – Informal discussion, due to the fact that the proposal will introduce a fifth bedroom to the property whilst removing an off-street parking space due to the conversion of the existing garage, it is considered acceptable to condition that a third off-street parking space is provided to the front of the property.

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
- Chapter 11 – Conserving and enhancing the natural environment

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.

The general principle of extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the UDP and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations. Emerging policy PLP24 of the PDLP considers the issue of ‘design’.

2 –Impact on visual amenity:

The proposed development will have some impact on the visual amenity of the property. Due to the scale of the proposed dormer extension which will be relatively small in relation to the roof form of the host dwelling, it is not considered that it will have a significant impact on the appearance of the property. The dormer window will be located to the rear of the dwelling which

will prevent it from being visible from Rose Mount. It is therefore not considered that the development will have a significantly detrimental impact on the character and appearance of the surrounding street scene. Due to the range of designs of the properties in the surrounding area, it is not considered that conversion of the existing integral garage will result in the dwelling looking out of place within the street scene. The proposal is therefore considered to be in line with Policies BE1, BE2, BE13, BE14 and D2 of the UDP, Policy PLP24 of the PDLP, and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

Due to the nature of the proposal, the development is unlikely to have a significant impact on residential amenity. Sufficient distance will be retained between the proposed dormer extension and no. 15 & 17 Greenroyd Croft to prevent the proposal from resulting in a significant amount of overlooking into the rear amenity space of the property. The conversion of the existing garage will not result in the property projecting any closer to no. 3 Rose Mount than existing. This along with the distance retained between the two properties will prevent the development from having a significant impact on the property.

To summarise, the proposal is considered acceptable from a residential amenity perspective and would accord with the aims of policies D2 and BE14 of the UDP, as well as policy PLP24 of the PDLP.

4 – Impact on highway safety:

The proposed development will introduce a fifth bedroom to the property which will subsequently see some intensification in the use of the dwelling. As the conversion of the existing garage into living accommodation will result in the loss of a current off-street parking space, there is the potential that the development could have an impact on highways safety. K.C. Highways Development Management have been informally consulted and note that as a five bedroom dwelling should ideally benefit from three off-street parking spaces, and given that the site will benefit from two following the conversion of the existing integral garage, a third parking space should ideally be provided at the site. Given the large amenity space which is located to the front of the site, it is considered that this would be achievable. It is therefore considered acceptable to secure this by condition.

5 – Other matters:

5.1 Ecology -

The site is located within the Council's GIS bat alert layer however, it is not identified on the map as having bat roots and is not within 200 metres of woodland. In addition, the dwelling is well sealed and unlikely to have any significant bat roost potential. However, a note recommending the advice of licensed bat work to be sought if any bats are found during the development will be relayed on the applicant in the interest of biodiversity and for the proposal to comply with the aims of chapter 11 of the NPPF.

6 – Representations:

No representations 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: 2018/90180

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, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

3. The external wall infills which will replace the existing integral garage door as a result of the garage conversion 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, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of chapter 7 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans and information, a total of three off-street parking spaces shall be provided before the extension and garage conversion hereby approved are first brought into use and thereafter retained. The spaces shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking to serve the extended dwelling, and in accordance with Policy T10 of the Kirklees Unitary Development Plan and PLP22 of the Publication Draft Local Plan.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior

to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This
notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	17-RM-1		19/02/2018
Site Plan	17-RM-2		19/02/2018
Existing Plans	17-RM-3		19/02/2018
Proposed Plans	17-RM-4		19/02/2018

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.

As submitted plans were considered to be acceptable, no changes were sought.

Report Dated: 20/04/2018