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:	2018/62/90469/W
Site Address:	12, Harefield Park, Birkby, Huddersfield, HD2 2AS
Description:	Demolition of existing rear conservatory and erection of rear conservatory
Recommending Officer:	Jennifer Booth

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: 28-Mar-2018

OFFICER REPORT

Site Description

12 Harefield Park is a modern detached two storey dwelling with garden and drive to the front. The dwelling also has a detached garage located to the front. There is an enclosed garden to the rear.

The property is located within a development of similar properties with a shared drive located to the side of the dwelling.

Description of Proposal

The applicant is seeking permission to demolish the existing conservatory and erection of a single storey rear extension.

The extension would project 3.75m from the original rear wall of the dwelling and would extend across 8.9m of the width of the dwelling with a lean to roof form.

The walls of the extension would be constructed using stone with tiles for the roof covering.

Relevant Planning History

2011/91245 – erection of single storey rear extension – approved although not built. Permission expired.

Representations

The application was advertised by site notices and neighbour letters, which expired on 15/03/2018

As a result of the above publicity, no representations have been received.

Consultation Responses

None

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 allocated for HOUSING on the UDP Proposals Map. As dwellings have been built, this allocation is considered to be "spent" and the site would revert to UNALLOCATED for the purposes of this assessment. The site is proposed to be unallocated within the PDLP.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway Safety
- **T19** – Parking

Kirklees Publication Draft Local Plan Policies

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 22** – Parking
- **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
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Negotiations
7) Conditions

8) Conclusion

1 – Principle of development:

The site is allocated for housing within the Unitary Development Plan. As dwellings have been built, this allocation is considered to be "spent" and the site would revert to UNALLOCATED for the purposes of this assessment. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The property is sited within a modern development with similarly sized dwellings. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The scale of the proposed rear extension can be considered to be acceptable given the size of the host property and its associated curtilage. The property has substantial gardens to the rear which would accommodate the proposed extension without amounting to overdevelopment of site. The materials proposed would be to match the main house and the detailing would form an appropriate relationship with the host property. It is considered therefore that the single storey extension is acceptable in terms of visual amenity. Indeed it is not materially different in size to the conservatory it would replace.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policies D2, BE1, BE13 and BE14 of the UDP, Policy PLP24 of the PDLP and the aims of chapter 7 of the NPPF.

3 – Impact on residential amenity:

Impact on 8 Harefield Park

The neighbour adjacent to the south west occupies a position some 18m from the proposed extension. Given the separation between the properties together with the single storey nature of the extension, there would be no significant harm caused to the amenities of the occupiers of the neighbouring 8 Harefield Park.

Impact on 10 Harefield Park

The extension would occupy a position 12m to the north of the neighbouring 10 Harefield Park. Given the separation between the properties together with the single storey nature of the extension, there would be no significant harm

caused to the amenities of the occupiers of the neighbouring 10 Harefield Park.

Impact on Wood View Farm

The extension would be set back from the boundary with the adjacent neighbour to the east. Furthermore the extension is single storey and the neighbouring dwelling itself does not align with the rear elevation of the host property. As such, the proposed extension would not cause any significant harm to the amenities of the occupiers of the adjacent property, Wood View Farm.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with policies D2, BE1 and BE14 of the UDP as well as PLP24 within the PDLP. Again, the impact would not be materially different from the conservatory currently on the site.

4 – Impact on highway safety:

The parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with policies D2, T10 and T19 of the UDP and Policy PLP22 of the PDLP.

5– Other matters:

There are no other matters for consideration.

6 – Representations:

None

7 – Negotiations:

None

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

9 – Conclusion:

This application to erect a single storey extension to the rear of 12 Harefield Park has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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.

As set out above, 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: 2018/90469
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, BE1, and T19 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of the National Planning Policy Framework.

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 Policies D2 and BE1 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of chapter 7 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Existing plans	-	677396	09/02/2018
Proposed plans	-	677395	09/02/2018

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

Report Dated 28/03/2018