

**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: 2018/62/90696/W

Site Address: 34, Meadow Lane, Slaithwaite, Huddersfield, HD7
5EX

Description: Erection of rear extension and conversion of garage to
living space and formation of additional parking
spaces

Recommending Officer: Francis Davies

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: 14-Jun-2018

Officer Report

Reference: 2018/90696

Proposal: Erection of extensions and conversion of garage to living space and provision of additional parking

Location: 34 Meadow Lane, Slaithwaite, Huddersfield, HD7 5EX

Site Description

The application relates to a mid-terrace town house, built over three levels and constructed from stone and designed with a dual pitched, gable roof.

The ground floor of the dwelling as existing hosts a single garage, utility room and lower floor toilet and opens onto amenity space to the front (south) of the dwelling. Presently, the available amenity space to the front offers a singular, hard-surfaced parking area and small grassed lawn. It is noted that the boundary treatment of the amenity space to the front is poorly defined, leading straight onto the highway.

Alternatively, the 1st storey comprises the main living space and opens onto the rear (north) amenity space. This private area is considered to be well secured with substantial boundary treatment. The third floor hosts the available bedrooms. In terms of the surrounding area other dwellings present with a similar architectural style, creating a uniform appearance.

Description of Proposal

The application seeks planning permission for the following:

Porch –Canopy above the existing access and designed with a dual pitch, gable appearance. The porch would have a total projection to the south of approximately 0.75m and have a total ridge height from ground level of 3m. It is noted that the base of the porch would be defined by decorative stone.

Rear extension – Single storey rear extension, projecting from the rear elevation (north) by approximately 4.1m and a total width of approximately 4m. Designed with a flat roof it would have a total height of approximately 3m.

The extension would be constructed from natural stone and host uPVC windows and patio doors.

Garage Conversion – The application proposed to convert the garage to a kitchen. The conversion would not result in any extension to the garage. As noted in the submitted plans the existing garage door would be replaced by a bank of three windows. To mitigate the loss of parking provision the lawned area to the front (south) of the dwelling would be hard surfaced.

History of negotiations

Negotiations were held between the agent and planning officer regarding the inclusion of a bay window. Planning officers believed that the inclusion of the bay window served to harm the visual amenity of the dwelling and overall streetscene. As such the bay window was omitted from the plans.

Relevant Planning History

No relevant planning history

Representations

Final publicity date Expires: 13th April 2018

No public representations were received in respect of this application. The amended plans were not re-publicised as they reduced the scale of the development.

Consultation Responses

No consultations were sought regarding this application.

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 allocated for housing development on the UDP Proposals Map. However, the site has since been development (2004/90156) and as such this allocation is considered spent. Consequently, the land fall to be unallocated. The land is also recorded as being unallocated on the Kirklees Publication Draft Local Plan.

- Access considerations - None

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)
- T10 – Highway Safety

Kirklees Publication Draft Local Plan (PDLP):

- PLP1 – Achieving Sustainable Development
- PLP24 – 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.

- Paragraph 17 – Core Planning Principles
- 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) Conclusion

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.

Impact on Visual Amenity

The application would introduce a porch on the south facing elevation which would adorn the main access to the dwelling. Typical of a porch, the proposed would be small in scale, projecting by approximately 0.78m and would serve to offer the principal elevation of the dwelling an acceptable level of character. This element of the scheme is considered to be minor and is not believed to materially alter the appearance of the dwelling, retaining the established vernacular as the dominate element.

With regard to the proposed garage conversion, it is noted that the scheme would not result in an increase in the footprint of the garage. Rather the only material change would be the removal of the existing garage door, replaced by a bank of three windows. Such an alterations is again not anticipated to result in any harm to the visual amenity of the building. Conversely, the bank of three windows is considered to offer a level of continuity with the banks of windows above.

In relation to the hard surfacing of the lawned area, in the context of the estate this is considered to have a negligible impact on visual amenity. Areas of hard standing exist to the front of dwellings and the proposed is anticipated to blend with this. Overall, the proposed changes to the front (south) of the dwelling are considered to be relatively minor and assessed not to harm the visual amenity of the dwelling.

To the rear of the property it is proposed to construct a single storey extension, designed with a flat roof, hosting a roof lantern and constructed from stone and uPVC windows. The extension would have a total ridge height of approximately 3m, project from the rear elevation (north) approximately 4m and have a total width of 4m.

In terms of the visual impact of this aspect of the proposal, owing to its location, to the rear of a mid-terrace dwelling it would not be readily visible. Equally land to the north of the application site is undeveloped, giving way to countryside. Consequently, views of the proposed would be difficult to obtain.

Notwithstanding the above, as a single storey extension with a flat roof, the presence of substantial boundary features and being set-in from the boundary is not believe to create an intrusive feature nor shadow neighbouring garden space.

Overall, the proposed scheme is not considered to harm the visual amenity of the dwelling or surrounding area. As such the application is considered to comply with Policies D2 (criteria vi), BE1, BE2, and BE13 of the Unitary Development Plan (UDP), Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within paragraph 17 and Chapter 7 of the National Planning Policy Framework (NPPF).

Impact on Residential Amenity

The proposed alterations to the front of the considered dwelling would not reduce separating distanced between properties and are considered to be minor, thereby preserving the residential amenity of neighbouring occupiers.

With regard to siting of bins, while storage to the front of a dwelling is not ideal, it is offered that most dwellings within this row store bins to the front of the dwelling. Furthermore, it is considered that sufficient space would exist to the front of the dwelling, allowing for acceptable storage, set back from the highway. Consequently, on balance this aspect of the application is considered acceptable.

With regard to the rear extension, this has been designed such that it would be set in from the boundaries with no.32 and no.36. As such the proposal would not serve to bring the application dwelling any closer to neighbouring dwellings. Furthermore, as a single storey extension, designed with a flat roof and screened by substantial boundary treatment this aspect of the development is not anticipated to give rise to any undue overlooking or overbearing concerns. In any case the extension has been designed without any opening in the side elevations thereby removing the opportunity to overlook completely.

It is also noted that the rear gardens of the dwellings on this side of Meadow lane are north facing. Consequently, the proposed development is not believed to result in a loss of sunlight to the rear of no.32 and no.36. It is also advised that no.32 has a conservatory style rear extension which appears to have similar dimensions to that of the proposed extension.

Overall, given the above considerations the proposed development is not anticipated to harm the residential amenity of neighbouring properties or the residential amenity of the host dwelling. The application therefore complies with Policies D2 (Criteria v) and BE13 of the Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within paragraph 7 and Chapter 7 of the National Planning Policy Framework (NPPF).

Impact on Highway Safety

It is noted that the application proposes converting the existing garage into a habitable room resulting in the loss of a parking provision. However, mitigation for this loss is provided in the hard surfacing of a currently lawned area.

The resulting driveway, although small is considered sufficiently large as to accommodate two vehicles. As such the application is not anticipated to give rise to any highway safety concerns. The proposal is therefore assessed to comply with Policy T10 of the Unitary Development Plan and emerging Policy PLP22.

Other Matters

None

Representation

No public representations were received in regard to this application.

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: 2018/90696

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, B2 and BE13 of the Kirklees Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within paragraph 17 and Chapter 7 of the National Planning Policy Framework (NPPF).

3. The external walling 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, BE1 and BE13 of the Kirklees Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within paragraph 17 and Chapter 7 of the National Planning Policy Framework (NPPF).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Elevations	10	02	29th May 2018
Existing Layout and Elevations	04	-	01st March 2018
Location Plan	01	-	01st March 2018
Planning Statement	-	-	01st March 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.

Negotiations were held between the planning officer and applicant regarding the proposed bay window. Such an addition was considered to harm the visual amenity of the considered dwelling and streetscene overall. Consequently, revised plans were submitted omitting the bay window and the application resolved.

Report Dated:

13/06/2018