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:	2018/62/90705/W
Site Address:	508, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF
Description:	Erection of two storey side extension
Recommending Officer:	Nick Hirst

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: 26-Apr-2018

Application: 2018/62/90705/W

Site: 508, New Hey Road, Salendine Nook, Huddersfield, HD3 3XF

Proposal: Erection of two storey side extension

Site Description

No.508 is a semi-detached dwelling faced in stone. To the front and side is a linked single storey extension which incorporates a bay window to the front room. The roof of the extension is flat. The dwelling has a detached single garage (stone built) which connects to a driveway lading to an unnamed access road shared between no.508, two bungalows to the west and the adjacent YMCA club.

The YMCA club, to the north, has grounds to the rear of the site. The access road connects to New Hey Road, which the dwelling obliquely fronts onto.

Description of Proposal

The extension is to project 3.5m beyond the side window. It is to be flush to the rear elevation and, at two storeys, be set back 0.3m from the front elevation. The roof is to be hipped, with a ridge 0.15m lower than the host building.

At ground floor level the extension is to project 1.5m beyond the original building's front elevation (not taking into account the existing extension, to be demolished).

All materials are to match those of the host building.

Relevant Planning History

Application Site

The application site has no relevant planning history.

Surrounding Area

The surrounding area has no relevant planning history.

History of Negotiations

Officers expressed concerns over the extension's design: particularly that it was not subservient to the host building. Recommended amendments were suggested to the applicant and they were undertaken.

Representations

Final publicity date expired: 06.04.2018

No public representations were received.

Consultation Responses

No consultations were required.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

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 Unallocated on the UDP Proposals Map.

The site is Unallocated on the PLP Policies Map.

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** – Highways accessibility considerations in new development

Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place sharping
- **PLP3** – Location of new development
- **PLP21** – Highway safety and access
- **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
- **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

<u>1 – Principle of development</u>

1.1 – Sustainable Development

NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8).

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation

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.

Consideration must also be given to the emerging local plan. The site is without notation on the PDLP Policies Map. PLP2 states that;

> *All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...*

The site is within the Huddersfield sub-area. The listed qualities will be considered where relevant later in this assessment.

2 – Impact on visual amenity

Works are to be faced in matching materials, which is acceptable. A condition is to be imposed requiring them to visually match.

At a projection of 3.5m the extension is over half the width of the original building. This does result in the extension appearing wide alongside the host building. To seek to address this officers requested that the extension be set back by 0.3m, which has been complied with and does assist in reducing the prominence of the building and causes it to appear subservient to the original building when compared to the original proposal. This is somewhat counted by the ground floor porch's width and roof form, which does compete for visual dominance, however this does reflect the current arrangement of a wraparound ground floor porch and therefore can be considered in keeping with the building's current appearance. The current extension, while single storey and smaller, is considered visually unattractive as the architecture, materials and roof form fails to mimic or respect the host building. Its removal is considered beneficial to the visual amenity of the building, while the

proposed arrangement is deemed more visually in keeping to the design and appearance of the original building.

In regards to streetscene, given the dwelling's arrangement to the road it is not prominently visible. Projecting towards the open land of the YMCA, the extension will not cause harmful terracing. As has been assessed the extension is considered, on balance, suitably subservient, with a harmonious design, so as not to visually unbalance the semi-detached pair. Turning to the adjoining no.506, it is unlikely that this dwelling could benefit from a similar, or any, two storey side extension as its side elevation faces towards the road and would be overly prominent and harmful to the streetscene. However this is not deemed to weigh against the proposal.

The proposal is considered, on balance, to be visually acceptable and would not harm the visual amenity of the host building or that of the streetscene, in accordance with D2, BE1, BE2, BE13 and BE14 of the UDP, PLP24 of the PDLP and Chapter 7 of the NPPF.

3 – Impact on residential amenity

The proposed extension does not project beyond the dwelling's rear elevation and will not be evident from the habitable room windows of the attached neighbour, no. 506, or the detached neighbours to the east. While it will be visible from the garden spaces of these dwellings, it will not cause harmful overbearing or overshadowing.

To the west of the site, across the YMCA access, is a pair of semi-detached bungalows; nos.514 and 516 New Hey Road. They face no.508's side elevation at an oblique angle; the proposed side extension will reduce the separation distance from the bungalows to no.508. The current separation distance is 22m, which will be reduced to a minimum of 18.5m, although because of the differing orientations of the dwelling the bungalows will not have the full mass of the extension projecting towards them. Taking into account the separation distance and orientations, that the bungalows are unlikely to extend to the front and the interceding access road, it is not considered that the proposal would cause materially harmful overbearing or overshadowing upon the residents of no. 514 and 516.

Turning to overlooking, the windows on the front and rear elevations will not allow an outlook that is materially different to the dwelling's existing windows and will not impede on the privacy of neighbouring residents. Three first floor windows are proposed on the side elevation. By virtue of their separation distance and oblique angle of view towards the bungalows, they are likewise not anticipated to cause harmful overlooking.

Officers are satisfied that the proposal will not harm the amenity of neighbouring residents, in accordance with D2 and BE14 of the UDP, PLP24 of the PDLP and Paragraph 17 of the NPPF.

4 – Impact on highway safety

The proposal will increase the dwelling from a three to a four bed. However the site has a detached garage, with driveway, and a separate parking area adjacent to the YMCAs access. These cumulatively allow for the parking of more than three cars, which is appropriate for a four bed dwelling.

The proposal will not impact upon the site's establishes access arrangements.

The proposal is not deemed harmful to the safe and efficient operation of the highway, in accordance with T10 and PLP21.

5 – Other matters

5.1 – Impact on local ecology

The application site is within a bat alert area; however there no indication that there is a bat roost on site. Furthermore the dwelling is in a good state of repair and appears well sealed. Thus a bat survey would not be required in this case. A note providing advice on the procedure if any bats are found during the development will be placed on the decision notice, if minded to approve.

6 – Representations

No representations were 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

Application Number: 2018/90705
Decision Authorisation: Delegated Powers
Officer Recommendation: Grant Conditional Permission

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 BE2 of the Kirklees Unitary Development Plan, PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 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 Policy BE2 of the Kirklees Unitary Development Plan, PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 of the National Planning Policy Framework.

Note: The development site is located within the councils 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 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
Existing Floor Plans	001		01.03.2018
Existing Elevations	002	Rev. A	04.04.2018
Proposed Floor Plans	003	Rev. B	04.04.2018
Proposed Elevations	004	Rev. A	04.04.2018
Location Plan	005		01.03.2018

Plan Type	Reference	Version	Date Received
Existing Floor Plans	008		04.04.2018

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.

Officers expressed concerns over the extension's design: particularly that it was not subservient to the host building. Recommended amendments were suggested to the applicant and they were undertaken, allowing officers to support the proposal.

Report Dated: 26.04.2018