

**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: 2018/62/90729/E

Site Address: 21, Woodhall Drive, Healey, Batley, WF17 7SW

Description: Erection of two storey side and single storey front extension and single storey rear extension with juliet balcony

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 26-Apr-2018

OFFICER REPORT

Site Description

21 Woodhall Drive is a brick built detached dwelling set down from the road level with a two storey appearance from the front and a three storey appearance from the rear (with storage on the lower level). The property has a garden to the front, drive and detached garage to the side and a lower level patio to the rear with a sloping lawn.

The surrounding properties include a mix of property types with bungalows and two storey dwellings of a similar age to the host property although there are some variances in terms of design and a number of extensions and modifications have been made.

Description of Proposal

The applicant is seeking permission for a single storey front extension, two storey side extension and a single storey rear extension with a Juliet balcony.

The front extension is proposed to project 1.5m with a width of 5.3m. The extension would be set back from the east side of the dwelling by 3m and would cover part of the original front elevation and all of the proposed side extension with a lean to roof form.

The two storey side extension would project 2.9m from the original side wall of the dwelling. It is proposed to be set back 0.3m from the front elevation at first floor level and would extend the depth of the dwelling to lie flush with the rear elevation. The total depth of the two storey extension would be 7.6m and the roof would be hipped.

The single storey rear extension would project 4m from the original rear wall of the dwelling and would extend across the width of the dwelling including to the rear of the proposed side extension. The land level of the dwelling exaggerates the height of the extension as the garden falls away giving a height to the eaves of 4.5m and the overall height from the higher ground level closer to the dwelling of 4m. The roof form is proposed to be of lean to design. The rear extension would also include the provision of a Juliet balcony.

The walls of the extension are proposed to be faced in brick with tiles for the roof coverings.

Relevant Planning History

None

Representations

The application was advertised by site notices and neighbour letters, which expired on 01/04/2018

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 UNALLOCATED on the UDP Proposals Map and 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
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Negotiations
- 8) Conditions
- 9) Conclusion

1 – Principle of development:

The site is unallocated within the Unitary Development Plan. 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 residential area with a diverse palette of properties in terms of age, style, size although the dwellings are predominantly brick built. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The proposal under consideration consists of three distinct elements which shall be addressed below.

Single storey front extension

Policy BE14 does support extensions to the front of domestic properties providing they are small in scale. Given the modest projection of 1.5m together with the single storey nature of the extension and the limited width, the extension proposed to the front of 21 Woodhall Drive would be considered to be small in scale relative to the size of the host property. The materials proposed would be to match the main house and the detailing can be considered to form an appropriate relationship with the host property. It is also noted that neighbouring properties have been extended to the front in a

similar way. As such, the front extension can be considered to be acceptable in terms of visual amenity.

Two storey side extension

The extension is proposed to be set back at first floor level and includes a hipped roof form which would minimise the potential for the extension to cause an undesirable terracing effect. The scale of the extension can be considered to be acceptable relative to the size of the host property and its associated curtilage. Given the size of the curtilage to the front and rear of the dwelling, the extension would not amount to overdevelopment of the site. The materials proposed would be brick and tiles to match the host property and the detailing can be considered to be appropriate.

Single storey rear extension

The property does have a reasonable amenity space to the rear which would support the proposed extension without amounting to overdevelopment of the site. The extension is proposed to be constructed using brick which would match the main house and the detailing, including the proposed Juliet balcony, is considered to be appropriate for a domestic extension. As such, the proposed rear extension can be considered to be acceptable in terms of visual amenity.

Having taken the above into account, the proposed extensions to the front, side and rear of the dwelling 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 19 Woodhall Drive

The single storey front extension is proposed to be set in from the boundary with the adjacent 19 Woodhall Drive by at least 3m. Given the separation together with the single storey nature of the extension, there would be no harm caused to the amenities of the occupiers of the adjacent 19 Woodhall Drive.

The side extension is proposed to be located on the opposite side of the dwelling to the adjacent 19 Woodhall Drive and as such would have no impact upon the amenities of the occupiers of the adjacent property.

The rear extension would be built up to the common boundary with the adjacent property to the east and would have a projection of 4m which is greater than would normally be supported in terms of Policy BE14. However the dwellings on this section of Woodhall Drive are detached properties with space between the properties and the impact of the extension on the amenities of the occupiers of the adjacent 19 Woodhall Drive would be

reduced by the separation provided by the neighbour's drive and the single storey nature of the extension.

Impact on 23 Woodhall Drive

The front extension would be built up to the common boundary with the adjacent 23 Woodhall Drive. However, the host property occupies a slightly lower position within the street scene. As such, given the land level difference together with the single storey nature of the extension and the limited projection, it is considered that there would be no significant harm caused to the amenities of the occupiers of the adjacent 23 Woodhall Drive.

The proposed side extension would be constructed along the common boundary with the adjacent property. The neighbour's side elevation is blank and does form the boundary. As such, there would be no harm caused to the amenities of the occupiers of the adjacent 23 Woodhall Drive as a result of the proposed side extension.

The rear extension would be built up to the boundary with the adjacent property and would have a projection of 4m which is greater than would normally be supported in terms of Policy BE14. However the dwellings on this section of Woodhall Drive are detached properties with space between the properties. Furthermore, the extension would replace an existing garage. It is considered that the extension would not have a significantly increased impact on the amenities of the occupiers of the adjacent 23 Woodhall Drive over and above the existing arrangements on site.

Impact on 50 Woodhall Drive

The property on the opposite side of the road occupies an elevated position relative to the host property. Given the limited scale of the front extension and the existing relationship between the host property and the neighbour opposite, it is considered that the front and side extension would not cause any significant harm to the amenities of the occupiers of the neighbouring 50 Woodhall Drive.

Impact on 20 & 22 Throstle Nest

The first floor of the side extension would lie flush with the rear elevation of the host property and would not result in any reduction in the space between the host property and the neighbour's to the rear. As such, this element of the scheme is unlikely to cause any harm to the amenities of the occupiers of the neighbouring 20 & 22 Throstle Nest.

It is noted that the 4m projection proposed for the rear extension does exceed the normal limitations set out within Policy BE14. However, the neighbours to the rear occupy a significantly lower position than the host property with a separation of approx. 27m. Given the single storey nature of the extension together with the substantial separation and despite the land level difference,

it is considered that the rear extension would cause no significant harm to the amenities of the occupiers of the neighbouring 20 & 22 Throstle Nest.

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 of the PDLP.

4 – Impact on highway safety:

The proposals will result in some intensification of the domestic use. However the parking area to the front of the property would still be capable of supporting off road parking 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 front, two storey extension to the side and single storey extension with a Juliet balcony to the rear of 21 Woodhall Drive 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: 2018/90729

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 T10 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
Location plan	17028-D01-A	680376	05/03/2018
Existing elevations	17028-D05-A	680378	05/03/2018
Existing floor plans	17028-D03-A	680374	05/03/2018
Proposed site plan	17028-D02-A	680371	05/03/2018
Proposed floor plans	17028-D04-A	680373	05/03/2018
Proposed elevations	17028-D06-A	680377	05/03/2018

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

24/04/2018
