

**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: 2018/62/90807/E

Site Address: 11, Howard Street, Batley, WF17 6AA

Description: Erection of rear extension, front porch and dormer window

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.

Julia Steadman

AUTHORISED OFFICER

Date: 03-May-2018

OFFICER REPORT

Site Description

11 Howard Street, Batley, is a brick built semi-detached dwelling with accommodation across two floors. The property is set down from the level of the road and has a raised parking area to the front and an enclosed garden to the rear. The dwelling also has a shared outbuilding to the side.

The land opposite the front is undeveloped and appears to be associated with a workshop. The land to the rear is at a lower level and hosts detached garages. The dwellings adjoining, 13 Howard Street and adjacent, 9 Howard Street are similarly aged properties with existing extensions.

Description of Proposal

The applicant has been granted planning permission for a porch to the front, front dormer and single & two storey extension to the rear.

The porch, as approved, would project 1.2m from the original front wall of the dwelling and would have a width of 2.1m with a pitched roof form.

The front dormer would have a width of 1.6m, a height to the eaves of 0.9m and overall of 1.6m with a maximum depth of 2.4m. The roof over the dormer is proposed to be pitch, the cheeks of the dormer would be covered with vertically hung tiles and the dormer would be set in 1.9m from each side, set up 0.7m from the eaves and down 0.2m from the apex.

The rear extension is proposed to extend across the width of the dwelling with a projection of 4m on the ground floor and 3m at first floor. The roof over the ground floor element is proposed to be lean to and the roof over the first floor is proposed to be a perpendicular pitched roof with a window in the gable.

The walls of the extensions are proposed to be constructed using brick with tiles for the roof covering.

The current application seeks consent to include a new first floor window within the front elevation.

Relevant Planning History

2017/94259 – larger home notification – prior approval not required

2017/94264 – erection of porch, single and two storey rear extension and front dormer – granted

Representations

The application was advertised by site notices and neighbour letters, which expired on 07/04/2018

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)
- **BE15** – Front dormer
- **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:

Howard Street does host a mix of domestic properties, which are similar in age to the host property although there are also commercial properties in the vicinity. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The approved plans consisted of three distinct elements which were assessed as follows.

Porch

The porch proposed to the front of the dwelling is limited in terms of its height, as a single storey structure and its projection can be considered to be acceptable in terms of policy BE14, which does support modest front extension. The materials proposed would be brick and tiles to match the main dwelling and the detailing can be considered to form an appropriate relationship with the host property.

Front dormer

The dormer proposed within the front roof plane would be centrally sited within the roof and is proposed to have modest proportions which would allow the roof to remain the dominant feature. Although the scheme does not meet the distances recommended by policy BE15 of the UDP in terms of the eaves of the dwelling and the base of the dormer as well as the apex of the dwelling and the top of the dormer, the design is for a picture style dormer with a pitched roof which is considered to be more visually appealing than a flat roofed dormer. Furthermore, the use of vertically hung tiles would allow the dormer to form an appropriate relationship with the host property. As such, this element of the scheme is considered to be acceptable in terms of visual amenity.

Single & two storey rear extension

The ground floor element of the rear extension has been agreed through the larger home notification scheme. Therefore, this assessment will consider the impact of the first floor element.

The dwelling has a reasonably sized amenity space to the rear of the dwelling which would support the proposed extension without amounting to overdevelopment. Therefore the size of the first floor would be considered to be acceptable in terms of scale. The projection is limited to 3m which is in line with policy BE14 of the UDP and the materials proposed would utilise brick to match the host property. The detailing proposed would likely result in an appropriate relationship with the host property. As such, this element of the scheme can be considered to be acceptable in terms of visual amenity.

Modifications

The current application seeks to agree the inclusion of a new first floor window in the front elevation. Whilst the properties within this row have only one window at first floor level, the inclusion of a modestly proportioned window as proposed would not necessarily result in the formation of an incongruous feature. It is considered therefore that the proposed new window would be acceptable in terms of visual amenity.

Having taken the above into account, the proposed porch, front dormer and single & two storey rear 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:

There are no properties directly to the front or rear of the dwelling which could be affected by the new window or the other works included within the application as the property faces onto an area of undeveloped land opposite and backs onto a garage site which is at a lower level to the rear. It is again

noted that the ground floor element of the rear extension has already been agreed through the larger home notification scheme; as such the assessment in terms of visual amenity will consider only the first floor element of the rear extension.

9 Howard Street

The front extension would be set back to a degree from the adjacent property and given the separation together with the single storey nature of the porch and its limited scale, there would be no harm caused to the amenities of the occupiers of the adjacent 9 Howard Street.

The front dormer is small in scale and is set up within the existing roof plane. Given the modest dimensions and position of the dormer, there would be no harm caused to the amenities of the occupiers of the adjacent 9 Howard Street.

The adjacent neighbour does occupy a lower position to the east of the host property and has their own single and two storey extensions. However, the area parallel to the position of the proposed extension does not form amenity space to the neighbouring property as it hosts a single storey extension with a steep roof and a blank side elevation. As such, the proposed first floor extension to the rear of the host property would not cause any significant harm to the amenities of the occupiers of the adjacent 9 Howard Street.

13 Howard Street

The porch would be set back from the common boundary with the adjoining property by 2.6m. Given this separation together with the single storey nature of the porch and the limited projection, there would be no harm caused to the amenities of the occupiers of the adjoining 11 Howard Street as a result of the proposed porch.

The front dormer is small in scale and is set up within the existing roof plane. Given the modest dimensions and position of the dormer, there would be no harm caused to the amenities of the occupiers of the adjoining 13 Howard Street.

The rear extension would be built along the common boundary with the adjoining property. As the adjoining neighbour has their own two storey rear extension, there would be no harm caused to the amenities of the occupiers of the adjoining 13 Howard Street as a result of the rear extension proposed.

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 policy 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 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 complies with policies D2, T10 and T19 of the UDP and Policies PLP21 and 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 porch to the front and a single & two storey extension to the rear of 11 Howard Street 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: 2018/90807

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 extensions 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	17.2654.01A	681256	09/03/2018
Proposed plans	17.2654.02A	681254	09/03/2018

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

30/04/2018