

**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: 2018/62/91208/E

Site Address: 4, Woodhouse, Shelley Woodhouse Lane, Shelley,
Huddersfield, HD8 8NB

Description: Erection of two storey extension

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: 11-Jun-2018

OFFICER REPORT

Site Description

4 Shelley Woodhouse Lane is a stone built semi-detached dwelling with an existing two storey flat roofed extension part width to the rear. The front door of the property opens onto a small path to the front of the dwelling, there is a detached garage and drive to the side of the property with a modest amenity space to the side and rear of the dwelling.

The property faces onto a bend in the road and open fields on the opposite side of the road. The property borders onto the gardens of the neighbouring Schenro to the north side and rear of the host property and a similar residential property attached to the south side.

Description of Proposal

The applicant is seeking permission for a two storey extension to the side/rear of the dwelling.

The extension would be set back 4.3m from the front of the dwelling and would project 1.2m from the original side elevation of the dwelling and would extend 2.3m past the original rear wall elevation of the dwelling wrapping around 1.1m across the rear. The roof form proposed would be flat.

The proposed extension would be constructed using block work and render with a felt finish for the roof covering.

Relevant Planning History

None

Representations

The application was advertised by site notices and neighbour letters, which expired on 16/05/2018

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

Kirkburton Parish Council has been consulted and have responded with no objections.

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 Green Belt on the UDP Proposals Map and within the PDLP

Kirklees Unitary Development Plan:

- **D11** – Green Belt
- **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
- **PLP 30** – Biodiversity
- **PLP 57** – Extension, alteration or replacement within Green Belt

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
- Chapter 9 – Development in the green belt
- 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) Negotiations
- 8) Conditions
- 9) Conclusion

1 – Principle of development:

The site is within the Green Belt on the UDP Proposals Map. As such it will be assessed having regard to Policy D11 and NPPF chapter 9 which advise that extensions should be considered having regard to their impact on the openness of the Green Belt and the extent to which the existing building remains the dominant element, and should not result in disproportionate additions in relation to the . Furthermore Policy D11 states that in the case of 'traditional' buildings in the GB consideration is to be given to 'the effect on the character of the existing building'.

The National Planning Policy Framework and the Kirklees Unitary Development Plan both support limited extensions to buildings within the green belt. For extensions within the green belt to be considered acceptable, it is essential that they should neither prejudice the open character of the green belt nor be discordant in themselves or in relation to the host property.

The property is positioned on a bend in the road with a similar residential property adjoining and other buildings in the immediate vicinity and as such there is not an "open" character to the immediate area which would be impacted by the proposed extension. The host property has been extended previously with a two storey extension to the rear, which has a flat roof form. The proposal will extend the existing extension. However, the original dwelling would remain the dominant element the proposed extension is not considered to be disproportionate additions to the host property.

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

2 –Impact on visual amenity:

The property is located within a rural area with limited surrounding development. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The property has a two storey extension part width to the rear of the dwelling. Whilst flat roof forms are not generally considered to represent good design, in this instance, the existing extension is flat roofed and increasing the size of the rear extension would not result in a development which would be considered to be significantly incongruous in terms of its appearance. The materials proposed would match those used in the construction of the host

property and the detailing can be considered to form an appropriate relationship with the host property. As such, the rear extension is considered to be acceptable in terms of visual amenity.

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 D11, 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 Schenro

Given the limited scale of the extension proposed and the position of the host property relative to the neighbouring Schenro, there would be no harm caused to the amenities of the occupiers of the neighbouring property.

Impact on 5 Shelley Woodhouse Lane

The extension would be concealed from the adjoining property, 5 Shelley Woodhouse Lane, by the existing rear extension and as such would have no impact upon the amenities of the occupiers of the adjoining property.

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 D11, 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 side 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:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development then work must cease immediately and the advice of a licensed bat worker sought.

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 two storey extension to the side / rear of 4 Shelley Woodhouse Lane 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: 2018/91208

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 D11, 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 BE1 and BE14 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.

NOTE: Due to its location, a bat roost may be present on site. 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	Web ID	Date Received
Location plan	1003-03	686806	17/04/2018
Existing plans	1003-01	686807	17/04/2018
Proposed plans	1003-02	686808	17/04/2018

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.

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

Report Dated

11/06/2018
