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:	2018/62/91461/W
Site Address:	198, Deighton Road, Deighton, Huddersfield, HD2 1JJ
Description:	Erection of two storey and single storey rear extensions
Recommending Officer:	Olivia Roberts

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: 27-Jun-2018

Officer Report

Reference: 2018/91461

Location: 198 Deighton Road, Deighton, Huddersfield, HD2 1JJ

Proposal: Erection of two storey and single storey rear extensions

Site Description

The application relates to a two storey middle terrace in Deighton, 198 Deighton Road. It is constructed in stone to the rear and in is finished in pebbledash render to the front and is designed with a gable roof form which is finished in slate roof tiles. The dwelling benefits from an entrance porch which is located to the front of the property. Two single storey extensions are located to the rear. The front of the dwelling is set back slightly from the access road with a stepped entrance to the front and amenity space to the rear. Boundary treatment comprises a stone wall which runs to the east of the site. Fencing forms the boundary to the west of the site whilst trees and hedges are located to the rear.

The site is located is a residential area with the immediate vicinity comprising properties of a similar style and design to the application site with the predominant material of construction being stone. It is noted that the adjoining property, no. 200 Deighton Road, benefits from a two storey rear extension which is of a similar design to that proposed at the application site.

Description of Proposal

The application seeks planning permission for the erection of two storey and single storey rear extensions which will provide additional living accommodation at the property. The two storey rear extension will project 3.40 metres from the rear elevation of the host dwelling and will extend across to full width of the property to replace the existing single storey extension. It will be constructed in artificial stone to be similar in appearance to the extension at the neighbouring adjoining property and will be designed with a gable roof form which will be finished in marley grey tiles and will have an eaves height of 5.00 metres and a ridge height of 6.60 metres. Two windows are proposed for the rear elevation of the extension at first floor level whilst a door is proposed at ground floor level. All openings will be finished in wood grain UPVC. No openings are proposed for the side elevations of the extension.

The proposed single storey extension will project a further 2.40 metres from the rear elevation of the two storey extension and will replace the existing single storey extension at the property. The extension will have a width of 2.70 metres. It will be constructed in artificial stone and will be designed with a lean-to roof form which will be finished in marley grey tiles. The extension will have an eaves height of 2.45 metres and a maximum height of 3.30 metres. Windows are proposed for the side and rear elevations of the extension and will be finished in wood grain UPVC.

History of negotiations/amendments received

No amendments were sought or received during the process of the application.

Relevant Planning History

No planning history at the site.

At no. 200 Deighton Road –

2016/93954: Demolition of existing rear extension and erection of two storey side and rear extensions. Conditional Full Permission.

Representations

Final publicity date Expires: 19 June 2018.

A site notice was posted and neighbours were notified.

No representations were received.

Parish/Town Council comments: not applicable.

Consultation Responses

Health & Safety Executive – “HSE does not advise, on safety grounds, against the granting of planning permission in this case”.

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 Unallocated on the UDP Proposals Map and on the Kirklees Publication Draft Local Plan.

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)

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **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) Conclusion

1 – 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.

The general principle of extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the UDP and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

2 –Impact on visual amenity:

The proposed development will have some impact on the visual amenity of the property. It is noted that the property, as a result of the proposed extensions, will be significantly larger than existing. However, it is noted that the extensions will replace existing single storey extensions at the property. The proposal will be finished in artificial stone which will harmonise acceptably both the host dwelling and the extension at the adjoining property. The extensions will be of an acceptable design will not look unduly incongruous on the rear elevation of the property. As the proposed extensions will be located to the rear of the property, they will not be visible from Deighton Road. It is

therefore not considered that the development will have a significant impact either the character or appearance of the surrounding area. In addition, it is noted that the two storey extension will be similar in terms of its style and design to the existing two storey rear extension at the adjoining property, no. 200 Deighton Road. The proposal is therefore considered to be in line with Policies BE1, BE2, BE13, BE14 and D2 of the UDP, Policy PLP24 of the PDLP, and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

The proposed development will have some impact on residential amenity with the most likely property to be affected being no. 196 Deighton Road. The two storey extension will project 3.40 metres along the boundary shared with the property. In addition, the single storey extension will project an additional 2.40 metres along the boundary. It is noted that guidance set out within policy BE14 of the UDP states that extensions with a projection greater than 3.00 metres from the rear elevation will not usually be supported. However, in this instance it is noted that the two storey rear extension will sit in line with the existing single storey rear extension at the property which will prevent the development from having an overbearing impact at ground floor level. Furthermore, no. 196 Deighton Road does not benefits from any first floor level windows which will be located directly adjacent to the proposed extension which will significantly reduce the impact that the development will have at first floor level. The proposed single storey extension will not project any further than the existing outhouse at the property which will further reduce the impact on the development on the residential amenity of the occupiers of the property. The proposal is therefore considered acceptable in this instance. Due to the location of the site to the west of the property, it is unlikely that the proposal will have a significant overshadowing impact on the property. No windows are proposed for the side elevation of the extension which will eliminate the potential for overlooking.

The proposed two storey rear extension will not project any further than the existing two storey rear extension which is located at no. 200 Deighton Road. It is therefore unlikely that this element of the proposal will have a significant impact on the residential amenity of the occupiers of the property. Approximately 2.50 metres will be retained between the proposed single storey rear extension and the boundary of the site. It is therefore unlikely that the development will have an overbearing or shadowing impact on the property. Sufficient distance will be retained between the extension and the property to prevent overlooking into the rear amenity space.

To summarise, the proposal is considered acceptable from a residential amenity perspective and would accord with the aims of policies D2 and BE14 of the UDP, as well as policy PLP24 of the PDLP.

4 – Impact on highway safety:

The proposed development will introduce an additional bedroom at first floor level which could lead to some intensification in the use of the dwelling which currently does not benefit from any off-street parking. However, as the proposal will introduce one additional bedroom to the property and given that there is no potential for providing off-street parking at the property, it is not considered that the development could be considered to the on balance, acceptable. Accordingly, it would not raise any highway safety issues and thus complies with Policies D2 and T10 of the UDP and Policy PLP21 of the PDLP.

5 – Other matters:

No other matters were deemed relevant in the determination of this application.

6 – Representations:

No representations 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**

Decision Authorisation - Delegated Powers

Application Number: 2018/91461

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, BE13 and BE14 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

3. The external walls 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 BE13 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, as well as the aims of chapter 7 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and

Transportation Services can control noise from construction sites by serving a notice. This
notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	PP/01		03/05/2018
Plans as Existing	PP/02		03/05/2018
Plans as Proposed	PP/03	A	03/05/2018

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.

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

Report Dated: 27/06/2018