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: 2018/62/91833/E

Site Address: 133, Marsh Lane, Shepley, Huddersfield, HD8 8AS

Description: Alterations to form hipped roof

Recommending Officer: Katie Wilson

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: 27-Jul-2018

Officer Report

Site Description

The application site is 133, Marsh lane, Shepley. It is a 2-storey semi-detached house with 2-storey flat roofed extension to the side together with porch and single storey element at the back. The walls are a natural stone to the front and red or brown brickwork elsewhere. The roof is ridged and hipped over the main part of the house surfaced in grey / brown concrete tiles.

The land is relatively flat and this property is within a row of similar properties which line either side of this part of Marsh Lane.

Description of Proposal

Planning permission is sought for alterations to form a hipped roof.

This would be directly above the flat roofed extension. It would have the same eaves, ridge level and angle of pitch as the existing part of the house.

The fascia, eaves and guttering all to match the existing. The existing roof tiles salvaged from side hip to be re-used on front elevation to match the existing house. Side and rear elevations to have new matching roof tiles.

History of negotiations/amendments received

No amendments were requested or received during the course of this application.

Relevant Planning History

None at the application site.

Representations
Final publicity date expired: no representations received during the course of this application.

Kirkburton Town Council comments: No comment.

Consultation Responses

No consultations carried out during the course of this application.

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 48 of the National Planning Policy Framework (2018). 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 (2018), 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 without notation 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 12** – Achieving well-designed places

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]”. Other UDP Policies of relevance include BE1 and BE2 (development should be visually attractive and contribute to a sense of local identity), BE13 (extensions should respect the design features of the existing building), BE14 (extensions should not have an adverse impact on adjacent properties or land), and T10 (development should not create or materially add to highway safety problems).

Policy PLP24 of the Publication Draft Local Plan covers mostly similar concerns to the UDP policies already listed. It attracts a number of unresolved objections but these do not relate to the guidance on extensions that forms part of this policy wording: “Proposals should promote good design by ensuring that . . . extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers”. So this part of the policy can be given at least moderate weight.

2 –Impact on visual amenity:

It is considered that the proposed alterations to form hipped roof would be appropriate in terms of scale and design. There are several other houses in the same row which have been altered in a similar way. Indeed, the attached property has already been extended in this way. As such, subject to materials matching the existing house, which can be conditioned, the development would be acceptable from a visual amenity perspective and comply with the aims of Policy BE1, BE2, and BE13 of the UDP, policy PLP24 of the PDLP and chapter 12 of the NPPF.

In addition to the above, taking into account policy BE14 of the UDP, this sets out that side extensions should not result in an undue terracing effect being created. In this instance, the proposal is to form a hipped roof above the existing two storey flat roof extension. This is not anticipated to result in a terracing effect being created because of the hipped roof design as well as the separation distance that would still be retained between the application site and the neighbouring property. As such, the proposal is considered to comply with the aims of policy BE14 of the UDP.

3 – Impact on residential amenity:

It is considered that the scale and massing of the proposed roof alterations, together with the separation distances between the properties and the hipped roof design (with ridge and eaves to match the existing), would ensure that there would be no prejudicial impact upon the residential amenities of any

neighbouring occupants. As such it is compliant with policies D2, BE1, BE2 and BE14 of the UDP and PLP24 of the PDLP.

4 – Impact on highway safety:

The proposed development would not affect parking or access arrangements and would thereby not give rise to an increase in highway safety problems. The proposal would comply with the aims of policy D2 of the UDP in this respect.

5 – Other matters:

There are no other material planning considerations.

6 – Representations:

No representations received during the course of this application.

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: 2018/91833
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, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan, Policies PLP1, PLP2, and 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, BE1, BE2 and BE13 of the Kirklees Unitary Development Plan, and PLP24 of the Kirklees Publication Draft Local Plan and the aims of the National Planning Policy Framework.

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 work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			05.06.2018
Plans and elevations as	Dwg no. 01		05.06.2018

Plan Type	Reference	Version	Date Received
existing			
Plans and elevations as proposed	Dwg no. 02		05.06.2018

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. No amendments have been sought or received during the course of this application.

Report Dated: 26.7.2018