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:	2018/62/91977/W
Site Address:	12, Basil Street, Crosland Moor, Huddersfield, HD4 5DP
Description:	Erection of single storey rear extension
Recommending Officer:	Sam Jackman

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: 26-Jul-2018

Officer Report

Site Description

12 Basil Street, Crosland Moor is a two-storey semi-detached stone-and-tile dwelling with a brick gable, the right-hand of a pair. The property has had no previous extension with no off-street parking. The property is located within an area of traditional terraced and semi-detached properties.

The property benefits from a small yard to the rear where the properties to the rear are fairly close and elevated.

Description of Proposal

The proposal is for the erection of a single storey extension to the rear of the property. It would project 3m by 5.98m the full width of the rear elevation by 4.37m high and the eaves 3.02m. The extension would be built from materials to match the host property.

History of negotiations/amendments received

The original application projected 4.5m with the eaves higher, amended plan have been received reducing the eaves and the projection to 3m, albeit the width has increased.

These amended plans have not been re-advertised as the amendments would have a reduced impact on the neighbours than the original plans. Albeit the extension will be closer to the neighbours either side the impact of a 3m extension on the boundary would be less than 4.5m slightly set in from the boundaries and of reduced height.

Relevant Planning History

None

Representations
Final publicity date Expires: 20.7.18

No representations made.

Consultation Responses

No consultations were deemed necessary.

Policy

The statutory development plan comprises:

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

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. 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 designation on 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 24th July 2018, 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
1) Impact on visual amenity (including any heritage considerations)
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters – e.g. trees/ecology (e.g. bats)
5) Representations
6) 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).

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 significant weight.

2 –Impact on visual amenity:

The proposal will enlarge the property to the rear. The proposed works will not be visible from the highway and therefore will not harm the appearance of the street scene. The extension will be constructed of materials to match those of the existing building and will remain subordinate to the host building. The extension is considered to relate satisfactorily to the host building and will have an acceptable impact on visual amenity, thereby acceptable and compliant with the requirements of policies D2, BE1, BE2, BE13 and BE14 of the Unitary Development Plan emerging policies PLP1, PLP2 & PLP24 of the PDLP and advice in the NPPF

3 – Impact on residential amenity:

The proposed extension, owing to its size and position, would not unduly the affect outlook, light or privacy for any established dwelling. In coming to this view I have also taken into account the permitted development 'fall-back' position which would allow for an extension of largely the same dimensions to be erected. Thus I consider it would retain a good standard of amenity for existing residents and would comply with the aims of Policy BE14 and PLP24.

4 – Impact on highway safety:

In terms of highway safety the property does not benefit from any off street parking, and whilst the development would increase the amount of liveable space in the property, given the current arrangements it is not considered necessary to require off street parking to be provided.

5 – Other matters:

None

6 – Representations:

No representations have been made.

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: 2018/91977

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 and Policy PLP24 of the Publication Draft Local Plan.

3. The external walling and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building. For the avoidance of doubt the extension shall be externally faced in natural stone.
Reason: In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP24 of the Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			13.8.17
Existing Block Plan 1:200	HD-A-117-004		13.8.17
Proposed Block Plan 1:200	HD-A-117-005	1	25.7.18
Location plan 1:1250	HD-A-117-003		13.8.17
Existing layout & elevations	HD-A-117-001		13.8.17
Proposed layout & elevations	HD-A-117-002	2	26.7.18

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. The Case Officer requested amended plans during the process of the application to seek an amendment which would to reduce the impact of the development on the amenity of nearby residents. This decision is based on the amended/additional documents submitted.

Report Dated: 26.7.18