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:	2018/62/92145/W
Site Address:	43, Alandale Road, Bradley, Huddersfield, HD2 1SB
Description:	Erection of two storey rear and single storey side extension
Recommending Officer:	William Simcock

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: 22-Aug-2018

Officer Report

Site Description
43 Alandale Road is a two-storey semi-detached dwelling (the right-hand half of a pair) with a hipped roof. The main elevation faces north-east. It has a rendered exterior. Most of the amenity space is at the rear, where the land rises a little. It is situated within an area of similar houses.

Description of Proposal

The proposal is for:

The erection of a two-storey rear extension, projecting 3.0m, and 5.8m wide (almost the full width of the rear elevation). It is to have a hipped roof, the eaves height being the same as existing.

The erection of a single-storey side extension. It is to be built by adding an inner wall to the existing outbuilding and linking it to the house. The finished extension would have an L-shaped plan, projecting a maximum of 3.5m to the side, to the property boundary, with the widest part located towards the rear and the narrower part forming an entrance corridor to the front. It would have a flat roof with a parapet.

New walling materials would be block and render.

History of negotiations/amendments received

None.

Relevant Planning History

None.

Representations
Final publicity date Expires: 23-Aug-2018

No representations received.

Consultation Responses

No consultations were required.

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 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, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial 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 (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)

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).

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 extensions would be appropriate in terms of scale, positioning, and design details and that they would respect the appearance of the existing building and conserve visual amenity. Subject to the external facing materials for any new walling and for the roof covering on the two storey extension matching the host building, it would accord with the aims of Policies BE1-2, BE13 and PLP24.

3 – Impact on residential amenity: The proposed two-storey extension would be close to the boundary with the adjoining property, no. 41, which appears to have ground and upper floor habitable room windows about 1m in from the common boundary. Whilst there might be some impact on this property, it would be slight, as the extension would be located to the north-west of no. 41 and would therefore not obstruct the direction from which this dwelling receives most of its direct sunlight. It would also not exceed the recommended maximum projection in Policy BE14 and would have a hipped roof which would further limit its impact. It is considered that the neither the rear nor side extension, owing to their scale and siting, would have any significant impact on the amenities of no. 45.

It is considered that the rear-facing windows would have no significant impact on the privacy of dwellings to the rear in view of their being sited at a higher level.

It is recommended that permission is granted subject to no windows being formed in the south-east side elevation of the main extension or the north-west elevation of the proposed kitchen, as these could be intrusive. Subject to this it would conserve visual amenity and would comply with the aims of Policies D2 and BE14.

4 – Impact on highway safety: The proposed extensions would not affect highway access or parking arrangements and it is considered they would have no impact on highway safety, thereby complying with T10.

5 – Other matters:

Biodiversity:
The site is in the bat alert layer but on the basis of an external viewing would appear to have no bat roost potential. The standard precautionary note will be added to the decision notice.

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: 2018/92145

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 Kirklees Publication Draft Local Plan.

3. The external materials used for any new external walling for the extensions and for the roof of the two storey 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 and Policy PLP24 of the Kirklees Publication Draft Local Plan.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings shall be constructed in the in the south-east side elevation of the rear extension at ground floor level or in the north-west side elevation of the proposed kitchen extension, at any time.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy D2 of the Unitary Development Plan and Policy PLP24 of the Publication Draft Local Plan.

NOTE: There is the potential for a bat roost to 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	Version	Date Received
Application form			03-Jul-2018
Location plan	ALR01		03-Jul-2018
Existing floor plans	ALR02		03-Jul-2018
Existing elevations	ALR03		03-Jul-2018
Proposed floor plans	ALR04		03-Jul-2018
Proposed elevations	ALR05		03-Jul-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. The case officer did not undertake negotiations with the applicant since no amended or additional plans were considered necessary.

Report Dated: 22-Aug-2018