

**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: 2018/62/92682/W

Site Address: 60, Holly Road, Thornton Lodge, Huddersfield, HD1
3SE

Description: Erection of single storey rear extension

Recommending Officer: Callum Harrison

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: 02-Oct-2018

Officer Report

Application: 2018/62/92682/W

Site: 60 Holly Road, Thornton Lodge, Huddersfield HD1 3SE

Proposal: Erection of single storey rear extension

Site Description

60 Holly Road is a terraced property constructed with red brick walls and a concrete tile roof. The property has a concreted front yard appropriate for parking and a small garden to the rear. The rear of the property is service through an unnamed access road. The rear garden is set on a level below the garden with a patio and steps connecting the space to the house. The boundary treatment on the site consists of brick walls and a timber fence to the rear. The property has an access point to the garden of no.58 through a purposely constructed gap in garden wall.

Holly Road is a densely populated residential street. The street is made up of entirely terraced properties however the size does vary greatly. The style of the properties also contrast greatly; towards the eastern end of Holly Road the property are constructed using natural stone, with the western end properties, near no.60, being constructed out of red brick.

Description of proposal

The proposal seeks permission for a single storey rear extension. The proposed extension projects 3.6m from the rear elevation of the property. The length is 8.6m, the same as the host property. The maximum height of the proposal is 4m with the eaves at 2.65m. The proposed roof is of a lean to style. The materials proposed for the development match the host property in entirety with red brick for the walls, concrete tiles for the roof, plastic for finishes such as guttering and woodgrain upvc for the windows and doors. To construct the extension, an existing lean to style conservatory will be deconstructed.

Relevant planning history

Host Property

2006/90909 – Erection of two storey extension was granted conditional full permission.

2018/92308 – Prior notification for single storey rear extension was refused. It can be assumed the existing conservatory was constructed through permitted development .

History of negotiations

None.

Representations

The final publicity date expired on 26th September 2018.

No representations were received.

Consultations

No consultations were required

Policy

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.

The site is Unallocated on the PLP Policies Map.

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:

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP24** – 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 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
- 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]'

PLP1 of the PDLP states:

'Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.'

All these considerations are addressed later in this assessment.

2. Impact on visual amenity

Due to the terraced nature of the property, the development would not be seen from Holly Road. However the development will be seen from the rear of a number of properties that face on to Holly Road and Thorne Road. Rear extensions of this style can be found in abundance on Holly Road and the surrounding streets. Providing the scale and materials are appropriate there would be no reason to refuse a similar development on this property based of visual amenity. The materials proposed match the existing property in entirety and therefore satisfying policy PLP24 of the PDLP and policy BE13 of the UDP. In terms of scale the projection proposed will ensure the development falls inline with the existing extensions at the no.58, no.56 and no.54. The proposed maximum height of 4m would extend above the windowsill 1st floor windows at no.58, however the lean to roof and the positioning under the sills on the host property would ensure the development looks appropriate to the host property while reducing overbearingness on no.58.

3. Impact on residential amenity

Due to similar style extensions at both no.58 and no.62 this proposal will have very little impact on the residential amenity of the neighbours. The current conservatory is connected to an extension at no.62, and as this development only projects 3.6m out of the development, the impact of the new development will have little or no further impact than the existing conservatory has to the neighbours at this property.

The development will have a more significant impact on the residential amenity of the neighbours at no.58 as it will block some of the windows on the extension at this property. However the windows that will be blocked by the development are secondary in terms of providing light and view. The windows in question are obscured and located close to the host property and therefore do not get much sunlight. Equally the applicant could construct a 2m fence by these windows through permitted development which would have the same effect. Also the development has been advertised and no representations have been received so it can be assumed the neighbours at no.58 do not feel their residential amenity will be impacted.

Because of the factors mentioned above, it can be stated that the development will not have a detrimental impact on the residential amenity of the neighbours and therefore subject to the other assessments, approved.

4. Impact on highway safety

The proposal does not seek to increase the number of bedrooms and therefore will not increase the dwellings demand for parking and access. Subsequently it can be stated the development will not have an impact on highway safety.

5. Other matters

None.

6. Representations

Public advertisement ended on 26th September 2018.
No public representations were 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. The application has been assessed against the 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:** 2018/92682**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 the policies: D2, BE1, BE2, BE13 and BE14 of the Unitary Development Plan; PLP1 PLP2 and PLP24 of the Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan		15/08/18
Block Plan	60	15/08/18
Existing Ground Floor Plan		15/08/18
Existing Elevations		15/08/18
Proposed Ground Floor Plan		15/08/18
Proposed Side Elevation	62	15/08/18
Proposed Side Elevation	58	15/08/18
Existing and Proposed Rear Elevation		15/08/18

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.

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

Report Dated:

02/10/18