

**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: 2018/62/93244/W

Site Address: 23, Robsons Drive, Dalton, Huddersfield, HD5 9JW

Description: Erection of single storey extensions to front and rear and alterations to convert garage to living accommodation

Recommending Officer: Francis Davies

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: 01-Feb-2019

Officer Report

Reference: 2018/93244

Proposal: Erection of single storey extension to front and rear and alterations to convert garage to living accommodation

Location: 23 Robsons Drive, Dalton, Huddersfield, HD5 9JW

Site Description

The application relates to a detached dwelling constructed from brick and designed with a gable roof, finished in concrete tiles. The dwelling benefits from a short vehicle driveway off Robsons Drive, leading to an integral garage. Part of a recent residential development (98/90852) the area is characterised by closely spaced properties.

Private amenity space extends to the rear (northwest) although owing to the topography of the area it is steeply graduated. Boundary treatment on site is well defined, consisting of mature vegetation and a hit and miss timber fence.

Description of Proposal

The application seeks planning permission for the demolition of an existing conservatory and the erection of a single storey rear extension. The proposed rear (northwest) extension would project by approximately 3m and span the entire width of the dwelling, approximately 7.3m. The submitted plans show that the proposed lean-to roof would host two roof lights with patio-style doors centrally placed.

The application also seeks planning permission for the erection of an extension to the principal (southeast) elevation. This extension would project by approximately 1.5m from the front elevation offering an enlarged porch area and an extension to the existing garage. This extension is would introduce a hipped roof to the porch while the pitched roof above the existing internal garage would be retained. A window would replace the existing up and over garage door.

History of negotiations

Negotiations were held with the applicant regarding the proposed scale of the original development. As such the agent submitted revised plans demonstrating a reduction in scale of the proposal.

Relevant Planning History

96/93640 – Outline application for residential development (Conditional Outline Permission)

98/90852 – Erection of 64 dwellings and garages (Approval of reserved matters)

Representations

Final publicity date Expires: 04th December 2018

No public representations were received regarding this application.

Consultation Responses

No consultations were sought regarding 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 remains unallocated on Kirklees Publication Draft Local Plan.

- Access considerations - None

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)
- T10 – Highway Safety

Kirklees Publication Draft Local Plan (PDLP):

- PLP1 – Achieving Sustainable Development
- PLP21 – Highway Safety and Access
- 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 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 2 – Achieving Sustainable Development
- Chapter 12 – Achieving well-designed places

Assessment

The following matters are considered in the determination of this application:

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

Principal 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.

Impact on Visual Amenity

The scheme would introduce a single storey rear extension, which would project from the rear elevation by approximately 3m and span the entire width of the dwelling, replacing an existing conservatory. As noted in the application form this aspect of the development would be constructed from brick and designed with a lean-to roof, finished in interlocking concrete tiles, thereby being acceptable. In respect of the proposed fenestration the scheme would introduce large glazed sections with centrally placed patio doors. Such an arrangement is considered to appear distinctly domestic and the concentration of glazing and available outlook would not be materially different to that afforded by the existing conservatory. In any case this aspect of the development is located to the rear and such would not be visible from the streetscene.

Alternatively, the proposed conversion of the integral garage to an office and the extension to the principal elevation would create a visible development. Furthermore, Policy BE14 of the UDP requires that extensions to the front or main elevation should be small in scale. The application proposes an extension to the porch area of approximately 1.2m and would introduce a hipped roof design. In term of the garage this would be extended by approximately 1.6m and while it would retain the pitched roof design would replace the up and over door with a window.

Although the proposed hipped roof is an alien design to the host dwelling it is considered to offer a best fit with the existing lean-to roof along the principal elevation. In respect of the extension to the garage this would retain the existing pitched roof design and would be constructed from matching materials thereby blending the development with the existing dwelling. Given the small scale of the development and consideration to design, it is not anticipated that this element of the scheme would harm the visual amenity of the dwelling or streetscene.

Impact on Residential Amenity

The proposed development would not bring the application dwelling any closer to neighbouring properties no.21 and 25 Robsons Drive. In respect of no.43 Robsons Drive, a significant change in levels exists between these two properties so as to create an indirect relationship. Indeed the replacement of the existing conservatory is likely to afford the occupiers of the host dwelling a greater degree of privacy.

Furthermore, given that the proposed relates to a single storey rear and front extension and the conversion of the existing garage it is not anticipated to rise to matters of an overlooking, overbearing or overshadowing nature. In light of the above the proposed scheme is considered to be acceptable in terms of residential amenity, complying with Policies D2, BE1, BE2 and BE14 of the Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within Chapter 12 of the NPPF.

Impact on Highway Safety

The application proposes converting the existing garage to an office and an extension to the principal elevation eroding the available off-road parking space. However, in light of such concerns the agent has submitted a revised site plan demonstrating sufficient space for at least two vehicle parking spaces.

In light of the above it assessed that the application would not have unacceptable impact on Highway Safety. The proposal therefore complies with Policy T10 of the Unitary Development Plan and Policy PLP21 of the publication draft Local Plan.

Other Matters

No other matters for consideration

Representations

No public representations were received in respect of this application.

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: 2018/93244

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, and PLP24 of the Kirklees Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

3. The walling and roofing materials for the hereby approved extensions shall in all respects match those used on the host dwelling.

Reason: In the interests of visual amenity and to comply with Policies D2, BE1, BE2 and BE13 of the Kirklees Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Elevations	005	A	21/12/2018
Site Plan	006	A	21/12/2018
Location Plan	003	-	04/10/2018
Proposed Plans	004	A	21/12/2018
Existing Plans	001	-	04/10/2018
Existing Elevations	002	-	04/10/2018

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.

Negotiations were held regarding the scale of the proposed development. Accordingly revised plans were received and the application resolved.

Report Dated: 01/02/2019