

**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: 2018/62/94137/W

Site Address: 75-77, Springdale Street, Thornton Lodge,
Huddersfield, HD1 3NF

Description: Erection of single storey side 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.

Emma Thompson

AUTHORISED OFFICER

Date: 21-Feb-2019

Officer Report

Site Description

No.75-77 Springdale Street is an end of terrace property faced in natural stone and finished with a slate tiled roof. The Kirklees Council Land and Property Gazetteer states that no.75-77 Springdale Street is a single dwellinghouse. The dwelling is set within a relatively decent sized plot within the Thornton Lodge area benefiting from hard standing areas to the front, north side and rear which cover approximately 165m². As the dwelling is set on a steep hill from the south the north, the front and side hardstanding areas are inaccessible for motor vehicles. The rear area can be used to park motor vehicles.

Thornton Lodge is a relatively densely populated area where the majority of the dwelling are terraced. Back to back properties are common in the area and that would appear what no.75-77 Springdale Street used to be. Springdale Street is set on a steep hill which rises from the north towards the south. Nelson Street, to which the property is on the corner of slopes from west to east. Stone is the dominant material in the street scene.

Description of Proposal

The application seeks permission for a single storey side extension for the purpose of a 'bed sitting room'. The proposed extension has a projection of 3.7m and will run the full width of the dwellinghouse, 9.9m. The maximum height of the proposed extension is 4.7m from the existing hardstanding area with the eaves at 3m. When considering the slope on Springdale Street, the host dwelling is set up from the highway by 1.2m. When factoring in the west to east slope on Nelson Street, the house currently sits 1.6m above the highway.

The materials proposed are to match the host property in its entirety with stone or the walls, slate tiles for the roof and upvc for the windows and doors.

Relevant Planning History

Host Site

None.

Elsewhere

No.186 Springdale Street (End of Terrace) was granted conditional full permission for the erection of 2 storey side and rear extensions under the applications 2008/92099 and 2009/91662 (Modified Proposal).

History of Negotiations

The initial plans were deemed acceptable and therefore no amendments were sought.

Representations

The application was advertised by site notice and neighbour letters. Final publicity expired on 15/02/19, no representations were received.

Consultation Responses

No consultations were sought.

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, its published modifications and Inspector's final report dated 30 January 2019 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 unallocated the PLP Policies Map.

Kirklees Publication Draft Local Plan

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP22** - Parking
- **PLP24** – Design

Kirklees Unitary Development Plan

- **D2** – Unallocated land
- **T19** – Off street parking
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

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 Kirklees Local Plan. Policy PLP1 states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. PLP1 goes on further to stating that:

“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In this case the application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below. This also adheres to Policy D2 of the UDP.

2) Impact on visual amenity

The NPPF provides guidance in respect of design in Chapter 12 (Achieving well designed places) with 124 providing an overarching consideration of design stating:

‘124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’

Kirklees Local Plan policies PLP1, PLP2 and importantly, PLP24 are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Kirklees UDP Policies D2, BE1, BE2, BE13 and BE14 and Policy PLP24 of the PDLP are also relevant.

PLP24 (a) states that proposals should promote good design by ensuring:

“the form, scale, layout and details of all development respects and enhances the character of the townscape”

It can be stated that whilst the proposed development is in a prominent location, the extension would match the street scene in terms of materials and design whilst still appearing subservient. Whilst the extension is considered large, if the proposal was to have a thinner width and not align with the house width, the proposal would not fit in to the street scene as well. The proposal is high when factoring in the topography of the slope, however no.75-77 is a currently set back notably, far from the highway,

in relation to other end of terrace properties in the area which mitigates this issue. Taking the extension in account, the dwelling will still remain approximately 0.8m from the red line boundary. This is a similar distance to which other end of terrace properties in the area are positioned, even when developments are two storey meaning it would not appear incongruous. The use of matching materials to the host dwelling, which reiterates the predominant material of the wider area also ensure the proposal would respect the surrounding townscape.

3) Impact on Residential Amenity

PLP24 (c) of the PDLP states:

“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”

Officers are of the view that the extension satisfies PLP24 (c) for the reasons as explained below.

The proposal does not seek to extend any closer to the properties to the front or rear of no.75, meaning the existing separation distance is maintained. The single storey scale of the extension also reduces the ability for the proposal to overlook nearby dwellings or appear overbearing. To the north side, the extension will take development closer to the neighbour across Nelson Street, however the separation distance of 14m and the single storey nature of the proposal will again prevent the ability for it to be overbearing, even when considering the topography and the higher setting of the host property. Policy BE13 and BE14 of the UDP. The proposal does seek a window in the north (side) elevation and to ensure the privacy of no's 73 and 73a, a condition shall be placed which will see this window to be obscurely glazed. When factoring in the impact of this condition, the proposal shall not cause any detrimental effects to any neighbouring properties.

4) Impact on Residential Amenity

As the proposal seeks to add an additional room possibly to be used as a bedroom, it is important to consider PLP22 Parking. Without a plan to state parking arrangement and a clear marked parking bays, it is difficult to determine the parking situation at 75-77 Springdale Street. However the rear yard is hardstanding and has a 10m width and 7m length. The rear yard is directly served by rear access road and could be appropriate for parking up to 3 vehicles. Due to this space accessible for vehicles, it is deemed that the proposal would satisfy PLP22 of the PDLP as well as T19 of the UDP.

5) Other Matters

None.

6) Representations

None.

7) Conclusions

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: 2018/94137

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 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 PLP1 PLP2, PLP24 of the Publication Draft Local Plan Policies; D2, BE1, BE2, BE13, BE14 and T19 of the Kirklees Unitary Development Plan and Chapter 12 of the National Planning Policy Framework.

3. The development shall not be occupied until the 1no. window in the north side elevation as show on drawing 1851.8, of the extension hereby approved have been obscure glazed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazing shall thereafter be retained for the lifetime of the development.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy PLP24 of the Publication Draft Local Plan; BE14 of the Kirklees Unitary Development Plan and Chapter 12 of the National Planning Policy Framework

4. 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 and Policy PLP24 of the Kirklees Publication Draft Local Plan and policies BE1, BE2 and BE13 of the Unitary Development Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Front Elevation	1851.7	1	07/01/19
Proposed Side Elevation	1851.8	1	07/01/19
Proposed Rear Elevations	1851.9	1	07/01/19
Proposed Ground Floor Plan	1851.6	1	07/01/19
Location Plan	1851.1	1	07/01/19
Existing Front Elevation	1851.3	1	07/01/19
Existing Side Elevation	1851.4	1	07/01/19
Existing Rear Elevation	1851.5	1	07/01/19
Existing Ground Floor Plan	1851.2	1	07/01/19

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 plans initially submitted were deemed acceptable and therefore no amendments were sought.

Report Dated:

20/02/19