

**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: 2018/62/94149/W
Site Address: 283, Leymoor Road, Golcar, Huddersfield, HD7 4QL
Description: Erection of single storey side extension
Recommending Officer: Jason Hammond

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 20-Feb-2019

Officer Report.

Reference: 2018/94149

Location: 283 Leymoor Road, Golcar, Huddersfield, HD7 4QL

Proposal: Erection of single storey side extension.

Site Description.

283 Leymoor Road is a two-storey semi-detached property located in Golcar, Huddersfield. The property is faced with natural stone on the front and rear elevations, with brick used on the side elevation. The property benefits of a single storey side extending feature with a pitched roof, with the main roof also being pitched being constructed in blue slate roofing tiles. The front and side of the property benefits from a small paved garden, with a larger garden to the rear. Also to the side is a single storey detached garage with a very low pitched roof.

Properties in the area share a similar design to the host property, being faced in natural stone with pitched roofs although with some variation. Most properties on the street were built in the first half of the 20th century, although with recent additions to the north and south of the site. There is therefore some variation in the street scene of the area, although with a shared traditional appearance.

Description of Proposal.

The proposal refers to the erection of a single storey side extension, allowing for a new porch, WC and utility room. The extension is to have a side projection of 2.60 metres with a length of 5.00 metres being set in 0.25 metres from the main front elevation. The extension is to have a side facing lean-to roof with one roof light. A door and window are proposed on the front elevation, with one small side window proposed. The extension is to be faced with natural stone on the front elevation, with either render or brick proposed to the side. The roof is to be constructed in matching blue slate tiles.

History of Negotiations.

No known changes for this scheme.

Relevant Planning History.

No relevant planning history for this site.

Representations.

The application was advertised by a site notice and neighbour letters which expired on 30/01/2019. One representations were received from this publicity, in objection:

- The proposal when under construction would block a legal access to an adjacent property

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

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 (2019). 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 NPPF (2019), 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 30th January 2019 are 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 on the Kirklees 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:

- **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 19th February 2019, 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 that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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

Principle of development:

The site is unallocated within the Kirklees Unitary Development Plan. As such, in accordance with policy D2 in the UDP, development can be granted providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area. These considerations are addressed below.

In terms of extending and making alterations to a property Policies BE1, BE2, BE13 and BE14 of the UDP will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design. Policies PLP1, 2 and 24 of the draft local plan reflect points made in the above mentioned UDP policies and will also be considered with this proposal.

Impact on visual amenity:

The proposal refers to a side extension that would be visible to the front of the property and would thus have the potential to harm the visual amenity of the host property and the wider street scene. The proposed materials are to be

matching stone on the front elevation and brick or render to the sides. The use of matching stone on the prominent front elevation would be considered in keeping of the building and the street as the predominant material is of natural stone and can be secured by condition. The use of brick would also be matching that of the building which would be of no harm although render is also a possibility and would not be matching the building. However, the use of render would not be extremely visible from its side position and its proximity to the adjacent garage. In addition, the render would enable the extension to be read as an addition to the building and would eradicate the need to find matching brickwork, and it would actually be matching the gable end of the adjacent property no. 275 that has a rendered gable end. Therefore, the use of natural stone and either brick or render would have no harm upon the visual amenity of the building or the street. Given the above it is not considered necessary to condition the specific use of material for the side elevation. Though a condition will ensure that the roofing material matches the existing property.

The extension is to be relatively small in scale to the side of the property, and would not be overbearing or dominating on the host building. The extension would project 2.6 metres from the side elevation of the front of the property and 0.80 metres from the rear side. The extension would be set in 0.20 metres from the front ensuring the extension is not overly altering the footprint of the building. The proposed lean-to roof shall also ensure the extension is subservient to the original building.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area, complying with Policies BE2, BE13 and BE14 of the Kirklees UDP, and PLP 2 and PLP 24 of the Kirklees Draft Local Plan.

Impact on residential amenity:

The site shares its boundary to properties to the east and west, with properties from the north also having visibility of the proposal. Therefore, development at 283 Leymoor Road has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *275 Leymoor Road* – This property is located to the east of the site, sharing the boundary as to where the side extension is to be erected. It is considered that any impact would be minimal when considering the distance of over 10.00 metres and the small scale of the single storey extension. A side window is proposed, although this would be of no harm as it shall be obscurely glazed and the detached garage would block any visibility from the window.

- *285 Leymoor Road* – This property is located to the west and would have no visibility of the development and as such would not be significantly impacted.
- *2 The Picture House and 296 Leymoor Road* – These two properties are located across the highway and would have direct visibility of the proposal. It is considered that the small scale of the extension would have no impact as it would not be projecting any closer to these properties. A window and door is proposed to face toward these properties although this would be no harm as the window is to serve the porch and would not be a habitable room.

Having considered the above factors affecting neighbouring properties and relevant policies, the proposed side extension is not deemed to result in any significant harm upon the residential amenity.

Impact on highway safety:

The proposed side extension would result in a new porch, WC and utility room which would not result in the need of an increase of car usage or reduce the capacity of car parking to the property. Therefore, the proposal is considered to have no impact on highway safety and as such complies with policies D2, T10 and T19 of the UDP and Policy PLP22 of the Draft Local Plan.

Other matters:

There are no other matters for consideration.

Representations:

One objection was received for this application, which raised the following concern:

- The proposal when under construction would block a legal access to an adjacent property

Response: legal access to adjacent properties is a private legal matter and one which planning permission would not override. It would be a matter for the interested parties to resolve. It is noted that the extension would lead a gap of approximately 0.8 metres between the side extension and garage which is narrow but one allow for a degree of access to the rear garden.

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: 2018/94149

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 front elevation of the hereby approved extension shall be faced in natural stone which shall in all respects match that used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy BE2 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

3. The roofing material 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 policy BE2 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	102/12/2018		19/12/2018
Existing and Proposed Plans	101/12/2018		19/12/2018

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.

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

Report Dated:

20/02/2019