

**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: 2019/62/90919/W
Site Address: 1, Spring Gardens, Upperthong, Holmfirth, HD9 3RT
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: 15-May-2019

Officer Report

Site Description

The property is a two storey detached dwelling situated by the junction of Spring Gardens with Upperthong Lane. The dwelling is faced in natural stone with a concrete tiled roof. The property benefits from a driveway, lawn and integral garage to the front with a larger lawn to the rear. The dwelling is north east facing. As the property is close to the junction, it benefits from no neighbours to the south east. Natural stone is the dominant material in the area.

Description of Proposal

The application is seeking permission for the erect of a single storey side extension to form a shower room and study. This extension shall be placed on the south east side and attached to the existing playroom. The extension is staggered to maximise space in the site boundary adjacent to the highway.

The extension has a projection of 3.324m at the front, 2m at the rear. The extension has a length of 6.705m with a maximum height of 3.6m and the eaves at 3m.

The eaves are to match the dwelling in its entirety with natural stone for the walls, concrete tiles for the roof and upvc for the windows and doors.

History of Negotiations

None.

Relevant Planning History

2017/92067 - Erection of single storey rear extension and alterations and removal of existing conservatory was granted conditional full permission.

Representations

The application was advertised by a site notice and neighbour notification letters.

Publicity date expired: 09/05/19.

No representations were received.

Consultation Responses

No consultations were required or sort.

Policy

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 is the Local Plan adopted February 2019.

The application site is unallocated on the Kirklees Local Plan

Kirklees Local Plan (as modified)

PLP1 – Presumption in favour of sustainable development

PLP2 – Place shaping

PLP21 – Highway safety and access

PLP24 – Design

National Planning Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 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

Principle of Development

Policy PLP1 of the Local Plan 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, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

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.

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”

(c) of the PLP24 states:

“Extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

In this case it can be determined the application satisfies PLP24 in regards to visual amenity for the reasons as explained below.

The single storey nature and modest projection mostly ensures the proposed extension appears subservient. The roof appears as a pitch from the principle elevations which aligns with the existing roof form, respecting the design of the host dwelling. The matching materials offer coherence with the host dwelling and wider street scene. These matching materials are fundamental to the approval in regards to visual amenity and will be conditioned.

Subject to the condition, the proposal is deemed to satisfy PLP24 (a) and (c) and therefore acceptable in regards to residential amenity.

Impact on Residential Amenity

PLP24 (c) of the LP states extension should:

“....minimise impact on residential amenity of future and neighbouring occupiers”

It is of officer’s judgement that the side extension element of the proposal does satisfy PLP24 (c).

The extension is to the south east side meaning it is bound by the highway rather than a dwelling. As the closest dwelling with a view of the extension is

situated approx. 15m away over the opposing side of the highway, there will be no notable impact in regards to residential amenity.

Impact on Highway Safety

The proposed scheme would see the property extended closer to the highway but given setting on land back and above the junction it does not impact on the view and sightlines of the highway and therefore accords with PLP21 of the Local Plan (as modified). The extension shall not impact the existing and adequate parking arrangements.

Other Matters

None

Representations

None.

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.

Officer Recommendation:

Approve

Recommendation: Approve
Decision Authorisation - Delegated Powers
Application Number: 2019/90919

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.

1. 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, PLP21 and PLP24 of the Kirklees Local Plan (as modified).

2. 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 Local Plan (as modified) and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	18/457/03	1	25/03/19
Proposed Elevations	18/457/06	1	25/03/19
Proposed Floor Plans	18/457/04	1	25/03/19
Proposed Floor	18/457/05	1	25/03/19

Plans			
Existing Block Plan	18/457/02	1	25/03/19
Location Plan	18/457/01	1	25/03/19

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

Report Dated: 14/05/19