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: 2019/62/91843/W

Site Address: 29, Allison Drive, Fartown, Huddersfield, HD2 2RA

Description: Erection of two storey side and rear extension

Recommending Officer: William Simcock

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: 24-Jul-2019

Officer Report

Site Description

29 Allison Drive, Fartown, is a detached dwelling situated at the end of a cul-de-sac. It is two-storey with an integral single garage. It is faced in stone, render and replica half-timbering. The land is higher to the east and lower to the west with steep banking up to the eastern boundary.

The immediate surroundings comprise mostly low-density detached houses with higher density semi-detached houses further to the west and east.

Description of Proposal

The proposal is for an extension comprising a two-storey garage and bedroom extension to the eastern side of the dwelling, and a garden room and games room to the rear (north), which would form a continuous structure 15.65m long and 11.08m wide. It would project 4.3m to the side of the existing dwelling and 5.7m to the rear. The driveway would be widened at one corner to allow the new garage to be used. All materials would be of matching type.

History of negotiations/amendments received

None.

Relevant Planning History

None.

Representations
Final publicity date Expires: 12-Jul-2019

No representations received.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

KC Arboricultural Officer – No objections

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

statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is without designation on the Kirklees Local Plan.

It is considered that the development does not raise access or other Equality Act considerations.

Kirklees Local Plan (LP):

- **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, 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 12 – Achieving well-designed places

Assessment
The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
6) Representations
7) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. Of particular relevance are Policy LP24(c) which requires that 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. Any implications for highway safety will also be considered as required by Policies LP21-22, as well as other material considerations.

2 –Impact on visual amenity: The proposed extension would increase the footprint of the dwelling by over 100% and the volume or cubic capacity by a similar factor. It would therefore not be subservient to the original building in terms of scale.

However, Policy LP24 was designed principally for houses forming continuous rows, where extensions of this scale would be visually jarring. In this instance the house is at the end of a cul-de-sac and on a plot of generous size that gives the impression of being self-contained and not part of a continuous row. Owing to the topography, with the land rising sharply to the east, the extension would be almost invisible from the adopted part of Allison Drive.

It is considered that taking into account all of the above material considerations, the extension would not amount to overdevelopment of the plot or be harmful to the visual amenity of the area. Design details, including roof and window style, are considered appropriate, and the materials would be of a type to match the host building.

Subject to all materials matching the existing building in all respects, it is considered that the development would conserve visual amenity and accord with the aims of Policy LP24(c).

3 – Impact on residential amenity: The north- and east- facing windows would not overlook established dwellings or land with development potential.

The balcony would be in the same position as the existing one and would therefore not result in additional overlooking.

The garden room windows would face south-west towards established residential development. These would be approximately 9m from property boundary to the west, and 12m from the western side of Allison Dike, the watercourse that separates the two properties. It would not be in a position to overlook windows and it is considered that they would not be perceived as intrusive even if the existing timber fence were removed.

In conclusion, it is considered that the development would not adversely affect residential amenity and would accord with the aims of LP24(c).

4 – Impact on highway safety: The development would not affect existing access or manoeuvring arrangements and is therefore considered to have no highway safety implications. The additional hardstanding formed at the front would be very minor in extent, so it is considered that it is unnecessary to condition the means of drainage.

5 – Other matters:

Trees: The excavation of the banking would require the removal of some trees but these are not deemed worthy of a preservation order.

Ecology: The site is in the bat alert layer but neither the existing building nor any other features on the site (such as trees) are considered to have bat roost

potential. The standard precautionary note will be added to the decision notice.

6 – Representations: No representations have been made.

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.
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: 2019/91843

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 Policy PLP24 of the Kirklees Local Plan.

3. 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 Policy PLP24 of the Kirklees Local Plan.

NOTE: There is the potential for a bat roost to be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			03-Jun-2019
Location plan and proposed site plan	Plans 1		03-Jun-2019
Proposed elevations and floorplans	Proposed 1		03-Jun-2019
Existing site plan and	Existing 1		03-Jun-2019

Plan Type	Reference	Version	Date Received
elevations			

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 case officer did not undertake negotiations with the applicant as no amended or additional plans were considered necessary.

Report Dated: 24-Jul-2019