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:	2019/62/92502/W
Site Address:	7, Rafborn Grove, Salendine Nook, Huddersfield, HD3 3UB
Description:	Erection of first floor side extension
Recommending Officer:	Danielle Cooper

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: 06-Sep-2019

Officer Report

Site Description

7, Rafborn Grove is a two storey semi-detached property, constructed from artificial/natural stone to the front, and brick to the side and rear with a concrete tiled roof. The property benefits from a reasonably sized garden to the rear and front and a driveway. The property is located on a residential street with similar properties in terms of character, style and design.

Description of Proposal

Permission is sought for the erection of a first floor side extension to accommodate a forth bedroom with an en-suite bathroom on the first floor. The extension will be constructed from red brick to the side and rear elevations and natural stone to the front with a concrete tiled roof which will be constructed to form a hipped roof to match the existing roof, all materials will match the host property and keep in with the surrounding area.

The proposed extension would sit above the ground floor single storey element of the property lying flush with the front elevation, side and rear elevation of the snug and dining room. The proposed alterations include a window to the front and one to rear, and the existing side window on the first floor to be removed.

History of negotiations/amendments received

No amendments were sought in this instance

Relevant Planning History

None.

Representations

The application was publicised by site notice and neighbour notification letter

Final publicity date Expires: 30/08/19

Consultation Responses

No consultation were required or 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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 Achieving sustainable development**
- **LP2 Place Shaping**
- **LP21 Highway safety and access**
- **LP22 Parking**
- **LP24 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
- Chapter 15 – Conserving and enhancing the natural environment

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:

The site is without notation on the Kirklees Local Plan. Policy LP1 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.

Policy LP1 goes on further to stating that “the council will always work proactively 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.”

Chapter 2 of the NPPF 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. Chapter 2 of the NPPF goes on further to state that:

“to support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment”. As well as “making effective use of land”.

In this instance, it can be stated that the principle of development of this application is acceptable. Therefore, the application is subject to the assessment of impacts on visual and residential amenity, as well as 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 LP1, LP2 and importantly, LP24 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.

LP24 (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”

The proposed development would be in form of a first floor extension to the side of the property, lying over and flush with the existing ground floor elevations with a hipped roof over. This will ensure that the proposed extension will harmonise with the existing property and not cause any detrimental impacts on the visual amenity of the area. Although the resulting scale of the building would be bigger than the attached neighbouring property, this does not raise any concerns given that nos.4 & 8 Rafborn Grove also

have similar extensions. Therefore, it has been considered that the extension would be in keeping with the surrounding area.

It has been considered that the extension would be sympathetic in scale to the host property and the proposed materials would harmonise well to ensure visual amenity is protected. The use of these materials are therefore considered acceptable. The proposed windows, one to the front and one to rear have no detrimental impact on the amenity of the site given that they match with the existing windows on the existing property. Therefore, these elements have been considered acceptable.

In summary, the proposed erection of a first floor side extension would be of a satisfactory design quality for the reasons set out above and would keep in with the character of the area. Therefore the proposal accords with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact on residential amenity:

LP24 (c) & (b) of the LP states that alterations to existing buildings should:

"….minimise impact on residential amenity of future and neighbouring occupiers", as well as "maintaining appropriate distances between buildings".

It is of officer's judgement that the proposal does satisfy LP24 (c).

The proposed extension would be set above the footprint of the existing single storey element of the property. Whilst the extension would not decrease the existing separation distances between the front and rear elevations it would result in development at a higher level with windows in shown the front and rear elevations. These are in line with those in the host and result in a similar relationship to neighbouring development. As such it is considered that there would be no material implication regarding overlooking. No openings are proposed within the side elevation of the property. Given the orientation of the property in terms on neighbouring dwellings, it is not considered that the development would cause undue harm from overshadowing or overbearing.

For the reason set out above, it is considered that the proposal is acceptable in respect of residential amenity and against LP24 (b) & (c).

Impact on highway safety:

In regards to highway safety and provision of parking, there are no proposed alterations to the parking provision for the site and therefore there would be no loss of parking provision. There is a hardstanding area to the front of the property which I shown to accommodate a number of vehicles and therefore, there are minimal concerns. As such, the proposal meets the aims of Policy LP22 & LP21 of the Kirklees Local Plan.

Other Matters:

Biodiversity – the application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

There are no other matters for consideration.

Representations:

No representations

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: 2019/92502

Officer Recommendation: Full conditional approval

Conditions and Reason

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 Policies LP1, LP2 and LP24 of the Kirklees Local Plan.

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 LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**		**Date Received**
Plans and elevation – Proposed	A(10)-01	1		26.07.19
Plans and elevations – Existing	A(00)-01	1		29.07.19

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. No amendments have been sought as it was considered that the application was acceptable in its submitted format.

05/09/19

Report Dated: