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:	2019/62/92786/W
Site Address:	7, Peckett Close, Oakes, Huddersfield, HD3 4DQ
Description:	Erection of porch to front and single storey extension to rear
Recommending Officer:	Alice Huxley

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: 30-Sep-2019

Officer Report

Site Description

7 Peckett Close, Oakes, Huddersfield.

7 Peckett Close is a two storey, semi-detached dwelling that benefits from a driveway to the side that leads to a detached garage located to the west of the property. There is an existing porch on the rear of the property which appears to be part of the original structure of the house which has a flat roof. Materials used in construction include brick walls, a concrete tile pitched roof and white UPVC windows and doors. The site boundaries consist of timber fencing, and mature hedging.

The site is located within a residential area whereby the surrounding properties are similar in design. There is also a large recreation ground to the west.

Description of Proposal

Erection of porch to front and single storey extension to rear.

The proposed porch would be centrally located on the front elevation of the dwelling and project 1.35 metres, at a width of 2.2 metres, an eaves height of approximately 2.06 metres rising to an overall height of 2.97 metres. The proposed materials consist of facing brick work, a UPVC door and a concrete tile pitched roof all in which match the host property.

The proposed single storey extension would lie level with the existing side elevation of the dwelling and erect 4.05 metres from the rear elevation at a width of 3.59 metres and a height of 3.05 metres. The proposed materials consist of UPVC windows and doors, facing brick work to match. The proposed extension would also have a flat roof membrane and incorporate French doors on the south east side elevation.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

2018/92649 – Erection of porch to front and single storey rear extension – *approved.*

2018/92362 – prior notification for single storey rear extension – *refused.*

Representations

Final publicity date Expires:

Neighbour letters expire 24th September 2019; site notice expires on 23rd September 2019.

No representations received.

Parish/Town Council comments:
None.

Consultation Responses

None.

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):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP 24 – Design**
- **LP 30 – Biodiversity and Geodiversity**

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 2 – Achieving sustainable development**
- **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
1) Impact on visual amenity (including any heritage considerations)
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters – e.g. trees/ecology (e.g. bats)
5) Representations

6) Conclusion

Principle of development:

The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

'Planning policies and decisions should play an active role in guiding development towards sustainable solutions…'

Chapter 2 of the NPPF goes onto further state that objectives should:

'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…'

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

'…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.'

LP1 goes further and states:

'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 instance, it can be stated that the principle of development is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

Impact on visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

'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 significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

'a. the form, scale, layout and details of all development respects and enhances the character of the townscape..'

'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'

Regarding the proposed front porch is has been assessed that it would cause minimal harm to the visual amenity of the area as it would be constructed from materials to match the host property's simplistic design and the development would be small in scale. As such, this development would be considered to be visually acceptable in terms of design and scale.

In regards to the single storey extension, due to it being located on the rear of the property, it would be largely hidden from public view and would not impact the street scene. Additionally, comparable to the porch, the single storey extension would be constructed from materials to match the host property. As a result, the proposed single storey rear extension is also deemed acceptable in terms of scale and design.

In Summary, the proposed developments comply with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF therefore is satisfactory in terms of protecting visual amenity.

Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

'…maintain appropriate distances between buildings' and '…minimise impact on residential amenity of future and neighbouring occupiers'.

In regards to the proposed porch, due to the works being single storey and small in scale it has been considered that the neighbouring properties will not be unduly impacted in terms of overbearing or overshadowing. Additionally, the proposed porch does not incorporate any windows on its side elevations and the only opening within the porch would be the front door, therefore there are also minimal concerns in regards to compromising the privacy of the surrounding occupants.

Regarding the single storey rear extension, it is noted that the south east elevation will incorporate French doors that face no. 5 Peckett Close's rear garden; however, given that the extension would be single storey with a flat roof and set back approximately 3.82 metres from the shared boundary which is separated by a close boarded timber fencing, minimal concerns have been raised in terms of overbearing and overlooking.

Conclusively, for the reasons set out above, the proposal is considered to be acceptable in respect of residential amenity and complies with LP24 section B and C.

Impact on highway safety:

The proposed development relates to the erection of porch to the front of the property and single storey extension to rear, both in which would not interfere with any areas of parking or access. The provision of parking therefore remains unchanged, and as a result of this, there are no concerns regarding matters of highway safety in accordance with LP21 and LP22.

Other matters:

Biodiversity

It is recognised that the site is located within a bat alert area. Despite this, the existing dwelling appears to be well sealed and unlikely to have any bat roost potential.

Chapter 15 of the NPPF states that:

'*planning policies and decisions should contribute and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity…'*

In line with the NPPF, LP30 of the Kirklees Local Plan states that:

'development proposals will be required to result in no significant loss or harm to biodiversity in Kirklees'

To comply with Chapter 15 and LP30 of the Kirklees Local Plan, if any bats are to be found during the development, a note recommending that the advice of a licensed bat worker is to be sought and relayed onto the applicant via the decision notice in the interests of preserving biodiversity.

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.

Recommendation **Approve**

Decision Authorisation - Delegated Powers

Application Number: 2019/92786

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 LP24 of the Kirklees Local Plan.

NOTE: Due to the location and nature of the application site, a bat roost may 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	2018_21_02_C	1	28/08/2019
Existing Floor Plans and Elevations	2018_21_01	1	28/08/2019
Proposed Floor Plans and Elevations	2018_21_04_C	1	28/08/2019

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. There was no reason to contact the agent or applicant as the details were acceptable as submitted.

Report Dated: 30/09/2019