

**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: 2019/62/93821/W

Site Address: 24, Dryclough Avenue, Crosland Moor, Huddersfield,
HD4 5JU

Description: Erection of 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: 29-Jan-2020

Officer Report

Site Description

24 Dryclough Avenue is a large detached bungalow built mostly in brick with a substantial detached garage at the eastern side. Its main elevation faces north. It has a fairly large curtilage, mainly to the west and south, which is near-level without steep gradients. Surrounding development is of similar type.

Description of Proposal

The proposal is for the erection of a single-storey rear extension. It is to be the full width of the property and project 5.0m for the majority of its length with a flat roof, with the part nearer the garage to be 6.0m in projection with a double-pitched roof. It is to form a bedroom, dining room and lounge. Materials are to be brick and render with the pitched roof to be tiled.

History of negotiations/amendments received

None.

Relevant Planning History

None.

Representations

Final publicity date Expires: 02-Jan-2019

No representations have been made.

Consultation Responses

No consultations were deemed necessary.

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.

The proposal is not considered to raise access or other Equality Act considerations.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 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 is 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.

2 –Impact on visual amenity: Although the extension is relatively large and contains at least one non-matching design element (the flat roof), it is considered that as the bungalow is of modern appearance overall and the extension would be subordinate to it visually and in overall bulk and height, it would amount to an appropriate form of development that would be visually in keeping with its surroundings.

Approval should be subject to a condition that rendering is of an appropriate colour (white, off-white or a grey-brown colour).

It would therefore accord with the aims of LP24(a&c).

3 – Impact on residential amenity: At present the distance from the rear wall to be boundary varies between 10.4 and 10.7m. Once the proposed extension were built the distance would be, at its closest, about 4.4m.

In some situations this could be considered overbearing or perceived as leading to a loss of privacy. However, it is noted that the adjoining property has a very extensive rear garden so that it is over 30m from the common boundary to the rear elevation of no. 14 Foster Avenue. The extensions proposed are single-storey and there are evergreen shrubs on the boundary (on no. 14 Foster Avenue's side) which would obscure the outlook, and furthermore there is potentially the scope for building a very similar extension under permitted development rights. It is considered on balance that the proposed extension would have no significant impact upon the neighbouring property to the rear.

The proposed extension would have not significant impact upon the neighbouring property to the east side because the garage is in between them.

In conclusion, the development would conserve residential amenity and thereby accord with the aims of Policy LP24(b&c).

4 – Impact on highway safety: The proposed development would not affect existing access or parking arrangements. The increase in the amount of living accommodation might result in greater parking demand, but this is not deemed to be a cause for concern as the existing driveway plus associated hard-surfacing to the front would provide space for 3 cars to park. The proposal is therefore judged not to affect highway safety and to accord with the aims of LP21-22.

5 – Other matters:

Climate Change:

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target; however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects.

Since it is an extension to an existing dwelling in a sustainable location, it is considered on balance that the impact on carbon emissions would be relatively low and it would, in the circumstances, be disproportionate to require the developer to incorporate features to combat climate change. The large glazed openings in the southern elevation would capture solar gain and the extension, built to current Building Regulations, would assist in improving the thermal envelope of the existing building.

The proposed development is not considered to raise any further issues of material planning significance.

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: 2019/93821

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.

3. The external walling materials of the extension hereby approved, and the materials to be used on any new pitched roof, shall in all respects match those used in the construction of the existing building. The rendered parts of the extension shall be given a through-coloured or painted finish which shall be white, off-white, or a grey-brown colour to harmonise with the natural stone used on buildings in the vicinity of the site before the extension is first brought into use and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			25-Nov-2019
Existing plans and elevations	19-053-01		25-Nov-2019
Proposed plans and elevations	19-053-02		25-Nov-2019
Layout and location plan	19-053-03		25-Nov-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. The case officer did not undertake negotiations with the applicant since no amended or additional plans were considered necessary.

Report Dated:

29-Jan-2020