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:	2020/62/93048/W
Site Address:	24, York Avenue, Fartown, Huddersfield, HD2 2QT
Description:	Demolition of existing rear extension and erection of single storey rear extension
Recommending Officer:	Lucy Taylor

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: 17-Nov-2020

Officer Report.

Reference: 2020/93048

Location: 24, York Avenue, Fartown, Huddersfield, HD2 2QT

Proposal: Demolition of existing rear extension and erection of single storey rear extension.

Site Description.

24 York Avenue is a two storey semi-detached property located in Fartown, Huddersfield. The property is constructed from natural stone plinth with render above and has a grey marley roman tiled hipped roof. The site is located within a residential area with surrounding properties sharing similar styles of design and construction. This predominant style is of semi-detached properties with hipped roofs, constructed from stone.

Description of Proposal.

The proposal is seeking permission to demolish the existing extension to the rear of the house and add a new rear single storey extension.

Erection of New Rear Single Storey Extension:
The proposal is seeking permission for the erection a new single storey rear extension in place of a previously erected extension. The new rear extension will project 5 metres from the rear of the dwelling, a total of 2 metres further than the previous extension which is to be demolished. The width of the proposed rear extension is to be 6.10 metres which is only a minor increase on the width of the original rear extension. Finally, the maximum height of the rear extension is proposed at 3.6 metres, topped with a dual pitched roof.

The construction material proposed for the external walls of the extension is buff artificial stone, this will be in keeping with the property as a whole. The tiles on the pitched roof will be red single roman tiles and therefore, match those on the hipped roof on the dominant dwellinghouse.

In regard to fenestration, the rear extension will have glazing on the side elevation in the form of a window and glazed bi-fold doors which face the rear boundary of the application side. Both of which will be made from white PVC and therefore, match the existing materials and finishes on the dwellinghouse.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

Similar applications have been made to the site:

- **2019/90434** – *106 York Avenue* – Erection of single and two storey extension. *Granted in 2019.*
- **2018/93763** – *5 York Avenue* – Erection of single storey rear extension. Granted in 2018.
- **2018/90416** – *81 York Avenue* – Erection of two storey and single storey side and rear extensions. *Granted in 2018*.
- **2015/90437** – *68 York Avenue* – Erection of two storey side and single storey front and rear extensions. *Granted in 2015.*
- **2014/93786** – *79 York Avenue* – Erection of two storey side and single storey rear extensions. *Granted in 2014.*
- **2014/91873** – *61 York Avenue* – Erection of single storey rear extension. *Granted in 2014.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired 16th November 2020 – No representations were received.

Consultation Responses

No consultations were deemed necessary for this proposal.

Policy/Legislation.

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 in Unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **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 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 that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:
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

1. **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 state 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.”

In terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess the proposal, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle of development on the application site is acceptable and shall be assessed against other material planning considerations below.

2. **Impact on Visual Amenity:**

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

24 York Avenue is located in a residential area, with properties in the surrounding area sharing a similar style of design and construction. The predominant style of housing on York Avenue is semi-detached and the majority of the dwellings are faced with a mix of stone and render. Therefore, there is similarity within the streetscene of York Avenue, Fartown. In addition, it should be noted that, at present, the property has a rear extension in place and is seeking its removal for the erection of a new one. The proposed replacement rear extension is better designed and more in keeping with the architectural style of the dwelling; recognising that this will project further than the existing structure.

As the extension is single storey in height it is subservient when viewed against the two storey property and is not of an obtrusive height therefore, does not dominate the rear of the dwelling This takes into account it is a sizeable structure with a dual pitched roof. It is still of a simple design and would be within a generous curtilage. The use of artificial stone would harmonise, rather than match the rendered appearance of the rear of the property. This would be in keeping with the boundary wall. The roof material would likewise harmonise with the concrete roof tiles on the main roof. I have assessed the materials referred to on the plans as these differ from those on the application form. In addition, the fenestration details of the rear elevation are considered to be acceptable and in keeping with the host property and would not detract from the architectural style of the main dwelling.

Taking into account all of the above, it is considered that the proposed extension and alterations would comply with local, national and emerging policies in relation to design.

3. **Impact on Residential Amenity:**

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to "*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*"

The impact of the development on each of the surrounding properties will be assessed in turn.

- *22 York Avenue* – This property is located to the east of the boundary and adjoins the application site. Due to the projection and scale of the proposed single storey extension at 24 York Avenue it is unlikely to cause any undue overbearing or overshadowing with regard to this neighbouring property. This property also has a smaller rear extension which helps to reduce potential impact. In addition, there is boundary treatment in place on the side elevation between the two properties. This boundary treatment is in the form of a stone wall and fencing panels which will in turn, mitigate any negative impacts from the proposed extension at 24 York Avenue, in regard to both visual amenity and privacy from the proposed glazing.

- *26 York Avenue* – This property is located to the west of the boundary site. This property is located on a higher ground level than 24 York Avenue and therefore, in combination with the single storey scale of the proposed dimensions of the rear extension, no undue overbearing or overshadowing will be caused for this neighbouring property. In addition, a tall stone wall and fencing on the side elevation between the two properties will help to mitigate any potential impacts on privacy from the proposed glazing on the side elevation of the rear extension at 24 York Avenue.

In light of the above, the proposal is considered to have an acceptable impact on residential amenity.

4. Impact on highway safety

It has been acknowledged that there would be no further impact upon highway safety as the proposal is unlikely to intensify the domestic use at the property nor will it alter the existing parking arrangements. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

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 predates 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 case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures. However, it has been noted that the extension will be constructed from artificial stone, in which is considered to be a recyclable material.

6. Representations

No representations were received.

7. Conclusions

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: **2020/93048**
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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Evelvations	Ground floor plans	1	8/10/20
Grouped Plans and Elevations	First floor plans and rear elevations	1	8/10/20
Grouped Plans and Elevations	Side elevations	1	8/10/20
Grouped Plans and Elevations	Floor plans	1	14/9/20
Location Plan	-	1	14/9/20
Design and Access			14/9/20

Plan Type	Reference	Version	Date Received
Statement			

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 amended plans were sought or submitted for this application and therefore, no active engagement with the applicant took place.

Report Dated: 17/11/20