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**Report of the Head of Development Management****HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 15-Dec-2016****Subject: Planning Application 2016/93272 Erection of single storey rear extension with balcony over 677, Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3LD****APPLICANT**

Mrs N Hussain

**DATE VALID**

12-Oct-2016

**TARGET DATE**

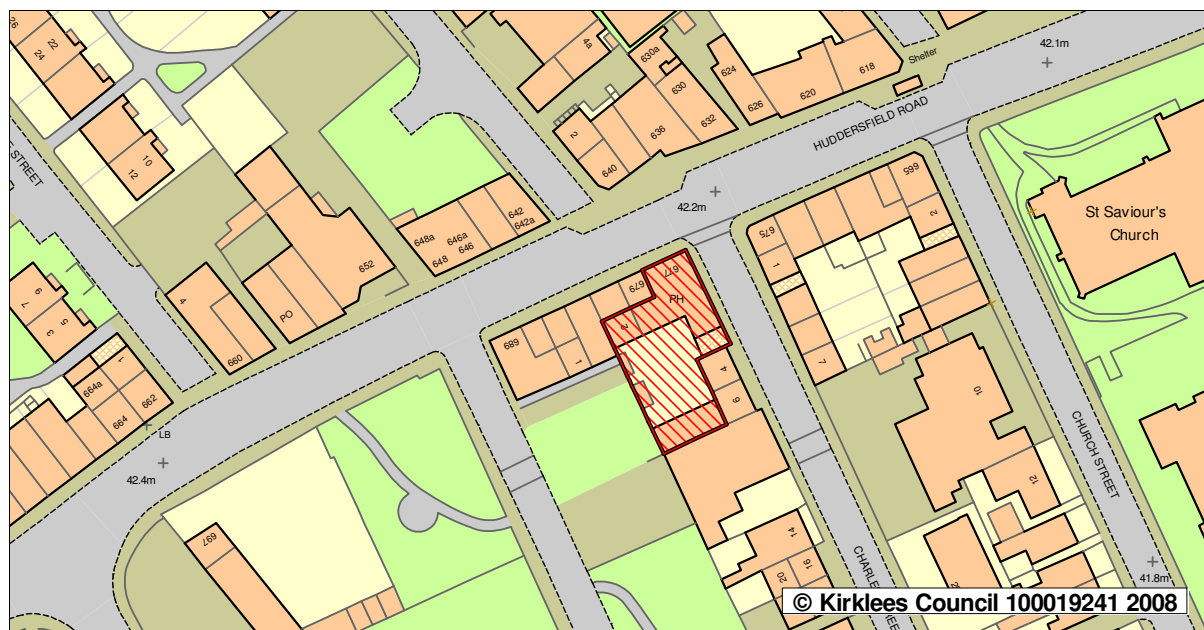
07-Dec-2016

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**

**Map not to scale – for identification purposes only**

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**Electoral Wards Affected:****DEWSBURY WEST**

NO

Ward Members consulted

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**RECOMMENDATION:**

**Grant conditional full planning permission subject to the delegation of authority to the Head of Development Management in order to complete the list of conditions contained within this report (and any added by the Committee).**

**1.0 INTRODUCTION:**

- 1.1 The application is reported to the Heavy Woollen Planning Sub-Committee as the applicant is Councillor Mumtaz Hussain. This is in accordance with the Council's Scheme of Delegation.
- 1.2 The design, scale and detailing of the extension to the rear with the balcony over is not considered to be harmful in terms of visual or residential amenity. As such, it is considered by officers that the scheme complies with Policies D2, BE1, BE13 and BE14 of the Kirklees Unitary Development Plan and the aims of chapter 7 of the National Planning Policy Framework.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site, no.677 Huddersfield Road, Ravensthorpe is a mixed use premises with a retail element on the ground floor to the road side of the building and a residential use for the rest of the property. The building itself fronts both Huddersfield Road and Charles Street with a courtyard area to the rear accessed through a passageway on Charles Street. Within the courtyard, which is in the ownership of the applicant, there is a large outbuilding and the area is paved between the main building and the outbuilding. The residential element has an existing two storey extension across part of the width of the dwelling. The submitted red line also includes 2 Charles Street which is a back to back property within the ownership of the applicant and it is intended to incorporate 2 Charles Street into the living arrangements of 677 Huddersfield Road.
- 2.2 There are other business/retail premises on the opposite corner of Charles Street and on Huddersfield Road. The adjoining property to the side and the

buildings on the other side of the passageway are residential properties. There are workshops to the rear of the courtyard on the other side of the outbuilding.

### **3.0 PROPOSAL:**

- 3.1 The applicant is seeking permission for a single storey extension to the rear of the combined property. The extension is proposed to project 3m from the original rear wall of the property and a balcony would be formed over with brick built walls and obscure glazed screening. The walls of the extension would be constructed using brick to match the existing.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 2006/92233 – alterations to vacant public house to form shop and two storey extension to living quarters – approved by committee 10/08/2006

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 None

### **6.0 PLANNING POLICY:**

- 6.1 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan will be published for consultation on 7th November 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council considers that, as at the date of publication, its Local Plan has limited weight in planning decisions. However, as the Local Plan progresses, it may be given increased weight in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved 2007) remains the statutory Development Plan for Kirklees.

#### Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- 6.2 **D2** – Unallocated land  
**BE1** – Design principles  
**BE13** – Extensions to dwellings (design principles)  
**BE14** – Extensions to dwellings (scale)  
**T10** – Highway Safety  
**T19** – Parking

Supplementary Planning Guidance / Documents:

6.3 None

National Planning Guidance:

6.4 National Planning Policy Framework.

Chapter 7 – Requiring good design

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application was advertised with a site notice and neighbour letters which expired 09/11/2016.

7.2 No representations have been received.

**8.0 CONSULTATION RESPONSES:**

**8.1 Statutory:**

None necessary

**8.2 Non-statutory:**

None necessary

**9.0 MAIN ISSUES**

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Other matters
- Proposed conditions

**10.0 APPRAISAL**

Principle of development

10.1 The site is unallocated within the Unitary Development Plan. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

These issues along with other policy considerations will be addressed below.

### Visual Amenity

- 10.2 The properties on Huddersfield Road are a mix of residential properties and business/retail premises with some variety in terms of design, age and style. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.
- 10.3 The scale of the extension is considered to be modest with its single storey nature and its limited projection. The materials proposed would be to match the host property and the neighbouring dwellings. The detailing of the windows would be similar to the existing openings. Although the scheme does include a balcony over, which would represent an unusual feature in the area, the views of this element would be limited. Therefore, the proposal is considered, by officers, to be acceptable in terms of visual amenity.
- 10.4 Having taken the above into account, the proposed extension and balcony would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policies D2, BE1, BE13 and BE14 of the UDP and the aims of chapter 7 of the NPPF.

### Residential Amenity

- 10.5 The neighbouring properties on Charles Street have no amenity space to the rear and have limited openings on their rear elevations none of which are habitable rooms. In light of the above, it is the opinion of officers that the proposed extension and balcony have no potential to cause harm to the amenities of the occupiers of the neighbouring 4 & 6 Charles Street.
- 10.6 The adjoining neighbour, 683 Huddersfield Road does occupy a position further back with a 1m difference between the rear elevations of the neighbour and the host property. Furthermore, the neighbour occupies an elevated position relative to the host property. Given the relationship between the dwellings together with the single storey nature of the extension, it is considered that there would be no significant harm caused to the amenities of the adjoining neighbour. The balcony does include obscure glazed screening which would reduce the potential for overshadowing when considered with the limited 2m projection past the neighbours rear elevation. The proposed obscure screening would prevent any loss of privacy to these neighbouring occupants.
- 10.7 There are no dwellings directly to the rear which could be affected by the proposed extension and balcony.
- 10.8 Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with policies D2, BE1 and BE14 of the UDP.

### Highway issues

- 10.9 The proposals would result in some intensification of the domestic use. However the parking area within courtyard of the property does have the capacity to host more than 3 vehicles off road. This is considered to be a sufficient provision and therefore the scheme would not represent any additional harm in terms of highway safety, complying with policies D2, T10 and T19 of the UDP.

### Other Matters

- 10.10 There are no other matters considered relevant for consideration.

### Proposed conditions

- 10.11 Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.
- 10.12 Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.
- 10.13 Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

## **11.0 CONCLUSION**

- 11.1 This application to erect a single storey extension with a balcony over to the rear of 677 Huddersfield Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.
- 11.2 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.
- 11.3 As set out above, 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.

**12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development Management)**

**It is proposed that the following planning conditions would be included should planning permission be granted:**

1. Time limit – 3 years
2. Plans to be approved
3. Wall and roofing materials to match the existing building

**Background Papers:**

Application and history files.

*Planning application:*

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2f93272>

*History file:*

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2006%2f92233>

Certificate of Ownership –Certificate A signed 26 September 2016