
Report of the Head of Strategic Investment

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 17-Aug-2017

Subject: Planning Application 2017/92152 Erection of dwelling forming annex accommodation associated with 20, Bywell Close, Dewsbury, WF12 7LW 20, Bywell Close, Dewsbury, WF12 7LW

APPLICANT

P Kane

DATE VALID

22-Jun-2017

TARGET DATE

17-Aug-2017

EXTENSION EXPIRY DATE

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

Electoral Wards Affected: Dewsbury East

No

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

1.1 The application is brought to the Heavy Woollen Planning Sub Committee for determination because the applicant is Councillor Paul Kane. This is in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

2.1 The application site occupies a corner plot on Bywell Close. The existing host dwelling, no.20 Bywell Road, is a semi-detached bungalow with accommodation in the roof space, similar in character to the neighbouring dwellings on Bywell Close. The property has a driveway to the front and enclosed garden to the side and rear, in addition to a detached garage adjacent to the dwelling.

2.2 The dwelling is located within an established residential area of suburban character and is located approximately 1km north east of Dewsbury Town Centre.

3.0 PROPOSAL:

3.1 Permission is sought for the erection of a single storey building to form annex accommodation associated with the existing dwelling. This would be located to the side (south) of the dwelling, externally faced in brickwork with concrete tiled roof to match the appearance of the existing dwelling. The development would comprise of an open plan lounge and kitchen area, one bedroom and shower room.

3.2 The existing garage would be demolished as part of the proposals, and one parking space is proposed to the front of the building. The driveway to the existing dwelling would be retained to provide two off street parking spaces.

4.0 RELEVANT PLANNING HISTORY:

4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Since submission of the application, amended plans have been received indicating a change to the roof design and fenestration details. An additional sectional plan has also been received which demonstrates the relationship between the proposed development and neighbouring dwelling, No.22 Bywell Close.

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 was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined 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 Policies 2007) remains the statutory Development Plan for Kirklees.

- 6.2 The application is unallocated on the UDP Proposals Map.

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

- **D2** – Unallocated Land
- **BE1** – General Design Principles
- **BE2** – Quality of Design
- **BE12** – Space about Buildings
- **T10** – Highway Safety
- **T19** – Parking Standards

6.4 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

The site is without allocation or designation in the publication draft local plan.

PLP1 – Presumption in favour of sustainable development

PLP2 – Place shaping

PLP21 – Highways and access

PLP24 – Design

6.5 National Planning Guidance:

Chapter 6 – Delivering a wide choice of high quality homes

Chapter 7 - Requiring Good Design

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was publicised by site notice and neighbour notification letter. No representations have been received as a result of publicity.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C. Highways Development Management: No objection - Sufficient parking would be retained on site to serve both the existing dwelling and the proposed annex.

8.2 Non-statutory:

None necessary

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Representations
- Other matters
- Conclusion

10.0 APPRAISAL

Principle of development

- 10.1 The site has no specific allocation in the UDP. Policy D2 of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment. Subject to these not being prejudiced, this aspect of the proposal would be acceptable in principle in relation to policy D2.

Urban Design issues

- 10.2 Policies BE1 and BE2 of the UDP are considerations in relation to design, materials and layout. The layout of buildings should respect any traditional character the area may have. New development should also respect the scale, height and design of adjoining buildings and be in keeping with the predominant character of the area. Chapter 7 of the NPPF emphasises the importance of good design.
- 10.3 The proposed development would be constructed of materials which are sympathetic in appearance to those of the host building, and by virtue of its single storey scale and appropriate design, would not detract from the character of the street scene. Furthermore, the development would not extend beyond the established building line to the north. The application site is of adequate size to accommodate the proposal without amounting to overdevelopment.

- 10.4 The proposed dwelling to form annex accommodation is considered to be acceptable from a visual amenity perspective and would comply with the aims of policies D2, BE1, and BE2 of the UDP as well as Chapter 7 of the NPPF.

Residential Amenity

- 10.5 The application site is surrounded by other residential properties and the proposals would bring development close to the shared boundary with no.22 Bywell Close. This adjacent dwelling has a detached garage to the side which would partially screen the development from that property. In addition, the submitted section drawing indicates that the ridge line of the proposed building would not extend above the cill of the bedroom window within the gable of no.22. For these reasons, Officers consider that the proposal would not have an overbearing impact upon the residential amenity of occupiers of no.22.
- 10.6 The proposed development would be sited to the east of no.22 and as a result of this orientation and the single storey scale of the building, there would be no significant impact from overshadowing. With regard to overlooking, there is only one small window, which would serve the WC/shower facing towards this neighbouring property – this window is proposed to be obscure glazed and would therefore result in no loss of privacy to these neighbouring occupants.
- 10.7 With respect to the impact of the development upon other neighbouring properties to the south and east, adequate separation distances would be achieved between the new building and these dwellings, which would ensure that there would be no loss of privacy, overshadowing, or overbearing impact.
- 10.8 For the reasons set out above, the proposals would not impact unduly upon the residential amenity of any surrounding occupants, and would accord with the aims of Policies D2 and BE12 of the UDP.

Highway issues

- 10.9 The application site is located on a residential estate road and the existing dwelling has the benefit of a driveway to the front, in addition to a detached garage. The proposals would involve the removal of the existing garage although adequate off street parking provision would be retained to serve both the existing dwelling and proposed development. The proposal is not considered to materially add to any highway safety or efficiency issues, in accordance with the aims of Policies T10 and T19 of the UDP.

Representations

- 10.10 None received

Other Matters

- 10.11 There are no other matters considered relevant to the determination of this application.

11.0 CONCLUSION

- 11.1 The proposals would have no detrimental impact on residential or visual amenity, highway safety or the character of the area. 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.
- 11.2 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 Strategic Investment)

1. Time limit (3 years) for implementation of development.
2. Development to be carried out in accordance with approved plans and information.
3. Facing and roofing materials to match those on the host dwelling.
4. Permitted Development Rights removed for additional openings.

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92152>

Certificate of Ownership - Certificate A signed and dated 21 June 2017.