
Report of the Head of Strategic Investment**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 04-Oct-2018****Subject: Planning Application 2018/92395 Erection of two storey and single storey rear extension Chellow House Cottage, Chellow Terrace, Birkenshaw, BD11 2PB****APPLICANT**

M Wilby

DATE VALID

23-Jul-2018

TARGET DATE

17-Sep-2018

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: Birstall and Birkenshaw

No

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report (and any added by the Committee)

1.0 INTRODUCTION:

- 1.1 This application is brought to the Heavy Woollen Planning Sub Committee for determination because the applicant is employed by Kirklees Council as part of the Directors Group. This is in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

- 2.1 Chellow House Cottage is a detached, rendered, two storey dwelling with a small garden area to the front, an existing attached garage to the rear and a rear yard area with vehicular access and parking.
- 2.2 The property is located in a residential area with a mix of house types in terms of age, style and use of materials.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for a single and two storey rear extension.
- 3.2 The extension would be set back 1m from the west, project an initial 1.8m, step in 1m and step out for another 5m with a total projection of 6.8m. The extension on the ground floor would have a width of 11.2m, reducing at first floor to 7.1m. The two storey element would have a perpendicular pitched roof form for the most part with a small sliding section of the 1.8m element and the single storey element would have a flat roof form with lanterns.
- 3.3 The walls of the extension are proposed to be constructed using blockwork and render with tiles for the roof covering.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 None

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 None required

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 Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). 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 (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 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

Kirklees Publication Draft Local Plan (PDLP):

6.3 **PLP1** – Presumption in favour of sustainable development
PLP2 – Place shaping
PLP21 – Highway safety and access
PLP24 – Design

National Planning Policy Framework (NPPF):

6.4 **Chapter 12** – Achieving well-designed places

7.0 PUBLIC/LOCAL RESPONSE:

7.1 As a result of the statutory publicity, no representations have been received.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

None

8.2 Non-statutory:

None

9.0 MAIN ISSUES

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Representations
- Other matters

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).

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

Visual amenity

- 10.3 The property is located within a residential area with a diverse range of properties in terms of age, style, size and materials. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.
- 10.4 The proposed extension to the rear of the dwelling is larger than would normally be supported. However, there are mitigating factors which are very specific to this site which would justify such a large extension. These are set out below.
- 10.5 The position of the property relative to the neighbouring dwellings with the adjacent properties to each side extending beyond the level of the host property is such that visibility of the proposed extension in the wider area would be minimal. Furthermore, the use of matching materials and detailing for the bulk of the extension would form an acceptable relationship with the main house. As such, and on balance, because of the unique circumstances of the site, the extension is considered to be acceptable in terms of its scale.
- 10.6 It is noted that the single storey element does have a flat roof form which would not generally represent good design. Although, in this instance, given the single storey nature of the extension and the contemporary styling, this element of the scheme can be considered to be acceptable in terms of visual amenity.

- 10.7 Having taken the above into account, the proposed single and two storey extension to the rear of Chellow House Cottage 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, Policy PLP24 of the PDLF and the aims of chapter 12 of the NPPF.

Residential Amenity

- 10.8 *Impact on 3 Chellow Terrace:* The extension proposed is substantially larger than would normally be supported in terms of policy BE14 of the UDP. However, the side elevation of the adjacent neighbour aligns with the rear yard and the garage of the host property. This elevation is blank and there is no private amenity space to the side of the neighbouring dwelling. The extension would therefore cause no harm to the amenities of the occupiers of the adjacent 3 Chellow Terrace.
- 10.9 *Impact on 84 Kingsley Drive:* As noted previously, the projection of the proposed extension is larger than would normally be supported in terms of policy BE14. However, the side elevation of the adjacent neighbour aligns with the rear yard of the host property with no private amenity space to the side of the neighbour. It is noted that there are two windows in the side elevation of the neighbouring property. The first floor window appears to serve a landing area and the ground floor window appears to serve as a secondary window, neither of which are considered to be habitable room windows. Furthermore, the width of the extension is reduced at first floor away from the adjacent 84 Kingsley Drive. The extension is therefore unlikely to cause any significant harm to the amenities of the occupiers of the adjacent 84 Kingsley Drive.
- 10.10 Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenities of any surrounding neighbouring occupants, thereby complying with Policies D2, BE1 and BE14 of the UDP as well as Policy PLP 24 of the PDLF.

Highway issues

- 10.11 The proposals will result in some intensification of the domestic use and the loss of the existing garage. However, the property has a parking area to the rear of the property and the scheme includes a replacement garage which can be considered to represent a sufficient off road parking provision. The scheme would not represent any additional harm in terms of highway safety and therefore complies with policies D2, T10 and T19 of the UDP and Policy PLP22 of the PDLF.

Representations

- 10.12 No representations have been received in connection with this application

Other Matters

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

11.0 CONCLUSION

- 11.1 This application for single and two storey extensions to the rear of Chellow House Cottage 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.
- 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. This application has been assessed against relevant policies in the development plan and other material considerations.

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

1. Timeframe for implementation of development (3 years)
2. Development in accordance with the submitted plans and specification(s)
3. External walls and roofing materials to match those used on the existing dwelling.

Background Papers:

Link to the application details:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f92395>

Certificate of Ownership –Certificate A signed and dated 20/07/2018.