
Report of the Head of Strategic Investment**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 20-Dec-2018****Subject: Planning Application 2018/93686 Erection of single storey front and two storey side and rear extensions and outbuilding 7, Church Walk, Staincliffe, Batley, WF17 7DG****APPLICANT**

F Loonat

DATE VALID

08-Nov-2018

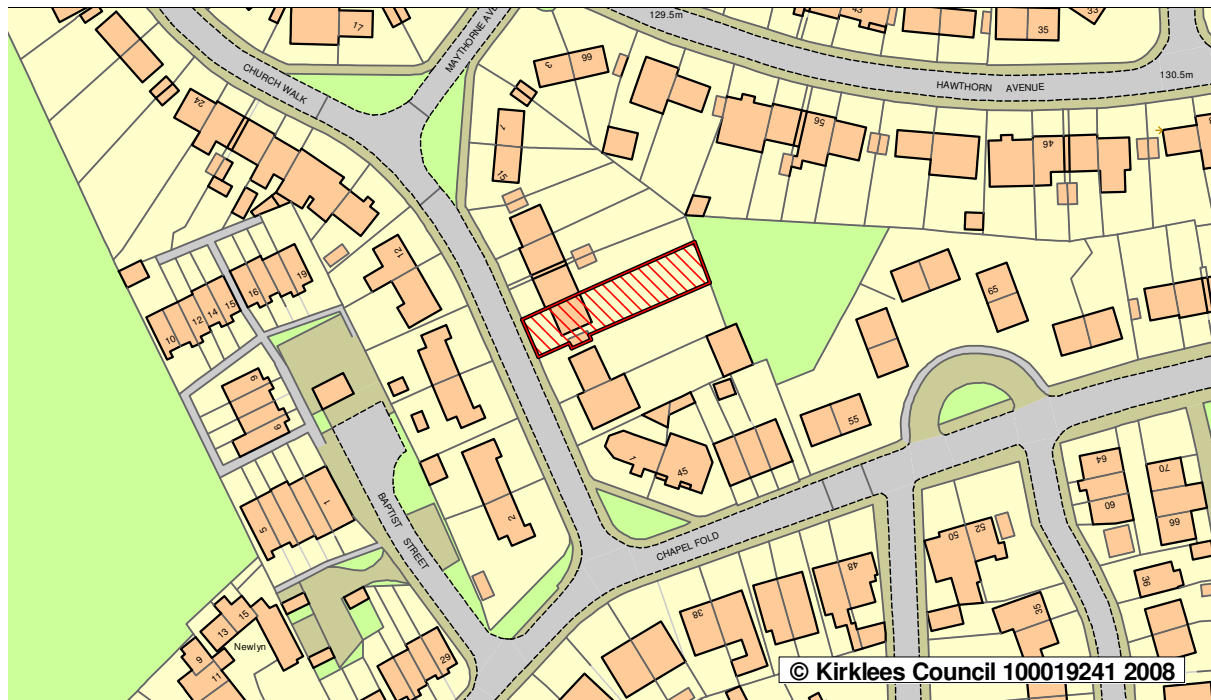
TARGET DATE

03-Jan-2019

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: Batley West

N

Ward Members consulted

RECOMMENDATION:

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

1.0 INTRODUCTION:

- 1.1 This application is brought to the Planning Committee as the applicant is an elected member of Kirklees Council.
- 1.2 This is in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

- 2.1 7 Church Walk, Staincliffe, Batley is a red brick two storey end terraced property with a garden and driveway to the front, outbuilding to the side, and a larger enclosed garden to the rear of the property.
- 2.2 The surrounding area is residential with similarly aged dwellings some of which have been extended and altered.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for the erection of a single storey front extension, two storey side extension, two storey rear extension and erection of a detached outbuilding.
- 3.2 The single storey front extension is proposed to project 1.5m from the original front wall of the dwelling and would extend across the width of the property including to the front of the proposed two storey side extension. The structure would be solid in front of the original house and canopy style in front of the proposed side extension with a lean to roof form.
- 3.3 The proposed two storey side extension is proposed to project 2.7m from the original side wall of the dwelling and would extend the full depth of the dwelling with a roof form to match the main house in terms of style and height.

- 3.4 The rear extension is proposed to project 3m from the original rear wall of the dwelling and would extend across the width of the property including to the rear of the proposed side extension with a perpendicular pitched roof form.
- 3.5 The proposed outbuilding would be situated at the rear most portion of the back garden with a width of 8.9m and a depth of 5m with an eaves height of 2.5m and an overall height of 3.6m. The roof form would be pitched.
- 3.6 The walls of the extensions and outbuilding are proposed to be constructed using brick with tiles for the roof coverings.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 None in relation to the application site however, there are similar extensions evident within the immediate vicinity which are as follows:
- 4.2 5 Church Walk
2018/90512 – Erection of first floor extension - Approved
2017/91422 – Erection of extensions – Approved
2017/90434 – Prior notification for single storey rear extensions – NANR (not required)
- 4.3 3 Church Walk
2009/92739 – Erection of front, side and rear extension – Approved
2004/90181 – Erection of single storey extension to front and 2 storey extensions to side and rear - Approved

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

- 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).

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 **PLP 1** – Achieving sustainable development
PLP 2 – Place shaping
PLP 22 – Parking
PLP 24 - Design

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The plans were advertised by site notice and neighbour letters. No comments were received as a result of site publicity.

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 host property is located within a residential estate of similarly aged properties although a number of the dwellings have been extended and altered. The extension of the property may be acceptable subject to an assessment of the design, scale and detailing of the proposals.
- 10.4 The proposal under consideration consists of four elements which shall be addressed below.

Single storey front extension

- 10.5 Policy BE14 does make provision for extensions to the front of residential properties. Given the limited projection of 1.5m together with the single storey nature of the front extension, the proposal is considered to be acceptable in terms of scale. The proposed materials of construction of the extension would match those used in the construction of the host building and the detailing can be considered to form an appropriate relationship with the main house. As such, the single storey front extension can be considered to be acceptable in terms of visual amenity.

Two storey side extension

- 10.6 The host property and its associated curtilage are of a sufficient size to support the proposed side extension without amounting to overdevelopment of the site and there would be a reasonable degree of amenity space retained. It is acknowledged that the proposed side extension is designed with front elevation and ridge line flush with the front elevation and ridge line of the original dwelling, however there are many examples of similar such development within Church Walk including a recently complete side extension to the adjacent 5 Church Walk approved under 2017/91422. Furthermore, the host property would retain a section of the existing outbuilding which would provide a separation of approximately 1m between the extension to the side of the neighbouring property and the proposed two storey side extension; thereby reducing the possibility for the formation of an undesirable terracing effect. The materials proposed include red brick for the walling and tiles for the roof covering which would match those used in the construction of the host dwelling and the detailing will form an acceptable relationship with the host property. As such, the two storey side extension can be considered to be acceptable in terms of visual amenity.

Two storey rear extension

- 10.7 The host property and its associated curtilage are of a sufficient size to support the proposed rear extension without amounting to overdevelopment of the site and the property does benefit from a long rear garden which is considered to represent a reasonable amenity space. The materials proposed would match those used in the construction of the host dwelling and the detailing is considered to be likely to form an appropriate relationship with the host property. As such, this element of the scheme can be considered to be acceptable in terms of visual amenity.

Detached outbuilding

- 10.8 The proposed outbuilding would cover a small proportion of the rear garden and even when considered with the other elements of the proposed development, would not amount to overdevelopment of the site. The materials proposed would match those used in the construction of the host dwelling and the detailing is considered to be acceptable. As such, the proposed outbuilding is considered to be acceptable in terms of visual amenity.

- 10.9 Having taken the above factors into account, the proposed extensions and outbuilding 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, BE2, BE13 and BE14 of the UDP, Policy PLP24 of the PDLP and the aims of Chapter 12 of the NPPF.

Residential Amenity

- 10.10 There are no properties located directly to the rear of the dwelling which could be affected by the proposed works to 7 Church Walk.

Impact on 5 Church Walk

- 10.11 Given the limited scale of the front extension, there would be no harm caused to the amenities of the occupiers of the adjacent property.
- 10.12 The proposed side extension would reduce the space between the properties. However, the adjacent neighbour has built their own extension to the side with no openings in their facing side elevation. As such, the proposed side at No.7 extension would have no significant impact upon the amenities of the occupiers of the adjacent 5 Church Walk.
- 10.13 The rear extension would be close to the common boundary with the adjacent property. However, the projection of the extension is limited to 3m in line with guidance set out within Policy BE14 of the UDP and the roof form would be a pitch which would take the vertical emphasis up and away from the neighbouring property. Furthermore, the neighbouring dwelling is set in approx. 2.5m from the extension. As such, the extension would have no significant impact upon the amenities of the occupiers of the adjacent 5 Church Walk.
- 10.14 The outbuilding would be situated at the rear most extent of the garden and is a single storey structure which would have no significant impact upon the adjacent property.

Impact on 9 Church Walk

- 10.15 Given the limited scale of the front extension, there would be no harm caused to the amenities of the occupiers of the adjoining property.
- 10.16 The proposed side extension would be located on the opposite side of the dwelling to the adjoining property and as such would have no significant impact upon the amenities of the occupiers of the adjoining 9 Church Walk.
- 10.17 The rear extension would be constructed along the common boundary with the adjoining property and would have the potential to form an overbearing and oppressive impact. However, the projection is limited to 3m in line with guidance set out within Policy BE14 and the roof form would be a pitch which would take the vertical emphasis up and away from the neighbour. As such, the extension would have no significant impact upon the amenities of the occupiers of the adjoining 9 Church Walk.
- 10.18 The outbuilding would be situated at the rear most extent of the garden and is a single storey structure which would have no significant impact upon the adjacent property.

Impact on 6 & 8 Church Walk

- 10.19 The limited scale of the front extension together with the position and proportions of the side extension, there would be no significant impact on the properties on the opposite side of the road.
- 10.20 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, BE2, and BE14 of the UDP as well as Policy PLP24 of the PDLP.

Highway issues

- 10.21 The proposals will result in some intensification of the residential use of the site. However the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. The scheme would not represent any additional harm in terms of highway safety and as such complies with Policies D2, T10 and T19 of the UDP and Policy PLP22 of the PDLP.

Representations

- 10.22 None received.

Other Matters

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

11.0 CONCLUSION

- 11.1 This application for single & two storey extensions to the rear of 7 Church Walk 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 Development Management)

1. Timescale for implementation
2. Development to be carried out in accordance with approved plans
3. Materials

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f93686>

Certificate of Ownership –Certificate B completed due to position of boundary

5 Church Walk

2018/90512 – Erection of first floor extension

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f90512>+

2017/91422 – Erection of extensions

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f91422>+

2017/90434 – Prior notification for single storey rear extensions

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f90434>+

3 Church Walk

2009/92739 – Erection of front, side and rear extension

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2009%2f92739>+

2004/90181 – Erection of single storey extension to front and 2 storey extensions to side and rear

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2004%2f90181>+