
Report of the Head of Development Management

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 08-Dec-2016

Subject: Planning Application 2016/92180 Erection of two storey extension to side and rear. 82, Heaton Road, Paddock, Huddersfield, HD1 4JB

APPLICANT

Imran Saleem

DATE VALID

09-Aug-2016

TARGET DATE

04-Oct-2016

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: Greenhead

Ward Members consulted

No

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 This application is reported to Sub-Committee as the applicant is related to a member of staff who works in Investment and Regeneration. This is in accordance with the delegation agreement.

2.0 SITE AND SURROUNDINGS:

- 2.1 82 Heaton Road, Paddock is a semi-detached property located close to the junction of Heaton Road with Fir Road. To the north east is a terraced row of 4 properties. No 80, adjacent the application site, has a single storey rear extension. This property is close to the shared boundary with No 82 where the ground level is at a higher level than No 82 Heaton Road.
- 2.2 The host property is faced in stone to the ground floor with render to the first floor and has a hipped roof. Whilst forming a semi-detached property it is no identical to the attached no. 84. No. 82 is half the depth of its neighbour with a small gable for the side elevation facing towards the adjacent terrace property. The unique relationship of nos. 82 and 84 is highlighted in the 'red line' application site plan. This indicates that to the rear of the property there are a couple of flat roofed extensions/outhouses, with the rear outhouse owned by No 84. These are in line with the rear elevation of No 84.
- 2.3 It is understood that the pair of properties are within the ownership of the same family and are currently internally linked using the same kitchen. However the proposal is for no.82 only. To the right of the property there is a single width drive accessed from Heaton Road which appears to serve both properties which extends to the rear boundary.

3.0 PROPOSAL:

- 3.1 The proposal is to demolish the existing single storey rear extensions and build a new two storey extension. This would extend across the rear of the property to a point 0.5m off the north eastern boundary with no. 84, a total width of approximately 7.1m. The depth of the extension would be just over 5.7m. Extending over the existing drive the extension would provide a kitchen and carport at ground floor level. The first floor, which would be partly supported by piers, would provide a bedroom with en-suite bathroom and walk in wardrobe. The extension would be set back around 4.5m from the front elevation of the property.
- 3.2 The external appearance of the extension is a simple gabled structure with an overall height of approx. 6.5m. It would have windows in the front and rear elevations, with a blank gable facing no. 84. The application form sets out that this would be faced in 'brick' with a 'slate' roof.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Various requests have been made with the agent to submit plans which clearly show accurate details of both the existing property and the proposed extension. This has partly arisen because of the complexity of the relationship between nos. 82 and 80. Further amendments have also been requested, and submitted, to simplify the front elevation of the side extension by having a square arch to the car port feature and removing a large window with Juliet balcony together with a block plan to clearly show the position of the extension in relationship to the boundary. The amendments have also simplified the scale of most drawings to 1:100.

6.0 PLANNING POLICY:

- 6.1 The Council's Local Plan has been 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 (adopted 1999) remains the statutory Development Plan for Kirklees.

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

D2 – unallocated land
BE1 - Design principles
BE2 – Quality of design
BE13 – Extensions to dwellings (design principles)
BE14 – Extensions to dwellings (scale)
T10 - Highways

6.4 National Planning Policy Framework.

NPPF Requiring good design (Chapter 7)

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The Council has advertised the application by site notice /neighbour letters which expired on 22.9.2016. The adjacent neighbour was also notified by letter of the amended plans on 8.9.16. This is in line with the Council's Development Management Charter.

2 letters of representation have been received from the adjacent neighbour, received in respect of the original proposal and the first set of amendments. The concerns raised are summarised below:-

- The proposal is overly dominant and has an adverse impact on the amenity of our property (80 Heaton Road).
- Whilst the side extension is set back from the front elevation of the house it is the same height as the main roof rather than set down. It will create an overly dominant addition.
- side extension measures more than 3.3m in width and is offset from the common boundary with No. 80 by an inadequate distance of 500mm
- The two storey side extension has a depth of almost 6m and this massing so close to the boundary is unacceptable.
- The extension would lead to a loss of sunlight to a side window in no 80 from midday onwards, this will have an adverse impact on amenity (photographs provided).
- Proposed first floor balcony is an alien feature to the front of the property and streetscene. The scale of this window its failure to align with other windows means the shape and form of the side extension is at odds with the rest of the property.
- The proposed balcony would harm the paired appearance of the semi-detached properties which are relatively stone and rendered properties of traditional design.

- The overall design appears to maximise internal space with little regard given to the design and character of the host dwelling and the wider streetscene. The extension does not create a subservient addition.
- The proposed extension is not in context and would have an overly dominant impact on my property, and the streetscape as such should be refused.
- Member of staff related to the applicant, and given this would like to ensure that there is no involvement with this planning application
- The plans are unclear. They are at insufficient scale and clarity to clearly see the extent of the proposal. Would prefer to see them at a scale of 1:100 and for committee members to visit the site.

7.2 The above issues have been discussed over the phone with the objector. Plans have been requested with dates and number, along with a block plan. Also her side window which is clear glass is a secondary window to her sun room.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:** There were no statutory consultees.

8.2 **Non-statutory:** There were no non - statutory consultees.

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 without notation on the UDP Proposals Map and Policy D2 (development of land without notation) 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.

- 10.2 The general principle of making alterations to a property is assessed against Policies BE1, BE2, BE13 and BE14 of the Unitary Development Plan and advice within Chapter 7 of the National Planning Policy Framework regarding design. Highway safety issues will be considered against Policy T10 of the UDP. All these require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

Visual amenity

- 10.3 The proposed extension would result in a significant addition to the host dwelling. No. 82 is a small property adjoined by a complicated arrangement to no. 84. The extension would remove a series of structures to the rear and simplify this arrangement with the erection of a single gabled extension matching the ridge height of the existing roof. From Heaton Road this would appear as a projection to the side of the property extending to a point some 500mm from the shared boundary with no. 80. This adjacent dwelling is set on rising land and there is 2m gap between its side wall and the shared boundary. This means there would be no potential for a terracing effect to occur.
- 10.4 The extension, whilst matching the ridge height of the main property, is set back from the front elevation and a considerable distance from the road. The amended plans have removed a large window and Juliet balcony from the first floor front elevation and an arched feature to the car port. The first floor window would now match the pattern of fenestration in the main house and the square opening of the car port has significantly lessened its prominence. The side and rear elevations are not visible from public viewpoints but notwithstanding this the general form and appearance are considered acceptable. Subject to the use of matching materials, (comprising coursed stone to the ground floor, render to the first floor and red coloured flat profiled tiles for the roof) it is considered that the proposal as amended has overcome the visual harm of the original scheme. The simplified design of the extension would now acceptably harmonise with the principal dwelling, no. 84 and the general pattern of development in the streetscene. Although matching the ridge height of the dwelling the significant set back of the front elevation and the fact that no. 80 next door is on higher ground further reduce the prominence of the mass. This would comply with Policies D2, BE1, BE2, BE13 and BE14 of the UDP and Chapter 7 of the NPPF. In combination and amongst other matters, these policies seek to secure development which is appropriate in townscape terms; the first requiring development to be of good quality design such that it contributes to a built environment which 'creates or retains a sense of local identity' and is 'visually attractive'.

Residential Amenity

- 10.5 The adjacent property at no. 80 Heaton Road would be affected by this proposal. The two-storey extension would be sited around 0.5m from the shared boundary with this property and within 2.5m of a window serving a single storey extension to this property. The window currently has an open

aspect to the south west, across no. 82, which would be lost. Rather this window would look towards the car port with the side wall of the bedroom above. Sunlight to the window would be lost from around midday to late afternoon/evening. Whilst this is a material consideration this is balanced against site observations where it appears this window is a secondary opening to the room it serves. The rear extension to no. 80 incorporates French windows to the rear elevation which would retain an open aspect to the rear garden of this property. This part of the dwelling projects beyond the rear elevation of the proposed extension. There are no other windows in the side elevation of no. 80, all other openings are to the front and rear elevations. Given this it is considered, on balance, that the extension would not have an unduly prejudicial impact on the amenities of no. 80 Heaton Road by reason of loss of light and outlook to this window.

- 10.6 The extension would project approximately 2m beyond the original rear elevation of no. 80 Heaton Road which would lead to an oblique loss of outlook and light to first floor windows. However given the limited projection, the separation between these windows and the extension (around 2.5m) and the fact that no. 80 is on rising land the impact is not considered undue.
- 10.7 Policy BE14 of the UDP sets out that, on closely spaced dwellings (such as semi-detached dwellings), extensions to the rear should not exceed 3.0m in overall projection. In this instance, the extension would extend 5.7m at the rear of No 82, but this does not extend beyond the rear elevation of No 84 and would not have a material impact on the amenities enjoyed by occupants of this property. Whilst it would project 2m beyond the rear elevation of no 80 the impact of this, as previously set out, is not considered undue.
- 10.8 In assessing the application it has been acknowledged that most planning approvals are likely to interfere to some extent, with adjoining/adjacent occupier's enjoyment of their property. However, the test is whether this is proportionate balancing the rights of the developer to develop and the rights of those affected by the development. In this instance it is considered that undertaking this balancing exercise the impact of the development would be acceptable. The proposal is deemed to comply with Policies BE14 and D2 of the UDP and core planning principles of the NPPF in regards to residential amenity.

Highway issues

- 10.9 In terms of highway safety the property currently benefits from off-street parking for 4 cars. The application is shown with a carport for the side extension which will retain the parking albeit restricting the width in part. However if the carport was unused there would still be sufficient parking for 2 cars to the front of the extension. The development complies with Policies D2 and T10 of the UDP.

Representations

10.10 The objections received insofar as they have not been addressed in the report above.

10.11 Member of staff related to the applicant, and given this would like to ensure that there is no involvement with this planning application.

Response: the Council's delegation agreement requires planning applications submitted by relatives of Investment and Regeneration staff to be reported to sub-committee for determination. The case officer is not related to the applicant and members will visit the application site as part of the sub-committee process.

10.12 The plans are unclear. They are at insufficient scale and clarity to clearly see the extent of the proposal. Would prefer to see them at a scale of 1:100 and for committee members to visit the site.

Response: the amended plans have been submitted at a scale of 1:100. Committee members will visit the site as part of the sub-committee process.

11.0 CONCLUSION

11.1 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, in particular the impact on No 80 Heaton Road. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS

1. The development hereby permitted shall be begun within three years of the date of this permission.

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.

3. Notwithstanding the details indicated on the application form the walling and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building. This shall comprise coursed natural stone to the ground floor, render to the first floor and red flat profiled tiles for the roof covering.

Background Papers:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2f92180>

Certificate of Ownership – Certificate B signed:

Notice served on:

Mr Mohamed Salim 84 Heaton Road Huddersfield HD1 4JB 28th June 2016
Mrs Shan Akhtar 84 Heaton Road Huddersfield HD1 4JB 28th June 2016

