
Report of the Head of Strategic Investment**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 28-Sep-2017****Subject: Planning Application 2017/91900 Erection of front and rear dormers
120, Savile Road, Savile Town, Dewsbury, WF12 9LP****APPLICANT**

Nazir Musa

DATE VALID

05-Jun-2017

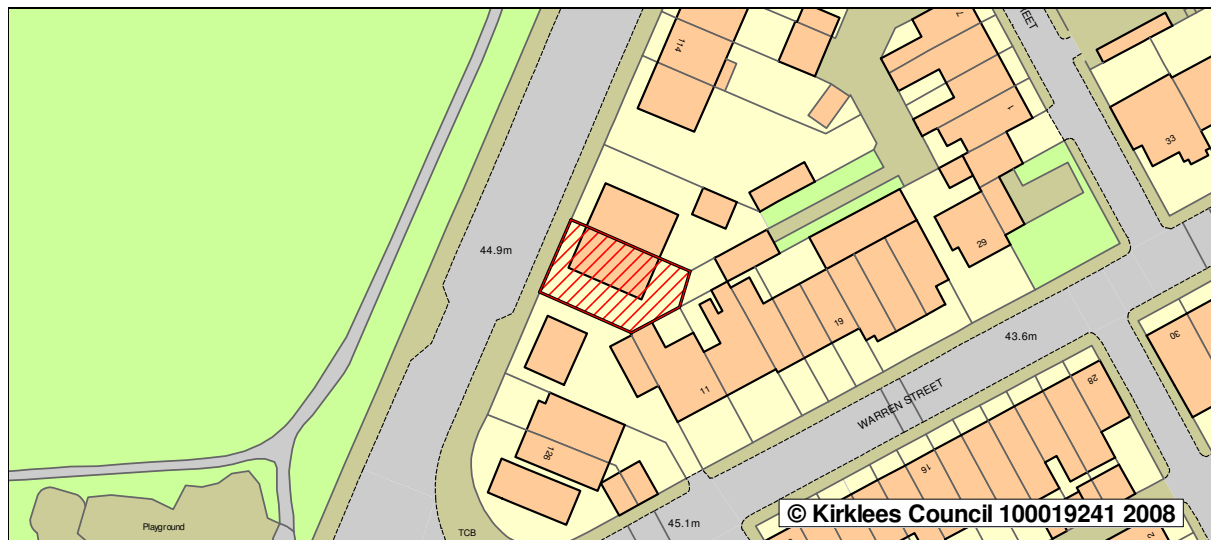
TARGET DATE

31-Jul-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 South Ward

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION: REFUSE

1. The proposed front dormer, by virtue of its scale and position, would form an incongruous feature along Savile Road which would result in substantial harm to the character of the host property and the wider street scene. To permit the front dormer would be harmful to visual amenity and contrary to Policies D2, BE1, BE13 and BE15 of the Kirklees Unitary Development Plan as well as the aims of chapter 7 of the National Planning Policy Framework and Policy PLP24 (a and c) of the Publication Draft Local Plan.

2. The rear dormer, due to its elevated position, would result in an unacceptable loss of privacy for the occupants of no.11 Warren Street. To permit the rear dormer would be harmful in terms of residential amenity and contrary to Policy D2 of the Kirklees Unitary Development Plan and the aims of chapter 7 of the National Planning Policy Framework and Policy PLP24 (c) of the Publication Draft Local Plan.

1.0 INTRODUCTION:

- 1.1 The application is brought to the Heavy Woollen Planning Committee at the request of Cllr Masood Ahmed for the following reason: *"I would like the planning application for dormers to the front and rear of 120 Savile Road to be considered by the members of the Planning Committee with a site visit to appreciate the works proposed. Given the diversity of property type in the Savile Road area in terms of age, size and style together with the presence of other dormer extensions on the terraces nearby, I would like members to consider if the proposed front dormer would form such an incongruous feature within the street scene. Furthermore, I would like members to consider whether the harm in terms of overlooking is really so severe between the proposed rear dormer and the neighbour to the rear given that the neighbour to the rear, 11 Warren Street has their own rear dormer (2011/91100), which I think already overlooks the applicants property".*
- 1.2 Cllr Ahmed has requested a site visit for members to appreciate the arrangements on site.
- 1.3 The Chair of the Sub-Committee has confirmed that Cllr Ahmed's reason for making this request is valid having regard to the Councillors' protocol for planning committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 120 Savile Road, Savile Town is a semi-detached property with stone walls on the ground floor and pebble dash render at first floor on the ground elevation. The side and rear elevations were originally pebble dashed render too. The property has gardens to the front and rear and originally had a drive to the side of the property. However at the time of the officer site visit, the applicant had substantially completed the side extension and formed dormers within the front and rear roof planes.
- 2.2 There are other residential properties to the side and rear with a variety of house types, styles and ages. Furthermore, nos.11 & 13 Warren Street to the rear have rear extensions, the adjacent no.122 Savile Road has single and two storey extensions to the side & rear, and the adjoining no.118 Savile Road has a single storey rear extension. Some of the properties further along Savile Road have had modest sized, pitch roof dormers formed in their front roof slopes.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for the formation of dormers within the front and rear roof plane of the side extension.
- 3.2 The front dormer would have a width of 3.5m, would be set up 0.7m from the eaves, and would have a height to the eaves of 1.3m and an overall height of 3m. The roof would be pitched and the dormer cheeks would be clad with vertically hung tiles.
- 3.3 The rear dormer would have a width of 3.5m, would be set up 0.7m from the eaves, and would have a height to the eaves of 1.3m and an overall height of 3m. The roof would be pitched and the dormer cheeks would be clad with vertically hung tiles.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 1996/92420 – Erection of detached garage – Granted
- 4.2 2005/92090 – Erection of replacement detached garage – Withdrawn
- 4.3 2013/90022 – Erection of single and two storey extension – Approved
- 4.4 2017/90623 – Erection of two storey side extension and external alterations – Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The previous application, 2017/90623 was initially submitted with the dormers proposed in the front and rear elevations. The applicant was informed that the dormers would not be supported given the impacts in terms of visual and residential amenity and offered the opportunity to amend the proposals to remove this element. The previous proposals were amended in line with the officer's advice and an approval was issued for the two storey side extension and external alterations.

- 5.2 The agent has been offered the opportunity to withdraw this application as amending the scheme in almost any other way would not address the concerns of officers. If the applicant were to remove the front dormer, the rear dormer would still result in unacceptable overlooking, unless the openings were obscure glazed. If the plans were to be amended to remove the rear dormer, the front dormer would still be considered to result in the formation of an incongruous feature within the street scene due to its scale.

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
BE2 – Quality of design
BE13 – Extensions to dwellings (design principles)
BE14 – Extensions to dwellings (scale)
BE15 – Front Dormer
T19 – car parking

National Planning Policy Framework:

- 6.3 Chapter 7 – Requiring good design

Kirklees Publication Draft Local Plan: Submitted for examination April 2017 (PDLP)

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

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 As a result of publicity, two representations have been received from residents. The issues raised are summarised below:
- The dormers are too large and look out of scale with the properties on Savile Road,
 - The rear dormer would be overbearing given the size, height and proximity to the neighbour to the rear,
 - Loss of privacy for the neighbours limited amenity space, living room window and bedroom windows.

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). These issues, along with other policy considerations, will be addressed in the main assessment below.
- 10.2 The general principle of making alterations to a property, including extensions, are assessed against policies BE1, BE2, BE13, and BE14 of the UDP and advise within chapter 7 of the NPPF. In addition, Policy PLP24 of the Publication Draft Local Plan sets out a variety of design considerations to take into account in the assessment of a planning application.

Visual Amenity

- 10.3 Savile Road is a main road with residential properties on the south east side and a large playing field on the north-west side. The residential properties vary both in terms of style and age. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.
- 10.4 Permission has been granted previously for significant extensions to the side and rear of the host property. Indeed the dormers did originally form part of the last application and were removed as the front dormer was considered to be unacceptable as it would form an incongruous feature within the streetscene. The rear dormer would have less impact in terms of visual amenity given the siting to the rear of the property and could potentially be supported in terms of visual amenity, provided there were no other concerns.
- 10.5 The design and scale of the front dormer has not changed from the previous application (when it was removed) and it is considered that the dormer would still form an incongruous feature within the roof of the already substantial side extension.

- 10.6 In terms of policy BE15 of the UDP, although the original roof would remain the dominant feature, the proposed dormer is not centrally sited and is considered to unbalance the front elevation of the property. Furthermore, the distance between the gutter line of the dwelling and the base of the dormer is recommended to be 1m in Policy BE15 of the UDP however, this has not been achieved.
- 10.7 It is noted that there are other dormers within Savile Road. However these dormers are smaller in scale and are positioned centrally within the roof forms of terraced properties, some distance from the host property.
- 10.8 Having taken the above into account, the proposed front dormer would form an incongruous feature within the street scene which would be harmful in terms of visual amenity for both the host dwelling and the wider street scene. Therefore it is considered that the proposed front dormer fails to comply with Policies D2, BE1, BE13 and BE15 of the UDP and the aims of chapter 7 of the NPPF. Furthermore, the proposal would not accord with emerging policy PLP24 of the PDLP which states that proposals should promote good design by ensuring (amongst other things) 'the form, layout and details of all development respects and enhances the character of the townscapes . . .' as well as extensions being 'in keeping with the existing buildings in terms of scale, materials and details . . .'

Residential Amenity

- 10.9 The proposed front dormer, due to its position, is not considered to result in any undue harm caused to the amenities of the occupiers of the neighbouring properties.
- 10.10 The scale of the rear dormer would have limited impact on the amenities of the occupiers of the adjacent 122 Savile Road. The position within the roof plane of the side extension is such that there would be no impact on the amenities of the occupiers of the adjoining 18 Savile Road either.
- 10.11 The dormer would not bring the roof structure any closer to the property to the rear, 11 Warren Street, than the existing rear elevation and would not add significantly to the overall height of the dwelling as approved in terms of the side extension. As such, there would be no significant overbearing impact caused to the amenities of the occupiers of the neighbouring 11 Warren Street.
- 10.12 The rear dormer does however include a habitable room window which would result a significant loss of privacy for the occupants of 11 Warren Street. The impact would be exacerbated by the close orientation of the dwellings, along with the elevated position of the proposed dormer window.
- 10.13 Having considered the above factors, the rear dormer would represent a significant loss of privacy for the occupants of the neighbouring 11 Warren Street. Therefore the proposal fails to comply with Policy D2 of the UDP. Furthermore it would be contrary to emerging Policy PLP24 of the PDLP in that it would not 'provide a high standard of amenity for . . . neighbouring occupiers'.

Highway issues

- 10.14 The proposals will result in a very limited intensification of the domestic use. Therefore the existing parking arrangements are considered to be satisfactory. As such 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.

Representations

- 10.15 Concerns relating to visual amenity and residential amenity have been addressed in the relevant sections of the report above but at highlights here, together with the response of the officer.

- The dormers are too large and look out of scale with the properties on Savile Road,
Response: this is a material consideration and the scale and design of the front dormer has been assessed as being inappropriate as it would form an incongruous feature within the street scene. The rear dormer is not as prominently sited and would be considered acceptable in terms of visual amenity.
- The rear dormer would be overbearing given the size, height and proximity to the neighbour to the rear,
Response: this is a material consideration and the impact of the rear dormer has been assessed as not forming an overbearing structure. The rear dormer would not bring the roof structure any closer to the property to the rear, 11 Warren Street, than the existing rear elevation and would not add significantly to the overall height of the dwelling as approved in terms of the side extension. As such, there would be no significant overbearing impact caused to the amenities of the occupiers of the neighbouring 11 Warren Street.
- Loss of privacy for the neighbours limited amenity space, living room window and bedroom windows.
Reason: this is a material consideration and the rear dormer does include a habitable room window which would result a significant loss of privacy for the occupants of 11 Warren Street. The impact would be exacerbated by the close orientation of the dwellings, along with the elevated position of the proposed dormer window.

Other Matters

- 10.16 Should the application be refused, appropriate enforcement action will then need to be considered because the dormers have already begun to be formed in the roof slope of the approved two storey extension.
- 10.17 There are no other matters relevant for consideration.

11.0 CONCLUSION

- 11.1 This application to erect dormers within the front and rear roof planes of no.120 Savile 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.

- 11.2 The front dormer would harm the character of the host property and does not comply with Policy BE15 of the UDP in terms of its position within the roof plane. Furthermore, the design, scale and siting of the dormer would represent an incongruous feature in a prominent position along Savile Road. The proposal therefore fails to comply with policies D2, BE1, BE13, and BE15 of the UDP, chapter 7 of the NPPF, as well as emerging policy PLP24 of the PDLP.
- 11.3 The rear dormer would provide an unreasonable opportunity to overlook the occupants of 11 Warren Street in close quarters given the elevated position of the dormer. The proposal therefore fails to comply with policies D2 of the UDP as well as emerging policy PLP24 of the PDLP.
- 11.4 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. It is considered that the development proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material consideration. Recommendation is to refuse the application.

Background Papers:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f91900>

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2005%2f92090>+

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2013%2f90022>+

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f90623>+

Certificate of Ownership – Certificate A signed by Mr Nazir Musa and dated 05/06/2017.