
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 20-Sep-2018

Subject: Planning Application 2018/91636 Erection of single storey rear extension 954, New Hey Road, Outlane, Huddersfield, HD3 3FE

APPLICANT

R Read

DATE VALID

18-May-2018

TARGET DATE

13-Jul-2018

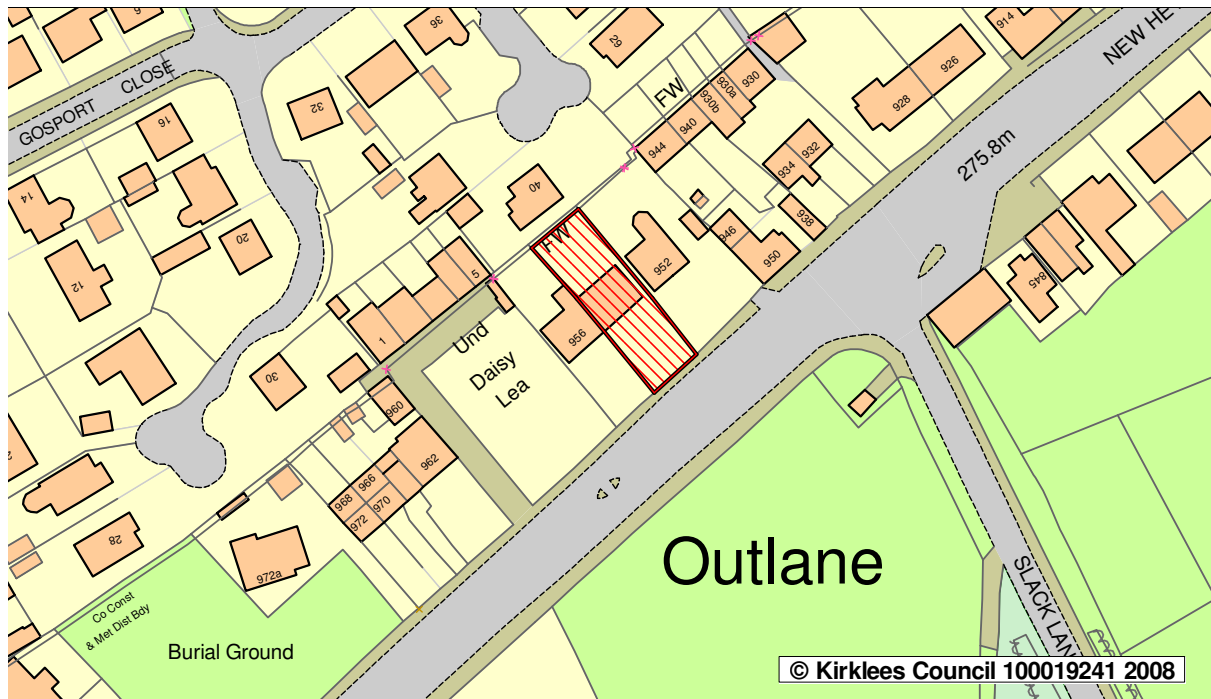
EXTENSION EXPIRY DATE

27-Jul-2018

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: Colne Valley

No

Ward Members consulted

RECOMMENDATION: REFUSE

The proposed extension by virtue of its scale and projection would fail to be subservient to the host dwelling and would have a detrimental impact on the visual amenity of the property. Furthermore the scale of the extension proposed would result in a significant loss of rear amenity space to the extent that it would constitute an overdevelopment of the site. This would be harmful to the visual amenity of the area. The application is therefore contrary to Policy D2 (ii,vi), BE1 (ii) and BE14 of the UDP, Policy PLP24 (c) of the PDLP and paragraph 130 of the NPPF.

1.0 INTRODUCTION:

- 1.1 This application is brought to Committee at the request of Cllr Donna Bellamy together with a site visit for the following reason:

For the committee to make a decision as to whether the proposal will lead to an over-development of the site and if it is deemed too large or is considered to be out of keeping with the surrounding area.

- 1.2 The Chair of Committee has confirmed that Cllr Bellamy's reason for making this request is valid having regard to the Councillors' Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 954 New Hey Road is a two storey semi-detached dwelling in Outlane. It is constructed in brick and stone to the front and brick to the side and rear and is designed with a gable roof form which is finished in concrete roof tiles. The dwelling benefits from an integral garage which is located to the north east of the site. The front of the dwelling is set back from the access road with a driveway and garden to the front and a garden and amenity space to the rear. Boundary treatment comprises fencing which runs to the north east and south west of the site. A stone wall forms the boundary to the rear of the site.

2.2 The site is located in a mainly residential area with the vicinity comprising properties of a range of characters, styles and designs. Despite this, the adjoining property no. 956 New Hey Road and the adjacent property no. 952 New Hey Road are of a similar appearance to the application site. The predominant material of construction in the surrounding area is stone.

3.0 PROPOSAL:

3.1 The application is seeking planning permission for the erection of a single storey rear extension.

3.2 The proposed single storey rear extension would project 9.40 metres from the rear elevation of the host dwelling and sit flush with the side elevation of the existing integral garage. The extension, at this projection, will have a width of 5.80 metres. This section would form a games room. A further extension will extend an additional 3.30 metres with a width of 3.10 metres from the rear elevation of the host dwelling. The extension will be set in from the boundary shared with the adjoining property at no. 956 by approximately 0.45 metres. This section would form a garden room.

3.3 The extension would be constructed in brick to the sides to match existing. The exceptions would be the south western side elevation of the smaller section of extension which would be finished in painted render. The rear elevation of the 9.40 metre element of the proposal will also be finished in painted render. The proposed games room would be designed with a gable roof form which will extend from the roof form of the existing integral garage. The proposed garden room will be designed with a lean-to roof which will match the eaves and ridge height of the larger element of the extension.

3.4 Two windows are proposed for the 9.40 metre element of the proposal on the south western side elevation whilst a door is proposed for the north eastern elevation. Bifolding doors and roof lights are proposed for the rear elevation of the 3.10 metre element of the proposal. The windows will be finished in UPVC to match existing. The bifolding doors will be finished in aluminium whilst the access door to the games room will be finished in composite.

3.5 The extension will serve a games room and a garden room.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 No planning history at the site.

4.2 At 952 New Hey Road –

2004/90724: Erection of conservatory. Conditional Full Permission.

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

5.1 Amended plans were sought from the agent to reduce to the projection of the proposed extension to reduce the impact that the development was deemed to have on the appearance of the host dwelling and to prevent the development from amounting to an overdevelopment of the site. It was suggested that the projection of the extension should be reduced to 7.50 metres to reduce the overall scale of the development in relation to the host dwelling and to reduce the amount of rear amenity space that would be lost as a result of the proposal. This would also seek to lessen the impact on neighbouring dwellings as a result of the scale of development although not in itself a reason for refusal. The applicant believed that the requested changes would make the games room, which contains a full sized snooker table, no longer feasible and requested the application to be determined based on the original plans.

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.

6.2 The site is unallocated on the Kirklees Unitary Development Plan and the emerging Local Plan.

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

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway Safety
- **T19** – Parking

6.4 Supplementary Planning Guidance / Documents:

None relevant.

6.5 Kirklees Publication Draft Local Plan (PDLP)

- **PLP1** – Achieving sustainable development
- **PLP2** – Place shaping
- **PLP21** – Highway safety
- **PLP22** - Parking
- **PLP24** - Design

6.6 National Planning Policy Framework (NPPF):

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

7.0 **PUBLIC/LOCAL RESPONSE:**

7.1 The application was publicised by letters and site notice. No representations have been received as a result of the statutory publicity.

The reason Cllr Bellamy requested the application be reported to sub-committee are set out in paragraph 1.1 above.

8.0 **CONSULTATION RESPONSES:**

8.1 None.

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 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 extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the UDP, emerging Policy PLP24 of the emerging local plan and advice within Chapter 12 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

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

Urban Design issues

10.4 The proposal seeks planning permission for the erection of a single storey rear extension which will serve a games room and garden room. The extension will be constructed in brick and render and will be designed with roof forms which will be finished in concrete roof tiles to match existing. Given the location of the render to the rear of the games room and the south western elevation of the garden room, the proposed materials are considered to be acceptable in this instance.

10.5 Due to the scale of the proposed extension which will project, in part, 9.40 metres from the rear elevation of the host dwelling, it is considered that the development would have a significant detrimental impact on the visual amenity of the host dwelling. The depth of the dwelling to the north east will be more than doubled by the extension; the host dwelling being approx. 8.7m in depth. Although the extension is only single storey the ensuing built form would not be subservient to the host dwelling.

10.6 The detrimental impact of the development on visual amenity is exacerbated by the proportion of rear garden space it would take up. Although the property benefits from a garden to the front, it is noted that the majority of the developable amenity space at the site is located to the rear. The footprint of the extension would result in a limited amount of amenity space being retained to the rear of the property following development. This would be particularly noticeable when viewed against the neighbouring properties at nos. 952 and 956. For this reason it is considered that the development would amount to a visually unacceptable overdevelopment of the site.

10.7 The proposal is therefore not considered to be acceptable from a visual amenity perspective and does not comply with policies D2, BE1 and BE14 of the UDP, Policy PLP24 of the PDLP and Chapter 12 of the NPPF.

Residential Amenity

10.8 *Impact on 956 New Hey Road*

The proposed extension will project 3.10 metres along the boundary shared with the property which currently benefits from a rear conservatory. Approximately 3.90 metres will be retained between the property and the element of the extension which will project 9.40 metres from the rear of the property. Taking this into consideration, along with the single storey nature of the proposal and the fact that the site is located to the north east of the property, it is not considered that the development will have a significant impact on the residential amenity of the property. Two windows are proposed for the side elevation of the extension. However, given the distance that will be retained between the windows and the boundary shared with the property along with the fact that it will serve a games room, it is not considered that the development will offer a significant amount of overlooking into the rear amenity space of the property.

10.9 *Impact on 952 New Hey Road*

The proposed extension will project 9.40 metres from the rear elevation of the dwelling. Guidelines set out within Policy BE14 of the UDP indicate that extensions to the rear with a projection greater than 3.00 metres, will not normally be supported. In this instance, it is noted that the extension will be set in from the boundary of the site by 0.95 metres. An additional 1.00 metre will be retained between the boundary of the site and the property. Taking this into consideration along with the fact that the eaves and ridge height of the extension will not exceed those of the existing garage, it is not considered that the development will have a significant overbearing or overshadowing impact. No openings other than a door are proposed for the side elevation of the extension which will prevent overlooking into the rear amenity space. The adjacent property would retain an open outlook to the north-west.

10.10 *Impact on 40 Gosport Close*

Due to the distance that will be retained between the rear elevation of the extension and the side of this property, which does not contain windows in the two-storey side elevation which immediately addresses the application site, it is considered that the development would not have a significant impact on the residential amenity of the occupiers of the property. Furthermore there is a stone wall and timber fencing of around 2 metres in height between these properties which would prevent overlooking between the properties.

Overall

- 10.11 Having considered the above factors, on balance, the proposal is considered to retain a high standard of amenity for surrounding neighbouring occupants, complying with Policies D2 and BE1 of the UDP, Policy PLP24 of the PDLP and paragraph 127 of the NPPF.

Highway issues

- 10.12 The proposal will not result in an intensification of the use of the dwelling. As such, the proposed extension does not give rise to the requirement for additional parking and would not affect the existing parking and access arrangements on site which are currently located to the front of the property. Accordingly, it would not raise any highway safety issues and thus complies with Policies D2 and T10 of the UDP and Policy PLP21 of the PDLP.

Representations

- 10.13 No representations have been received as a result of the statutory publicity. The reasons Cllr Bellamy requested the application be determined by sub-committee have been addressed in the appraisal.

Other Matters

- 10.10 *Ecology* -

The site is located within the Council's GIS bat alert layer however, it is not identified on the map as having bat roots and is not within 200 metres of woodland. In addition, the dwelling is well sealed and unlikely to have any significant bat roost potential. A note recommending the advice of licensed bat work to be sought if any bats are found during the development will be relayed on the applicant if planning permission was to be granted in the interest of biodiversity and for the proposal to comply with the aims of chapter 15 of the NPPF.

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. It is considered that the development proposal does not accord with the development plan and that the adverse impacts of the development would significantly and demonstrably outweigh its benefits when assess policies in the NPPF. It is therefore recommended that the application be refused.

Background Papers:

Application web page:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f91636>

Certificate of Ownership – Certificate A signed and dated 14 May 2018.