
Report of the Head of Strategic Investment

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 25-Apr-2019

Subject: Planning Application 2019/90122 Erection of two storey and single storey rear extension, single storey front extension and alterations, and detached double garage with store and formation of access to Fir Grove 21, Fir Parade, Ravensthorpe, Dewsbury, WF13 3BH

APPLICANT

S Rafiq

DATE VALID

16-Jan-2019

TARGET DATE

13-Mar-2019

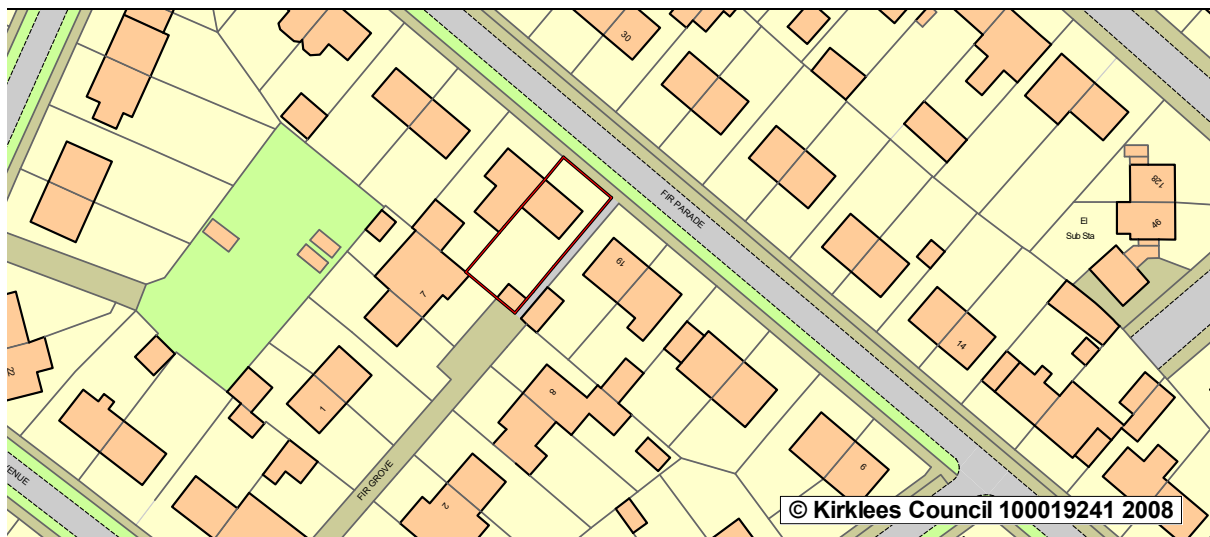
EXTENSION EXPIRY DATE

29-Apr-2019

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 West

No

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Heavy Woollen Planning Sub-Committee for determination due to the significant number of representation received in the form of a petition from the residents of Fir Grove, objecting to the proposals.
- 1.2 The Chair of the Heavy Woollen Planning Sub-Committee has confirmed that this reason is valid having regard to the Councillor's Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 21 Fir Parade, Ravensthorpe is a semi-detached red brick dwelling with a drive to the side and gardens to the front and rear. The property has a large timber outbuilding to the rear.
- 2.2 There are similar properties surrounding the host property with Fir Grove to the rear.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for a single storey front extension, a single and two storey rear extension and the erection of a detached garage.
- 3.2 The 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. The roof is proposed to be lean to.
- 3.3 The rear extension would project 6m at ground floor reducing to 3m at first floor extending across the full width of the dwelling. The roof over the single storey element is proposed to be lean to with a double hipped roof over the first floor.

3.4 The outbuilding is proposed to have a width of 6m and a depth of 6m with a pitched roof. The garage door would be located in the rear elevation and the proposal would see access taken off Fir Grove.

3.5 The extensions and the garage would be constructed using brick for the walls with tiles for the roof covering.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 2018/93737 – larger home notification for single storey rear extension with a 6m projection – prior approval not required

2004/95128 – erection of detached garage – approved

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

5.1 The proposed first floor extension with a dormer over the existing detached garage would have significant implications in terms of visual amenity as the scale, bulk and massing would have been out of character with the host property and the wider area. Amended plans were sought and received reducing the height of the garage to address these concerns.

5.2 Further amendments were sought to alter the roof form over the rear extension to reflect the hipped roof prevalent within the area and a design approach implemented with other extensions within the immediate context.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

6.2 Kirklees Local Plan (as modified):

- **PLP 1** – Achieving sustainable development (as modified)
- **PLP 2** – Place shaping (as modified)
- **PLP 22** – Parking (as modified)
- **PLP 24** - Design (as modified)
- **PLP 27** - Flood risk (as modified)
- **PLP 30** – Biodiversity (as modified)

6.3 National Planning Policy Framework:

- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Eight objections from five neighbours and a petition have been received. The objections raised all relate to the provision of vehicular access along Fir Grove for the occupier of 21 Fir Grove to serve the new garage.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

None

8.2 Non-statutory:

K. C. Highways Development Management - No objection to the proposals.

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 Kirklees Local Plan (KLP). Policy PLP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy PLP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

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

Visual Amenity

10.3 Fir Parade is part of a larger residential estate of red brick dwellings built between 1922 and 1933. Many of the properties have been extended and altered. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

10.4 The proposal under consideration consists of three distinct elements which shall be addressed below.

10.5 *Single storey front extension*: Extensions to the front of domestic properties have the potential to form inappropriate and incongruous features given the typically prominent position within the street scene. In this instance, given the single storey nature of the front extension together with its limited projection of 1.5m, the proposed front extension is considered to be acceptable in terms of its scale. The materials proposed would utilise red brick and tiles, similar to the main house. Furthermore, the detailing would form an appropriate relationship with the host property. As such, the proposed front extension is considered to be acceptable in terms of visual amenity.

- 10.6 *Single and two storey rear extension:* The footprint of the single storey element of the rear extension has been agreed through the larger home notification procedure. The host property and its associated curtilage are of a sufficient size to support the proposed rear extensions without amounting to overdevelopment of the site. The materials proposed would be to match the main house and the detailing is considered to form an appropriate relationship with the host property. The use of a double hipped roof form over the first floor element would reflect the style of the larger estate. As such, the single and two storey rear extension is considered to be acceptable in terms of visual amenity.
- 10.7 *Detached garage:* The proposed garage would be located to the rear of the property and would be constructed using similar materials to the main house. There are similar structures to other properties in the area and, following receipt of amended plans during the course of the application, would be of an acceptable scale which would not, in the opinion of officers, appear out of character with the wider area. As such, the proposed detached double garage is considered to be acceptable in terms of visual amenity.
- 10.8 Having taken the above into account, the proposed extensions and detached garage would not result in any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy PLP24 (as modified) of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

Residential Amenity

- 10.9 *Impact on 19 Fir Parade:* Given the limited projection and the single storey nature of the front extension, there would be no harm caused to the amenities of the occupiers of the adjacent 19 Fir Parade.
- 10.10 The footprint of the ground floor extension has been agreed through the larger home notification procedure. The rear extension would be set back the width of the driveways that serve the application site (and the neighbouring, no.19 Fir Parade). It is noted that there is a recent planning application for a side and rear extension to the neighbouring property. However, as this has not been constructed, it does have limited weight in the assessment of this application. It is considered that the impact would be limited. It is also noted that the proposed plans show new windows being formed in the side elevation of the original house. The dining room window could be added to the property without the need for planning whilst the new bedroom window would need planning permission in its own right as it is not shown as being obscure glazed. This window would look towards the side elevation of the neighbouring property which currently has a mostly blank elevation (with no habitable room windows). Furthermore, the area to the side of the neighbouring property is not a private amenity space. As such, the first floor window would not result in any loss of privacy.
- 10.11 The outbuilding would be located at the end of the garden along the common boundary with the adjacent property. The building is single storey and given the set back from the neighbouring property, there would be limited opportunity for any detrimental impact upon the amenities of the occupiers of the neighbouring 19 Fir Parade.

- 10.12 *Impact on 23 Fir Parade:* The single storey front extension with its limited projection and single storey nature would cause no significant harm to the amenities of the occupiers of the adjoining 23 Fir Parade.
- 10.13 The ground floor element of the rear extension has been agreed through the larger home notification scheme. Furthermore, the neighbour has their own single storey rear extension. The first floor extension would be built up to the common boundary with the adjoining property and would have the potential to result in some overshadowing in the middle of the day and form an overbearing and oppressive impact. However, the projection is limited to 3m which is generally be considered to be acceptable. Furthermore, the hipped roof form would take the vertical emphasis up and away from the adjoining property reducing the impact upon the amenities of the occupiers of the adjoining 23 Fir Parade.
- 10.14 The outbuilding would be located at the end of the garden set back from the common boundary with the adjoining property. Given the single storey nature of the outbuilding and its position relative to the adjoining neighbour, there would be no harm caused to the amenities of the occupiers of the adjoining 23 Fir Parade.
- 10.15 *Impact on 28 Fir Parade:* Given the limited scale of the front extension would have no significant impact on the amenities of the occupiers of the neighbouring 28 Fir Parade on the opposite side of the road.
- 10.16 *Impact on 7 Fir Grove:* The outbuilding would run parallel to the side boundary of the neighbouring 7 Fir Grove, forward of the front elevation. The sloping roof would take the vertical emphasis away from the adjacent neighbour. Given the scale of the outbuilding together with its position relative to the neighbouring property, there would be no significant harm caused to the amenities of the occupiers of the adjacent 7 Fir Grove.
- 10.17 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 Policy PLP24 of the Kirklees Local Plan and Paragraph 127 (f) of the National Planning Policy Framework.

Highway issues

- 10.18 The proposals will result in some intensification of the domestic use. However the parking area to the front of the property would still be able to host at least one vehicle off road.
- 10.19 The proposal does include a double garage to the rear of the site which would be accessed off Fir Grove. This has been the main source of concern raised in the representations.
- 10.20 Fir Grove is an adopted road which is within the ownership of the Council. It terminates at the rear boundary of the host property and then provides pedestrian access onto Fir Parade (between nos.19 and 21 Fir Parade). It is considered by officers that the provision of a vehicular access at this point, to serve a domestic garage, would not be considered to be harmful in terms of highway safety. As such, the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy PLP22 of the Kirklees Local Plan.

Representations

- 10.21 Eight representations from five residents of Fir Grove and a petition have been received which express concerns regarding the provision of a new vehicular access off Fir Grove.

Officer Response: - *Fir Grove is part of the adopted highway network and is owned by the Council. The proposals have been reviewed by Highways Development Management. As set out in paragraphs 10.18-10.20 above, the provision of a new access to serve a domestic garage off Fir Grove is considered acceptable from a highway safety and efficiency perspective. Should planning permission be granted, prior to any works taking place, the applicant would need to ensure that they have the relevant consent in place to access the site. It should be acknowledged that right of access and ownership are private legal matters which the Local Planning Authority cannot take into account when determining planning applications.*

Other Matters

- 10.22 *Biodiversity:* After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added to the decision notice, should the application be approved, setting out that if bats are found during the development then work must cease immediately and the advice of a licensed bat worker sought. This would comply with the aims of Chapter 15 of the NPPF.
- 10.23 *Flood Risk:* The application site is identified within Flood Zone 3a / 2 on the Environment Agency's flooding data. As part of the information accompanying the application, the applicant has completed the Environment Agency's pro-forma entitled 'Householder and other minor extensions in Flood Zones 2 and 3'. The information submitted with the application is considered satisfactory for this nature of development and would address the aims of chapter 14 of the NPPF.

11.0 CONCLUSION

- 11.1 This application to erect a single storey extension to the front, single & two storey extension to the rear and a detached outbuilding with a dormer to the rear of 21 Fir Parade 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. As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS

1. Three year time frame for implementation.
2. Development to be carried out in accordance with the plans and specifications.
3. The external walls and roofing materials of the extensions and detached garage to match those used in the construction of the existing building.
4. Remove permitted development rights for new openings in the side elevations of the extensions.

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90122>

Certificate of Ownership – Certificate A signed and dated 14.01.2019

