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**Report of the Head of Development and Master Planning****HUDDERSFIELD PLANNING SUB-COMMITTEE****Date: 03-Oct-2019****Subject: Planning Application 2018/93453 Erection of two storey rear extension and front dormers 39, Springdale Avenue, Thornton Lodge, Huddersfield, HD1 3NQ****APPLICANT**

N Akhtar

**DATE VALID**

25-Mar-2019

**TARGET DATE**

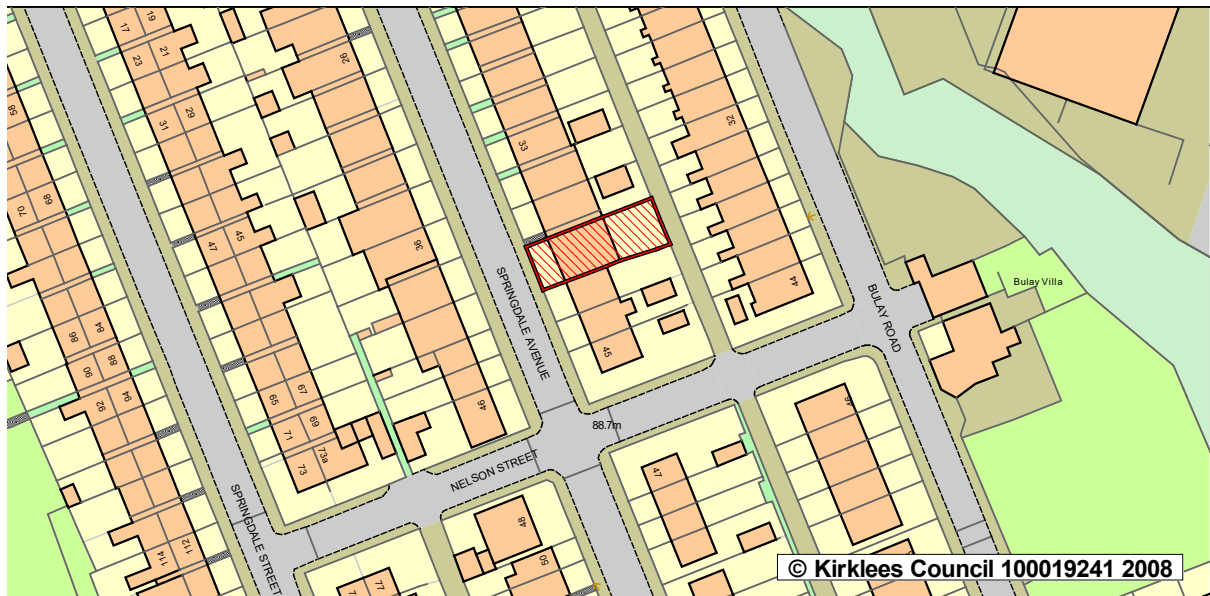
20-May-2019

**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected:    Crosland Moor and Netherton**

No

Ward Members consulted

## **RECOMMENDATION:**

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

## **1.0    INTRODUCTION:**

- 1.1    The application was originally brought to Planning Committee at the request of Cllr Kaushik for the following reasons:
- *The proposed extension complies with the usual requirements for a rear extension, with the extension projecting 1.35 metres beyond the rear wall of the adjoining house.*
  - *The staggered rear elevation allows for an attractive extension to be created with two separate gable roofs which will form a less formidable extension compared to a single gabled roof.*
- 1.2    The Chair of the Sub-Committee confirmed that Cllr Kaushik's reason for making this request was valid having regard to the Councillor's Protocol for Planning Committees.
- 1.3    The application was reported to Sub-Committee on 18<sup>th</sup> April with a site visit taking place on the morning of the meeting. At that meeting members resolved to defer the application, which was at that stage recommended for refusal, requesting officers to negotiate with the applicants to overcome concerns regarding the design, scale and visual appearance of the extension.
- 1.4    Following this officers held two meetings with the applicant and agent to discuss the proposal and amended plan scheme was proposed as described below. The application has been assessed based on this amended scheme.

## **2.0    SITE AND SURROUNDINGS:**

- 2.1    39 Springdale Avenue is a two-storey terraced property located in Thornton Lodge, Huddersfield. The property is constructed in regular coursed natural stone with a pitched roof constructed in slate roofing tiles, which are the prevailing materials locally. The property was originally semi-detached although a previous side extension has infilled the gap to no. 37.

- 2.2 The property benefits from a small lawn to the front of the property, with the rear benefitting from a decked area and large driveway accessed via a road that leads from Nelson Street, this separates Springdale Avenue from Bulay Road. The property is west-facing. To the rear of the properties are detached garages and outrigger extensions. Single storey extensions are not uncommon. To note, the ground is set on a lower level to the east so the properties are of a greater height to the rear. The neighbouring no. 37 is also of a greater height than to the site property. Additionally, the rear of the property is clearly visible from Nelson Street to the south and from the access road separating Springdale Avenue from Bulay Road.

### **3.0 PROPOSAL:**

- 3.1 The applicant is seeking permission for a two storey and single storey extension to the rear of the property and dormer windows to the front. These extensions are to allow for an enlarged kitchen and lounge area on the ground floor, larger bedrooms on the first floor and two additional bedrooms in the converted loft.
- 3.2 The proposed rear extension is to project 3m at first floor level and 4 metres at ground floor level, width of 8.70 metres. The southern end is to have a maximum height of 8.50 metres with the northern end having a maximum height of 8.80 metres, each having a gabled roof with matching eaves of 7.00 metres. Two large windows are proposed on the first floor, with French doors and windows proposed to the northern end and a door and windows proposed to the southern end on the ground floor. The ground floor rear extension would add an extra 1 metre and would have a lean too roof projecting from the two storey extension.
- 3.3 The two proposed front dormers are to be identical in size and style, having a length of 2m and maximum height of 1.8m and eaves of 1m with a gabled roof. One is to be situated on the northern end of the roof, with the other to be placed symmetrically to the south.
- 3.4 The proposal also includes a rear raised decked area, being raised from the ground by 1.7m. The decking area will have a width of 5.7m and depth of 2m. A 0.8m railing is proposed, with steps accessed to the south.
- 3.5 The materials proposed in the development match the existing property in its entirety with stone proposed for the walls, tiles for the roof and uPVC for the windows and doors.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Numerous planning applications have been made for the property, as follows:
- 2004/95398 – Erection of two storey extension. Given conditional full permission.
- 2005/91961 – Erection of conservatory. Given conditional full permission, although never implemented.

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

- 5.1 Amendments were sought in order to reduce the scale of the extension to the rear, in particular reducing the projection of the two storey rear extension and reducing the width of the raised decking area and details of parking. A final set of amended plans were received on 18 September 2019 which reduced the projection of the first floor extension to the extent that this overcame the reason for refusal in the original committee report.

## **6.0 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 27<sup>th</sup> February 2019).

- 6.2 The site is unallocated within the Kirklees Local Plan.

### **6.3 Kirklees Local Plan**

**LP 1** – Presumption in favour of sustainable development

**LP 2** – Place shaping

**LP 21** – Highways and Access

**LP 22** – Parking

**LP 24** – Design

### **6.4 National Planning Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published February 2019, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

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

## **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 The application has been advertised via site notices and neighbour letters.
- 7.2 The application was re-validated on 25<sup>th</sup> March following the receipt of a revised ownership certificate (certificate B).
- 7.3 The amended plans received on 18 September 2019 are currently out to public consultation which is due to close on 30 September 2019 and any comments received will be reported in the committee update.

## **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 Safety
- Representations

## 10.0 APPRAISAL:

### Principle of development:

- 10.1 The site is without notation on the Kirklees Local Plan. Policy LP1) which 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. LP1 goes on further stating:

*“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

In this case, the principle of developing the site for the proposed extension is acceptable however it needs to be assessed against other material planning considerations below.

### Visual Amenity:

- 10.2 The NPPF provides guidance in respect of design in Chapter 12 providing an overarching consideration of design stating:

*‘124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’*

- 10.3 Furthermore, Paragraph 002 of the National Planning Practice Guidance (NPPG) Design states that:

*“Good design should: Enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.”*

- 10.4 Kirklees Local Plan Policies LP1, LP2 and importantly, LP24 are also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive. With specific reference to extensions it advises that:

*“Extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.”*

- 10.5 The application site is located on Springdale Avenue, a residential area with properties sharing a similar traditional design and similar materials. The proposal refers to the erection of a two storey rear extension with two small dormers to the front. The property has already been extended in the past (under application 2004/95398) with a two storey side extension, infilling the gap to the neighbouring no. 37. The property was also granted permission for a large conservatory to the rear (under application 2005/91961) although this was never implemented. Therefore it is considered that there is scope for further development on the site.
- 10.6 The rear extension as amended, is to have a dual gable ended roof with a projection of 3 metres at first floor level and 4 metres at ground floor. It is considered that this extension, whilst adding considerable mass to the rear of the property, is of an acceptable scale at 3 metres with a relatively low overall height for a two storey extension given the roof design. The matching projection of both gabled ends with a lean to roof at ground floor level would ensure that a sympathetic design approach is followed and would allow the extension to be read as a simple addition to the host property. Whilst the extension would still be prominent in the street scene it is on balance considered to be acceptable. The greater projection of the adjacent property no. 37 would also help to reduce the prominence of the addition, especially from the north.
- 10.7 The proposal also includes the erection of two small dormers to the front of the property. It is considered that these dormer extensions would have an acceptable impact on visual amenity given their small scale and traditional and subservient design. In addition, the roof of the host property is still easily distinguished as a dominant feature. Similar front dormers are present at the neighbouring nos. 37 and 35 ensuring it would be in keeping with the local area. This would therefore comply with Policy LP24 of the Kirklees Local Plan.
- 10.8 The erection of decking, whilst adding additional built form at the property, it would be a lightweight structure and would facilitate the change in levels from the extension to the ground floor which is lower to the rear of the property. Furthermore the decking doesn't project the full width of the extension which ensures that it is of an acceptable scale.
- 10.9 In conclusion, the proposed development, as amended, is now considered to be of an acceptable scale and design and would be constructed from matching materials which is acceptable and will be conditioned. The proposal would therefore accord with Policy LP24 of the Local Plan and Policies in Chapter 12 of the NPPF.

Residential Amenity:

- 10.10 The NPPF seeks high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. LP24 (b) of the Local Plan states proposals should:

*"Provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings"*

This will be used to assess the impacts upon the neighbouring properties.

#### 10.11 *No. 37 Springdale Avenue*

This property is located to the north of the site, sharing the boundary where the proposed extension is to be situated. No. 37 is set further to the rear than the host property which means that the first floor 3 metre element will project 0.8 metres beyond the rear of no.37 and 1.8 metres at ground floor level. Whilst it is noted that no.37 has windows close the shared boundary, given this limited projection beyond the rear of no.37, it is not considered that the rear extension would have a detrimental impact on the occupiers of no.37. The proposed raised decking is set in 1.6 metres from the shared boundary with no.37 which would reduce the possibility for an adverse impact to be caused.

#### 10.12 *No. 41 Springdale Avenue*

This terraced property is located to the south and constructed in line with the host property. The proposed two storey extension would project 3 metres along the shared boundary at first floor level and 4 metres at ground floor level. Given that the adjacent windows/doors are obscurely glazed and that this property lies to the south of the application site it is not considered that there would be an undue adverse impact on amenity. The raised decking would be set 1.6 metres from the shared boundary which is considered to mitigate any adverse impact to no.41.

#### 10.13 *Nos. 38 & 40 Springdale Avenue*

These properties are located to the west of the site, being situated across the highway. These properties directly face the front of the property and would therefore have the potential to be impacted by the proposed front dormer windows. This impact is considered to be minimal given the separation distance of 20m between the properties.

#### 10.14 *Nos. 36 & 38 Bulay Road*

These properties are located to the east of the site, being situated across the access road to the rear and contain a number of habitable room windows. A minimum distance of over 14m would be achieved to single storey rear projecting element and 18 metres to the two storey element. Such a level of separation is considered to be acceptable to ensure that there would be no adverse impact on the amenity of the occupiers of these dwellings though undue overlooking.

#### *Conclusion on residential Amenity*

- 10.15 In conclusion it is considered that the development would not have a detrimental impact to the amenity of adjacent properties and would accord with the requirements of LP24 (b) of the Local Plan and Policies in Chapter 12 of the NPPF. No other neighbouring dwellings other than those above would be materially affected by the proposed development.

### Highway Safety:

- 10.16 The proposals would result in intensification of the site, in particular given that two additional bedrooms would be formed in the property. The rear extension would also result in a loss of space that is currently used for parking. However it has been demonstrated that at least two off-street car parking spaces can be accommodated within the site with sufficient space for a third. It is considered on balance that there is a sufficient provision of car parking spaces for the property.
- 10.17 Therefore, the scheme would not represent any additional harm in terms of highway safety and efficiency, complying with Policy LP22 of the Kirklees Local Plan.

### Other Matters

- 10.18 *Climate Change*: Chapter 12 of the Local Plan relates to climate change and states that: "Effective spatial planning is an important part of a successful response to climate changes as it can influence the delivery of appropriately sited green infrastructure and the emission of greenhouse gases. Planning can also help increase resilience to climate change impact through the location, mix and design of development". This is also reflected in the NPPF as a core land use planning principle. The NPPF emphasis that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. This application has been assessed taking into account the requirements summarised and provides opportunity for development that is considered to meet the dimensions of sustainable development. The site is located within a sustainable location and the proposal would allow the existing occupier to stay in their current home for a continuing period and meet their needs for the long term. The extension would also need to accord with current building regulations which are higher energy efficient standards than other parts of the property and would increase the building's performance. The conversion of the roof space to habitable accommodation would further improve the energy efficiency of the overall building.

### Representations

- 10.19 No representations have been received for the application so far, however the amended plans received on 18 September 2019 are currently out to public consultation which is due to close on 30 September 2019 and any comments received will be reported in the committee update.



## **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 materials considerations. It is considered that the development, as amended, would constitute sustainable development and is therefore recommended for approval.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development and Master Planning)**

- 1. Development within 3 years**
- 2. In accordance with the approved plans**
- 3. Matching materials**

### **Background Papers:**

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2004%2f95398>

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2005%2f91961>

Website Link: <http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f93453>

Certificate of ownership: Certificate B signed and dated 22<sup>nd</sup> March 2019. Noticed served on 37 Springdale Avenue on 23<sup>rd</sup> March 2019. (notice received 25<sup>th</sup> March)