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**Report of the Head of Strategic Investment****HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 12-Jul-2018****Subject: Planning Application 2017/92455 Erection of extensions to dwelling 7,  
Park House Drive, Thornhill, Dewsbury, WF12 0DQ****APPLICANT**

W Hussain

**DATE VALID**

10-Aug-2017

**TARGET DATE**

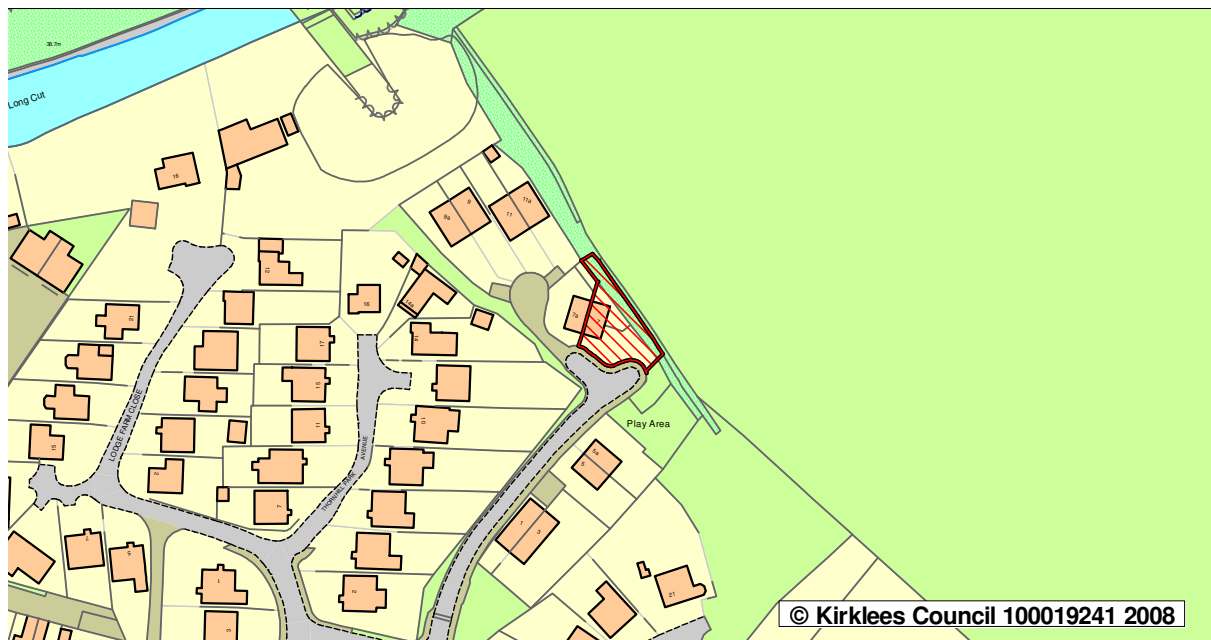
05-Oct-2017

**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: Dewsbury South Ward**

Yes

Ward Members consulted  
(referred to in report)

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**RECOMMENDATION: REFUSE**

**1. The proposal, by virtue of the design and scale of the side extension, would result in an unduly dominant extension on the host dwelling which would impact adversely upon the visual amenity of the host dwelling and the wider streetscene. To approve the application would be contrary to Policies D2, BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan as well as the aims of chapter 7 of the National Planning Policy Framework.**

**1.0 INTRODUCTION:**

1.1 This application is reported to Sub-Committee following a request by Councillor Masood Ahmed who states:

“1. My constituent and agent have put together a planning application that address the issues and concerns highlighted in the Local Plan.

2. I believe that there is NO visual amenity or detrimental impact on the neighbouring or surrounding properties, as it is a corner property.

3. There are NO Highways issues, as there is plenty of car parking spaces.

4. My constituent would use materials that would be similar or close as possible to the neighbouring properties, so that it doesn't look out of character.

5. There are also much larger properties within close proximity that have been approved, which are much larger in scale as well as being out of character”.

1.2 The Chair of the Sub Committee has confirmed that Councillor Ahmed's reason for making this request is having regard to the Councillors' Protocol for Planning Sub Committees.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site is no.7 Park House Drive, Thornhill, Dewsbury. This is a semi-detached, three bedroom dwelling located at the head of the cul-de-sac. The dwellings forms part of a development of relatively modern houses, all of a similar design and scale; being two storey, faced in reconstituted artificial stone with concrete tiled roofs.
- 2.2 The application site has a reasonable sized curtilage to its side elevation, separating it from the play area which is located to the south-east (approximately 15m away). To the rear, and because of the orientation of the property with this boundary, the dwelling is between 1.5 – 5.0m from the north-eastern boundary. There is an off-street parking space located to the front of the property.
- 2.3 The open land beyond the north-eastern boundary is allocated as Green Belt on the Kirklees Unitary Development Plan proposals map and is proposed to remain as Green Belt as part of the Kirklees Publication Draft Local Plan.

## **3.0 PROPOSAL:**

- 3.1 The proposal is or the erection of a two storey side extension. Due to the shape of the application site, it has been designed to project from the existing gable elevation of the host dwelling at an angle. As such, it would be approximately 10.5m when measured along the proposed rear elevation and approximately 5.0m when measured along the front elevation. The proposed extension would measure the same depth as the host dwelling and would match its eaves and ridge height. Dormer windows would be incorporated into the front and rear roof slopes.
- 3.2 The extension would be constructed from materials to match the existing dwelling which is reconstituted artificial stone for the external walls, concrete roofing tiles and uPVC frames for the openings.
- 3.3 At ground floor level, a hallway, w.c, utility room, kitchen, dining area and reception room would be formed in the extension. The entire ground floor of the existing dwelling would form the lounge area.
- 3.4 At first floor level, the original dwelling would contain the Master bedroom (and en-suite) and Bedroom 2. The extension would contain two further double bedrooms, a study, and bathroom.
- 3.5 At the second floor level, and within the roof void of the host dwelling and served by two new dormer extensions (one to the front and one to rear roof slope) would be two bedrooms (Bedroom 5 & 6). Within the roof void of the proposed extension would be a guest room and bathroom, served by three dormers (one to the front and two to the rear roof slope).

## **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 2002/92728 – Erection of 10no. dwellings with garages (amended proposal) – Approved
- 4.2 99/91726 – Erection of 10no. dwellings with associated garaging - Approved

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

- 5.1 Officers have been in discussions with the agent who has confirmed that the applicant requests that officers make a decision based on the submitted (revised) plans.
- 5.2 The amended plans involved the removal of the garage at ground floor and the height of the extensions reduced to match the height of the existing dwelling.
- 5.3 These amendments are not considered to address officers' concerns, as discussed in this report.

## **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 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. 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.

The site is unallocated on the Kirklees UDP proposals map and also unallocated as part of the Kirklees PDLP.

### **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)
- BE15** – Dormer extensions
- T10** – Highways Safety
- T19** – Parking Provision

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

**PLP1** – Achieving sustainable development  
**PLP2** – Place Shaping  
**PLP3** – Location of new development  
**PLP21** – Highway Safety and Access  
**PLP22** - Parking  
**PLP24** - Design

6.4 National Planning Policy Framework (NPPF):

**Chapter 7** – Requiring good design  
**Chapter 11** – Conserving and enhancing the natural environment

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 As a result of the publicity, no neighbour representations have been received.

7.2 Parish / Town Council comments are not applicable.

**8.0 CONSULTATION RESPONSES:**

8.1 **Statutory:**

**Health and Safety Executive** – “do not advise against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case”

8.2 **Non-statutory:**

**K.C. Highways Development Management** – No objection.

**9.0 MAIN ISSUES**

- Principle of development
- Visual amenity/local character
- 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]”.

- 10.2 The general principle of making alterations to a dwelling is assessed against Policies BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan and advice within Chapter 7 of the National Planning Policy Framework regarding design. Highway safety matters will be considered against Policies T10 and T19 of the UDP. All these require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations. Policies in the local plan as stated in the plans list will also be considered.

Visual amenity/local character:

- 10.3 Paragraph 64 of the NPPF states that applications should be refused which represent poor design. In this case, officers consider that the proposal in respect of the side extension, and for the reasons highlighted within the report, would detract from the character of the host dwelling and would therefore be harmful to visual amenity, contrary to policies BE1, BE2, BE13, and BE14 of the UDP, policies PLP24 of the PDLP, and Chapter 7 of the NPPF.
- 10.4 The application site is located in a prominent position, being positioned at the head of a cul-de-sac. The proposed extension, due to its orientation, would project further forward than the host dwelling and has been designed so that the eaves and ridge height would be flush with the host property. Along the front roof slope of both the host property and the extension dormer extensions are proposed.
- 10.5 It is considered by officers that the design and scale of the proposed two storey extension would unbalance the pair of semi-detached dwellings. This would be further exacerbated by the introduction of dormer extensions within the front roof slope of both the extension and the original dwelling. UDP policy BE15 relates to front dormers and whilst the dormers are, in themselves, relatively small additions to the host dwelling, the introduction of this new feature in this area makes the dwelling appear even larger in scale and thus, more prominent through disrupting the uniform appearance of the pair of semi-detached properties. The scale of the extension is further emphasised by this and is at odds with the host dwelling.
- 10.6 The dwelling would be dominated by the extensions which would relate incongruously to the main building due to the proposed bulk and the design as discussed above. The scale of the extension would detract from the appearance of the host dwelling and the attached property and would generally conflict with Chapter 7 of the NPPF which seeks to ensure good design is achieved.
- 10.7 Whilst it is acknowledged that the materials are to match the existing dwelling, the dwelling would be, for the reasons stated above, unduly prominent, thus also causing harm to the streetscene and the character of the area due to the highly visible location when viewed from the highway.

- 10.8 Officers consider that some form of extension could be accommodated on the host property however, not at the scale and of the design proposed. Officers have sought amendments to the scheme during the course of the application however, only minimal changes were made, as set out in paragraph 5.2 (above).

### Summary

- 10.9 In all, the proposed extension is considered to be unacceptable from a visual amenity perspective for the reasons set out above. The proposals are not considered to comply with the aims of Policies D2, BE1, BE2, and BE13 of the UDP, Policy PLP24 of the PDLP as well as chapter 7 of the NPPF.

#### Residential Amenity:

- 10.10 The impact on residential amenity is acceptable. No objections have been received in this regard.

#### *Impact on no.7a Park House Drive*

- 10.11 The proposed extension would be positioned on the opposite side of the host dwelling to the attached no.7a Park House Drive. It is therefore considered by officers that there would be no harmful impact, in terms of overbearing or overlooking, upon the amenity of these neighbouring occupants.

#### *Impact on no. 5a Park House Drive*

- 10.12 The proposed extension would be closer to no.5a Park House Drive than the existing dwelling however, a significant separation distance would still be retained. Officers are therefore satisfied that there would be no overbearing impact caused to these occupants as a result of the proposed extension. Furthermore, the position of openings in the proposed extension would not result in any undue overlooking of this neighbouring property either.

#### *Impact on surroundings*

- 10.13 There are no dwellings to the rear of the site. In addition, the land is allocated as Green Belt on both the UDP proposals map and is proposed to remain as such as part of the PDLP. It is acknowledged that there would be openings in the rear elevation of the proposed extension facing towards this undeveloped land however, the relationship is not significantly different to that which exists between the host property and this land already.
- 10.14 With regard to the play area, a sufficient distance would still be retained with the turning head continuing to separate the application site and the play area. In addition, because there are no openings proposed in the side elevation of the two storey extension, there would be no undue impact caused to the amenity of the applicant from the play area over and above that which already exists.

## *Summary*

- 10.15 In all, the proposed extension is considered satisfactory from a residential amenity perspective, and would comply with Policy D2 of the UDP and Policy PLP24 of the PDLF in this respect.

### Highway issues

- 10.16 Following consultation with the Council's Highways Development Management, the impact on highway safety is, on balance, acceptable. Parking provision for a seven bedroom property would recommend three on-site parking spaces, as set out in Policy T19 of the UDP.
- 10.17 Currently, the application site is served by one off-street parking space. Although the submitted plans do not indicate where three car parking spaces would be positioned, given the level of hardstanding at the site, there would be sufficient space to allow for the recommended provision which would be secured via condition should permission be granted. It should however be acknowledged that the additional extent of hardstanding to the frontage of the site would further exacerbate the impact of the development upon the visual amenity of the streetscene.
- 10.18 In all, subject to securing appropriate off-street parking provision within the site, the proposal is considered satisfactory from a highway safety perspective and would accord with the aims of Policy T10 of the UDP and Policy PLP21 of the PDLF.

### Representations

- 10.19 No neighbour objections have been received.
- 10.20 The comments set out in Cllr Ahmed's committee request are responded to by Officers as follows:-

1. My constituent and agent have put together a planning application that address the issues and concerns highlighted in the Local Plan.

**Officer response:** As set out in the main assessment above, Policy PLP24 of the PDLF is relevant to the determination of this application because it relates to 'design'. In this instance, it is considered by officers that the proposed extension does not comply with the aims of Policy PLP24(c) of the PDLF which sets out that proposals should promote good design by ensuring "*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*". For the reasons set out in the main assessment above, the proposed extension is not considered to achieve this aim.

2. I believe that there is NO visual amenity or detrimental impact on the neighbouring or surrounding properties, as it is a corner property.

**Officer response:** For the reasons set out in the main assessment, officers have significant concern in relation to the impact on visual amenity. It is considered that the application site is located in a prominent position. The scale and design of the proposed two storey extension, along with the dormer extensions along the front roof slope (of both the host property and the side extension), are considered to result in dominant additions to the host property which would be harmful to the character of the streetscene.



3. There are NO Highways issues, as there is plenty of car parking spaces.

**Officer response:** Officers concur that sufficient off-street parking could be provided within the site to serve the dwelling as extended.

4. My constituent would use materials that would be similar or close as possible to the neighbouring properties, so that it doesn't look out of character.

**Officer response:** Officers raise no objection to the proposed materials, which are specified to match the host property. The concern is in regard to the overall bulk and massing of the extension which is further emphasised by its design, projecting forward from the front elevation due to the site constraints.

5. There are also much larger properties within close proximity that have been approved, which are much larger in scale as well as being out of character".

**Officer response:** It is acknowledged that there may be other, larger properties within the vicinity. However this proposal is to extend a modest, three bedroom semi-detached property with very large additions. And, for the reasons set out in the main assessment, is considered significantly harmful to the visual amenity of the host dwelling and wider streetscene.

### Other Matters

#### *Adjacent Green Belt land allocation*

- 10.21 The field located to the rear of the site is allocated as Green Belt on the UDP proposals map and is proposed to be retained as such as part of the PDL. The proposed extension would not encroach onto this designation. Furthermore, the existing boundary treatment is to be retained. The proposal is not considered to result in harm to the openness of the Green Belt.

#### *Health & Safety Executive*

- 10.22 The application site is within the consultation distance of a major hazard pipeline. As such, consultation with the Health & Safety Executive (HSE) has been carried out. It has been confirmed that the HSE does not advise, on safety grounds, against the granting of planning permission in this case.
- 10.23 There are no other matters considered relevant to the determination of this application.

## **11.0 CONCLUSION**

- 11.1 To conclude, the principle of extending the host property is considered acceptable and, whilst there are no undue concerns in relation to residential amenity or highway safety (subject to securing appropriate off-street parking provision within the site), officers have significant concern in regard to the impact of the proposal upon visual amenity. This is due to the overall design and scale of the proposed two storey extension, as set out in the recommendation.
- 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.

11.3 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. It is therefore recommended that the application be refused.

**Background Papers:**

Link to the application details:-

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017/92455>

Certificate of Ownership – Certificate A signed and dated 9 July 2017.