
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 24-Jan-2019

Subject: Planning Application 2018/93127 Demolition of existing dwelling and erection of replacement dwelling 54, Brockholes Lane, Brockholes, Holmfirth, HD9 7EB

APPLICANT

S Kinder

DATE VALID

25-Sep-2018

TARGET DATE

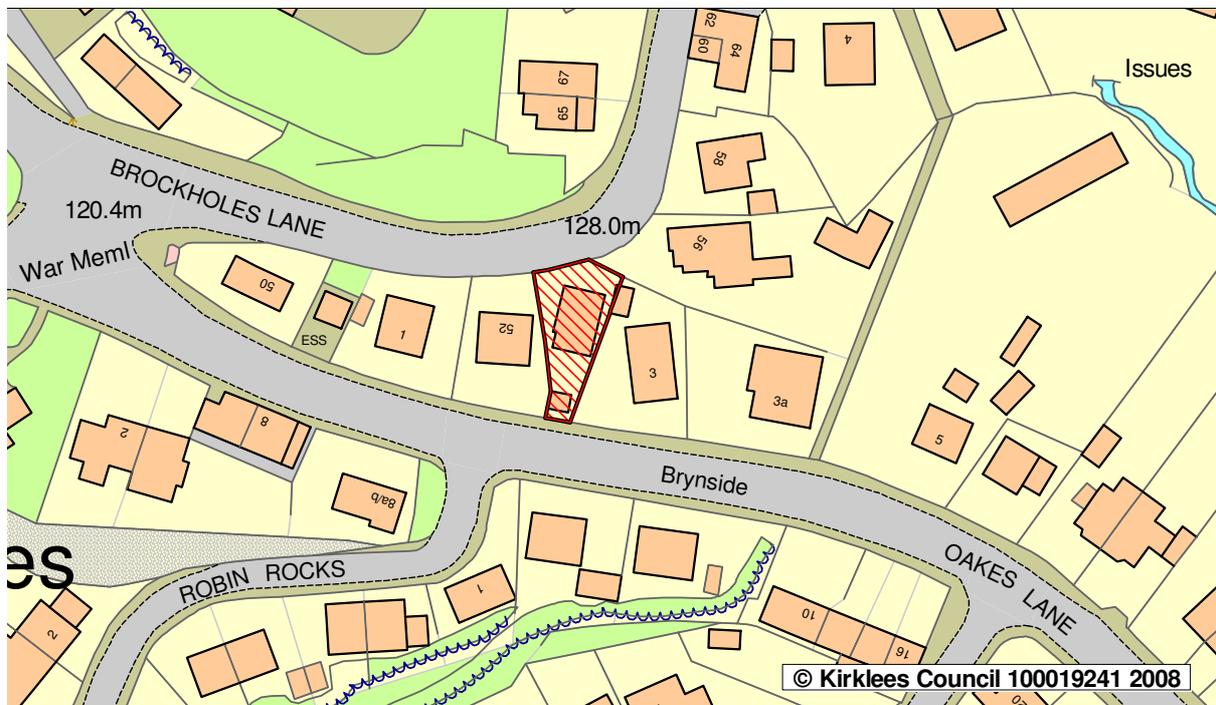
20-Nov-2018

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: Holme Valley North

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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 The application has been brought before sub-committee as the applicant is related to a member of staff of Kirklees Council Planning Service.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to the site of a former detached bungalow which was damaged in a vehicle impact and has been partly demolished. The dwelling which formally occupied the site was constructed from natural stone and designed with a gable roof, finished in concrete tiles. The surrounding land use is residential and characterised by closely spaced dwellings of varying architectural styles, although the dominant construction material is natural stone. Unusually, both the dwelling and neighbouring properties are bounded to the north and south by highways: Brockholes lane and Oakes lane respectively. Boundary treatment on site is considered to be well defined, consisting of a natural stone wall and a hit and miss timber fence.

3.0 PROPOSAL:

- 3.1 The application seeks planning permission to fully demolish the existing dwelling which was damaged through a vehicle impact, and the erection of replacement dwelling. The replacement dwelling would be of a similar design to the existing building but would include raising the ridge of the original dwelling from approximately 5m to 5.9m and the addition of dormer extensions to both the north and south roof planes.
- 3.2 The dormer extensions to the northern roof plane would achieve a distance of approximately 0.5m between the gutter line of the dwelling and the base of the front wall of the dormer. An approximate distance of 0.25m would be achieved between the ridge of the dwelling and the junction with the dormer. Both dormers would have a total width of 1.9m. In respect of positioning it is advised that the dormers would not be centrally placed but located close to either gable above ground floor windows, creating symmetrical appearance.

3.3 A dormer is also proposed on the southern elevation. This dormer, similar to those on the north elevation would have an approximate distance from the gutter line of approximately 0.5m. However, the distance to the ridge would be approximately 0.4m and the width of the dormer would be slightly smaller, approximately 1.5m. Owing to an existing turn gable feature this dormer would be located close to the west gable.

3.4 Upon completion the scheme would allow for two bedrooms at the first floor and alterations at the ground floor would offer more habitable space. Other notable features of the application include the addition of a centrally placed pedestrian door to the northern elevation. Construction materials would match those of the existing dwelling.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 2004/93551 – Erection of extensions (Conditional Full Permission)

2007/93063 – Erection of conservatory (Conditional Full Permission)

88/00429 – Outline application for one dwelling (Granted Conditionally)

88/04271 – Reserved matters Erection of detached bungalow (Granted Conditionally)

2004/92386 – Erection of extension to existing bungalow to form two storey dwelling (Refused)

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

5.1 Following an initial assessment it was considered that the proposed height of the two storey rear turn gable was overly large and harmed the residential amenity enjoyed by occupiers of neighbouring properties. As such revised plans were received omitting the first storey extension to the turn gable and amending the design of the dormers to match those in the surrounding area.

5.2 It was not deemed necessary to re-advertise the application as the amendments received represented a reduction in the scale of the development.

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 UDP proposals and remains unallocated on the Kirklees publication draft Local Plan.

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

- D2 – Unallocated Land
- BE1 – Design Principles
- BE2 – Quality of Design
- BE12 – Space About dwellings
- BE15 – Dormer extensions
- T10 – Highway Safety

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

- PLP1 – Achieving Sustainable Development
- PLP21 – Highway Safety and Access
- PLP24 - Design

6.5 National Planning Guidance

Chapter 2 – Achieving Sustainable Development

Chapter 12 – Achieving well-designed places

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notice and letters to the occupants of neighbouring dwellings. The public consultation period ended on 26th October 2018.

7.2 No representations have been received in support or in objection to the application.

7.3 Holme Valley Parish Council – Support the application

8.0 CONSULTATION RESPONSES:

8.1 No consultations were sought regarding this application.

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The site is without notation in 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 All these consideration are addressed later in this assessment. The proposal is also unallocated on the draft Local Plan and Policy PLP1 will be considered which reflects similar points set out in Policy D2 of the UDP.

- 10.3 It is noted that the host property was damaged by a vehicle impact and has been partly demolished. The applicant seeks to completely demolish the building and rebuild the property to bring the site back into use as a dwelling. The principle of rebuilding the property is supported by Planning Officers subject to an assessment of design as the replacement dwelling is of a slightly larger scale and proposes to introduce dormer windows.

Urban Design issues

- 10.4 It terms of visual amenity it is noted that the application dwelling occupies a prominent location, bounded to the north by Brockholes Lane and to the south by Oakes Lane. The proposed works to erect a replacement dwelling of a slightly large scale need to be considered. The main difference to the exiting dwelling is a slight increase in ridge height and the introducing of dormer windows to both the front and rear roof plane. It is noted that given that roads run to broth the front and rear of the property that these elements would be prominent and visible features within the streetscape.

- 10.5 Whilst the proposal represents a replacement dwelling the key design from existing is the provision of dormer windows. Policy BE15 of the UDP offers guidance in respect of dormer windows to the principal or main elevations and whilst specifically for dormer extensions, it is to be relevant to this application. This policy requires that:

- I. the original roof form remains the predominate feature,
- II. that the extension does not exceed more than 50% of the width of the original roof and is centrally placed,
- III. that 1m is achieved between the base of the dormer and the gutter line and 0.5m achieved between the ridge of the dwelling and junction of the dormer and
- IV. the extension does not project beyond the ridge of the dwelling.

- 10.6 Although not centrally placed, the dormers broadly comply with criteria I, criteria II and criteria iv of Policy BE15. However, the proposed scheme fails to achieve the required distances specified under criteria III. In this regard it is advised that the original scheme proposed flat roof dormers which would have allowed 0.7m between the ridge of the dwelling and the junction with the dormer and distance of 1m between the gutter line and base of the dormer.

- 10.7 However, at the request of officers, a pitch roof design was added so as to accord with the design of other dormer extensions present on neighbouring dwellings. To accommodate such a feature, whereby the ridge of the dormer extension was below that of the host dwelling and to ensure sufficient internal space it was necessary to flexibility in terms of those distances prescribed in Policy BE15, criteria III. In light of the fact that a pitch roof design has a greater affinity with the prevailing streetscene this was considered acceptable.
- 10.8 With regard to the positioning of the dormers on the roof plane it is noted that while those to the north roof plane are not centrally placed, however they do offer a symmetrical appearance. Equally, owing to the existing rear turn gable feature, the dormer to the south is again not centrally placed, but does offer some balance with this existing extension. In any case this dormer is located to the rear of the dwelling. In respect of other elements of the development proposed alterations including raising the ridge height and installation of a pedestrian door to the north elevation, these are considered to be minor and would not harm the visual amenity of the dwelling.
- 10.9 On-balance, given the above considerations the scheme is considered to have an acceptable impact on visual amenity, complying with policies D2, BE1, BE2, and BE15 of the Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan and guidance contained within Chapter 12 of the National Planning Policy Framework (NPPF).

Residential Amenity

- 10.10 The application dwelling is located in a residential area, characterised by closely spaced dwellings. The closest neighbouring dwellings include no.3 Oakes Lane and no.52 Brockholes Lane.
- 10.11 No.3 Oakes lane is a detached bungalow located approximately 4.7m to the east of the application dwelling. In terms of the impact, while the application dwelling would retain the same footprint, it is noted that raising the ridge height offers a greater potential to overshadow. However, due to the local topography, which rises in a west to east direction, no.3 is elevated against no.54. As such, the extent to which the scheme may overshadow is off-set. In any case, given that the application dwelling is located to the west and is single storey the potential to overshadow is considered minimal.
- 10.12 No.52 Brockholes, this is a detached bungalow, constructed from natural stone and is located approximately 3.5m to the west of the application property. Although the application would not result in a reduction of the separating distances between these two properties, the proposed increase in ridge height again offers the opportunity to overshadow this dwelling. However, in this regard it is noted that the two dwellings are offset from one another, whereby the application dwelling is located further to the north. Such a relationship serves to reduce the amount of built form adjacent to the dwelling and indeed rear private amenity space of no.52.

- 10.13 In addition to concerns of overshadowing the application has been assessed in respect of overlooking and is considered acceptable. The proposed dormer extensions would benefit from considerable separating distanced to the nearest adjacent dwelling of approximately 27m. In any case adjacent dwellings do not share a direct relationship with the application dwelling. However, to ensure that any future development does not result in unacceptable harm to neighbouring dwellings it is considered appropriate to remove permitted development rights for future extensions or alterations and the erection of any outbuildings.
- 10.14 In light of the above the application is considered to have an acceptable impact on residential amenity thereby according with policies D2, BE1, BE2 and BE14 of the UDP, Policies PLP1 and PLP24 of the PDLP and guidance contained within Chapter 12 of the NPPF.

Impact on Highway Safety

- 10.15 The application does not propose any changes to the access or parking arrangements on site. While it is noted that upon completion the scheme would contribute an additional bedroom, given the size of the dwelling overall, this is not anticipated to result in an increase in volume of traffic attending the site. In light of the above the scheme is not believed to give rise to any highway safety concerns and sufficient parking an acceptable access can be achieved. The application is therefore assessed as complying with Policy T10 of the UDP and policy PLP21 of the PDLP and guidance contained within the NPPF.

Representations

- 10.16 No representations were received in relation to this application.

Other Matters

Biodiversity and Ecology

- 10.17 The application dwelling is located within the council's electronic bat alert layer although is not identified as having a bat roost. Furthermore, until recently, when the application dwelling was the location of a road traffic incident it was noted that the dwelling was well sealed and unlikely to be suitable for roosting bats. In any case a note will be attached to any permission requiring a licensed bat person to be employed should be any evidence of bat be found during the development.

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 and it is considered that the development 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 Strategic Investment)

- 1. Development within 3 years**
- 2. In accordance with the approved plans**
- 3. Matching materials**
- 4. Withdraw permitted development rights for outbuildings and extensions**

Background Papers:

Application and history files can be accessed at:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f93127>

Certificate of Ownership – Certificate A signed