
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 18-Apr-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

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: Crosland Moor and Netherton

No

Ward Members consulted

RECOMMENDATION: REFUSE

The proposed two storey rear extension by reason of its design and scale, in particular its irregular appearance and position on a prominent elevation which can be seen from Nelson Street and the shared rear access, would create an incongruous feature within the local street scene detrimental to the character of the local area and visual amenity. To permit such a development would be contrary to Policy PLP24 (a) and (c) (as modified) of the Kirklees Local Plan, and paragraphs 124 and 127 of the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 The application is 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 has confirmed that Cllr Kaushik's reason for making this request is valid having regard to the Councillor's Protocol for Planning Committees.

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 extension to the rear of the property and dormer windows to the front. These extensions are to allow for an enlarged kitchen and lounge 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 on the southern end with a projection of 3.6m on the northern end, and a 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.

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 3m. 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.

4.2 To note, there are no examples of two rear storey extensions of a similar design that prosed within close proximity to the site.

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.
- 5.2 Amended plans were received on 18/02/2019 that reduced the maximum projection from 4m to 3.6m, meaning the extension is to project 1.4m beyond the adjoining property. Amended plans also reduced the width of the decking that ran the full width of the property, of which is now at a width of 5.7m.
- 5.3 Furthermore, details regarding parking arrangements for the site were requested in order to clearly demonstrate that at least two vehicles can be parked to the rear. An amended location plan was received on 25/02/2019 showing two vehicle spaces.
- 5.4 It was acknowledged that these amendments reduced the overall scale and projection of the rear extension, although it was desired for the extension to be in line with the neighbouring property at no. 37. This was conveyed to the agent via email correspondence, but the applicant not willing to set the extension back further.

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 27th February 2019).

The site is unallocated within the Kirklees Local Plan.

- 6.2 Kirklees Local Plan (as modified):

PLP 1 – Presumption in favour of sustainable development

PLP 2 – Place shaping

PLP 21 – Highways and Access

PLP 22 – Parking

PLP 24 – Design

- 6.3 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 was advertised via site notices and neighbour letters. Final Publicity expired on 27/11/2018. No representations were received from this publicity. The application was re-validated on 25th March following the receipt of a revised ownership certificate (certificate B). To date no representations have been received. The amended plans were not re-publicised as these reduced the scale of the development.

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 PLP1 (as modified) 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. PLP1 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 PLP1, PLP2 and importantly, PLP24 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 is to have a dual gable roof, having a projection of 3.6m on the northern end and 3m to the southern end. The northern end is also to have a greater maximum height of 8.80 metres with the southern end to have a maximum height of 8.50 metres.
- 10.7 It is considered that this extension would be adding considerable mass to the rear of the property that would be out of keeping of the area, with no examples of rear facing gables in the locality. The staggered extension would be of an incongruous design that would be both overly prominent and jarring within the streetscene to the rear caused by the varying building lines and roof heights. Furthermore, the extension is to be situated within a prominent location that would be clearly visible from the highway at Nelson Street, the private road to the rear of the property and would further impact the streetscene and be of significant harm upon the visual amenity of the area. This would be contrary to Policy PLP24 and guidance set in Chapter 12 of the NPPF regarding design. It is noted that amendments received reduced the scale of the extension although this was not considered to be sufficient to mitigate the harm on the visual amenity.
- 10.8 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 PLP24 of the Kirklees Local Plan (as modified).
- 10.9 In conclusion, the proposed rear extension is considered to form an incongruous addition to the property that is located within a prominent location which would have a detrimental impact to visual amenity and the character and appearance of the local area. Permitting such a development would be contrary to Policy PLP24 of the Local Plan.

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. PLP24 (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 3.6m extension will project 1.4m beyond the rear of no.37. 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 and given that the adjacent windows/doors are obscurely glazed it is not considered that there would be an 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 15m would be achieved to single storey rear projecting element and 18.5 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.

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 PLP24 (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 PLP22 of the Kirklees Local Plan.

Representations

10.18 No representations were received for this application.

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 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 taken as a whole

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 22nd March 2019. Noticed served on 37 Springdale Avenue on 23rd March 2019. (notice received 25th March)