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**Report of the Head of Strategic Investment**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 06-Jun-2019**

**Subject: Planning Application 2019/90734 Erection of front and rear extensions and alterations 38 , Longden Avenue, Beaumont Park, Huddersfield, HD4 5JE**

**APPLICANT**

S Rob

**DATE VALID**

07-Mar-2019

**TARGET DATE**

02-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

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**RECOMMENDATION: Refuse**

1 The proposed first floor rear extension, by reason of its siting, scale and design, would fail to respect the character and appearance of the host building or the surrounding area. This element of the proposal would result in a disproportionate and incongruous addition to the original dwelling. To approve the development would be contrary to Policy LP24 (a,c) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

**1.0 INTRODUCTION:**

1.1 This application has been brought to Committee at the request of Cllr Manisha Kaushik for the following reason:

*“If you are minded to refuse this application please can I refer this to the Huddersfield Planning Sub Committee? My reason for this are as follows:*

*The proposed plans are in keeping with current land and street scape  
Previous applications from neighbouring properties have been approved  
Not out of character  
Property next door has a two storey stone extension  
Stone will last longer than the cladding suggested”*

1.2 The Chair of 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 38 Longden Avenue is a semi-detached stone constructed bungalow located within a predominantly residential area. Longden Avenue itself slopes gently upwards from north-east to south-west with the properties within the immediate vicinity being mainly semi-detached and detached dwellings constructed from stone.

2.2 The application property has a pitched gable feature to the front also a bay window with a driveway to the side leading to a detached garage to the rear of the dwelling.

2.3 There is also a small garden area to the front of the property with a larger lawned garden to the rear. Within the rear elevation of the property is a cat slide projecting element and also a rear facing dormer extension. Boundary screening consists of fencing.

### **3.0 PROPOSAL:**

3.1 Permission is sought for the erection of front and rear extensions and alterations.

3.2 The application has been submitted following the granting of Planning Permission under application number 2018/94037 for the erection of front and rear dormers and alterations.

3.3 A dormer extension is proposed, and has previously approved, within the front elevation of the property being a total width of 3 metres, 1 metre in height to the eaves with an overall height of 2.7 metres to the ridge of the hipped roof. The dormer would be set up from the gutter line by 1.2 metres and would have a roof ridge that would match the existing roof.

3.4 It is also proposed to replace the existing rear dormer with a first floor extension principally located within the roof space. This revised extension would be set back slightly from the gutter line in part, be centrally located within this section of roof slope which has a higher eaves height on the rear elevation. The extension would be a total width of 2.2 metres and total height of 1.1 metre to the eaves with the overall height being 2.4 metres to the ridge of the pitched roof, set down down from the roof ridge by 0.3 metres.

3.5 The final part of the scheme is to erect a true first floor extension to lie flush with the rear elevation of the property. The extension would have an eaves height set above the existing eaves by 2 metres, being a width of 3.9 metres lying flush with the side elevation of the property with the ridge of the pitched roof matching the overall height of the host dwelling.

3.6 There are also alterations to the property which include the removal of the chimney stacks, the blocking up of a ground floor side elevation of the property and the replacement of windows within the ground floor of the rear elevation to patio doors.

3.7 The proposed construction materials would be stone for the walls, tiles for the roof and uPVC for the windows and doors.

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

4.1 2018/94037 Erection of front and rear dormers and alterations  
*Conditional Full Permission*

This scheme was granted permission with amended plans being submitted following concerns regarding the first floor extension (as proposed within this current submission). It was previously suggested to the Agent in terms of raising the eaves within the roof slope and its impact on visual amenity, this be omitted and a dormer extension proposed instead. This amendment was made and submitted plans received. It was also suggested that the front dormer extension be reduced and plans amended to alter the roof form to a hipped design rather than pitched design. This amendment has been retained as part of this current submission.

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

5.1 No negotiations have taken place nor have any amended plans been sought or received. This is due to the design of the scheme reverting back to being a first floor extension and negotiations took place as part of the previous application in terms of amending this element.

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

6.2 The site is without notation within the Kirklees Local Plan.

### **6.3 Kirklees Local Plan**

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – Design

### **6.4 Supplementary Planning Guidance / Documents:**

None relevant

### **6.5 National Planning Guidance:**

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

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

7.1 The application was publicised by site notice and neighbour notification letters. No representations have been received.

## **8.0 CONSULTATION RESPONSES:**

8.1 None required

## **9.0 MAIN ISSUES**

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

## 10.0 APPRAISAL

### Principle of development

- 10.1 The site is without notation on the Kirklees Local Plan. Policy LP1 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.
- 10.2 The scheme will be assessed taking into account local policy guidance within Policies LP1, LP2 and LP24 of the Kirklees Local Plan which supports the guidance contained within the NPPF. Policy LP24 is particularly relevant in this instance in relation to design and states that extensions should be subservient to the original building in terms of scale, materials and details and minimise the impact on residential amenity of future and neighbouring occupiers.

### Urban Design issues

- 10.3 In terms of design, the dormer extension to the front of the building is not an uncommon feature within Longden Avenue with other properties also hosting front dormer extensions of varying size and design. There is no specific policy relating to the erection of front dormer extensions however Policy LP24 relates to design. The scale and appearance of this dormer has been previously considered acceptable as it would be contained within the existing roof and would be set in from both the side elevation and the shared boundary of the property with the original roof slope being clearly visible. The hipped roof form visually reduces the scale of the dormer and allows it to site more comfortably in the original roof form (following the removal of the chimney) and wider street scene.
- 10.4 Whilst the application form states that the front dormer would be faced in stone, it is considered that if permission be granted, a condition would need to be imposed requiring the face and cheeks of the dormer to be tile hung to minimise its impact within the street scene.
- 10.5 With regards to the replacement dormer within the rear elevation, this element of the scheme has been previously approved. It is considered that this extension is an improvement in terms of visual amenity and makes a more positive contribution to the development.
- 10.6 The final element of the scheme is to erect a large first floor extension to the rear of the property. The eaves level of the structure would be significantly above that of the existing bungalow, appearing at odds with the current roof profile. The side elevation of this extension would be two storeys in height, reinforcing the massing of the extension, appearing as an incongruous addition and subsequently, failing to respect the proportions and form of the original bungalow.
- 10.7 The scale, massing and design of the extension would not be subservient to the original building and would result in a structure that would be disproportionate to the original bungalow. This is contrary to LP24 which requires that .... *"extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details..."*

- 10.8 Photographs of other extensions to properties have been submitted however, other than one of the sites, no details have been provided in terms of the planning history and therefore hold little weight in the assessment of the proposed scheme.
- 10.9 The proposed internal works do not require permission and the proposed alterations to the fenestration details are considered to be acceptable.
- 10.10 It is therefore considered that whilst the front dormer and replacement of the existing rear dormer are acceptable from an urban design and visual amenity perspective, the rear first floor extension would be harmful to the character and appearance of the host dwelling and the surrounding area. The resultant visual impact would appear that the bungalow has a two storey addition which would not be subservient or in keeping with the host dwelling and would not accord with Policy LP24 (a and c) of the Kirklees Local Plan or Chapter 12 of the NPPF.

#### Residential Amenity

- 10.11 With regards to residential amenity and overshadowing, the proposed works within the roof of the rear elevation would create an additional opening with the creation of the new first floor extension. Notwithstanding this, there is a significant distance between the rear of this dwelling and properties along Foster Avenue such that it would not have a material impact on the privacy of neighbouring properties, or those situated either side of the host dwelling.
- 10.12 As the extensions would be set within the confines of the roof with the adjacent detached property being a two storey dwelling set up from the application site, it is not considered that there would be a material impact on the neighbouring property by virtue of overshadowing or from being overbearing.
- 10.13 It is therefore considered that the proposal is acceptable in terms of residential amenity in accordance with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

#### Highway safety

- 10.14 As the development would be contained within the roof slope of the dwelling, there would be no alterations to parking provision that would impact on highway safety.

#### Other matters

- 10.15 There are no other matters for consideration.

#### Representations

- 10.16 No representations have been received.

### **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 means in practice.

11.2 The application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development does not accord with the development plan and that the adverse impacts of the development would significantly and demonstrably outweigh its benefits with assessed policies within the NPPF taken as a whole. It is therefore recommended that the application be refused.

**Background Papers:**

Application web page:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90734>

Certificate of Ownership – Certificate A signed and dated 7<sup>th</sup> March 2019.