

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2017/62/92408/W

Site Address: 5, Longden Avenue, Beaumont Park, Huddersfield,
HD4 5JD

Description: Erection of two front dormers, one rear dormer and
front porch

Recommending Officer: Laura Yeadon

DECISION – conditional full permission

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Teresa Harlow

AUTHORISED OFFICER

Date: 19-Sep-2017

Officer Report

Site Description

5 Longden Avenue is a semi-detached bungalow located within an area defined as Unallocated Land within the Kirklees Unitary Development Plan. The property is set within a modest curtilage set back from the roadside separated by a paved front garden. There is a driveway to the side leading to another yard area to the rear. Permission was granted for a rear extension to the property which has been constructed. Longden Avenue rises to the west with the adjoining semi-detached property set on an higher ground level with a roof line set up from the application site. The wider area is predominantly residential with the neighbouring properties predominantly semi-detached and mixture of both bungalows and two storey properties.

Description of Proposal

Permission is sought for the erection of two front dormers, one rear dormer and a front porch. The proposal is similar to a scheme previously approved however it is proposed within this application that the eaves and ridge height are increased to lie flush with and in line with the attached property.

Raising the eaves and ridge heights

It is proposed that the eaves and ridge height of the building would be increased to match those on the adjoining attached dwelling which is slightly higher than the application site. The eaves and overall ridge would be raised by 0.7 metres.

Front dormer extensions

Two dormer extensions are proposed within the front elevation roof slope which would be identical in size. The dormers would be a total width of 2.2 metres, have a projection of 3 metres, have an eaves height of 1.5 metres and total height of 2.3 metres to the ridge of the pitched roof. The dormers would be set down from the ridge of the roof (as extended in height) by 0.2 metres to the top of the pitched roof and would be set up from the gutter line by 0.9 metres. The dormer extensions would be set in from both side elevations of the property and would have a separation distance of 2.8 metres. The resultant accommodation would be 2 no. bedrooms and a bathroom at first floor level.

Rear dormer extension

The rear dormer extension would be set between the shared boundary with No. 7 (attached property and the existing single storey extension). The dormer would have a width of 2.2 metres, have a projection of 3.1 metres with an eaves height of 1.3 metres and a total height 2.2 metres to the ridge of the pitched roof. The dormer would be set in from the shared boundary with No. 7 by 0.4 metres.

Porch

The proposed porch would be located on the front elevation of the property. The porch would be centrally located being a width of 2.1 metres projecting from the front elevation by 1.2 metres. The eaves height would match the existing eaves with an overall height of 3.8 metres to the ridge of the pitched roof.

History of negotiations/amendments received

No negotiations have taken place however due to the works proposed to raise the eaves height and roof ridge of the property it was requested by the Case Officer that notice be served on the neighbouring property and Certificate B submitted. This was carried out with the amended Certificate received on 28th July 2017. The application was revalidated from this date.

Relevant Planning History

2009/93156 Erection of single storey rear extension
Conditional Full Permission

2017/90501 Erection of two front dormers, one rear dormer and front porch
Conditional Full Permission

Representations

Final publicity date expired 21st August 2017 – one letter of representation received with the following comments:

- Rear corner window is going to intrude on our daily living as due to the different heights of the property the window is going to look directly into the rear of our property
- As their property has already been extensively extended it is already nearer than previously but we felt at the time as it was a single storey extension it would not intrude but now not that long after it now is going to be extended even more
- A skylight would be more appropriate

Consultation Responses

None required

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. 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 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. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is Unallocated Land on the Unitary Development Plan Proposals Map and is proposed to be retained as such as part of the Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **BE15** – Dormer extensions

Kirklees Publication Draft Local Plan: Submitted for examination April 2017:

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP24** – Design
-

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, 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 7 – Requiring good design

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

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]”. All these considerations are addressed later in this assessment.

The general principle of extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the Unitary Development Plan and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

In addition to the above, Policy BE15 of the Unitary Development Plan relates specifically to front dormer extensions which states that for dormer extensions to normally be permitted, the original roof form and covering is to remain the dominant feature; the dormer should not exceed more than 50% of the width of the original roof form and should be centrally placed; the base of the dormer should be a distance of approximately 1 metre above the gutter line and the junction of the dormer would be approximately 0.5 metres below the ridge of the dwelling.

Also, a material consideration is Policy PLP24 of the Publication Draft Local Plan which sets out a variety of design consideration to take into account in the assessment of a planning application.

2 –Impact on visual amenity:

In terms of visual amenity, the two dormer extensions and the porch have been previously assessed and deemed acceptable as part of the previous application however it is proposed within this application that the eaves height and roof ridge are raised to match the adjacent attached property. This would be a total of 0.7 metres in height. This element of the scheme is minimal and is not considered detrimental to visual amenity. The principal change would be the loss of the step between the height of the semi-detached pair.

As part of the previously approved scheme, it was considered that with regard to the front elevation, the porch would be single storey in height with a limited projection and constructed from materials to match the host property. Whilst the element of the scheme introduced a new feature to the street scene which has a typically uniform character it was considered that as the extension was small in scale, it was compliant with Policy BE14 of the Unitary Development Plan. There are no apparent changes on site to alter this opinion.

In terms of the front elevation dormer extensions, these are also very similar to those previously approved. The 2 no. dormers would be sited in line with the ground floor openings, as before. It was previously considered that the dormers would retain the original roof slope as the dominant feature, and when added together would not exceed more than 50% of the width of the original roof form however not centrally spaced as more than one extension is proposed. The proposed dormers would be set down from the proposed heightened roof slope and would be set up from the gutter line. It was previously considered that whilst the extensions did not strictly comply with the requirements of Policy BE15 in terms of being centrally located, they are in keeping with the ground floor openings. As before, it is unclear from the submitted details what the proposed materials of construction are for the dormers however to ensure the harm to visual amenity was minimised, a condition was attached to the decision notice ensuring that the dormers to the front were tile hung to match the existing roof. This condition can be re-imposed as part of this application.

The dormer within the rear elevation is also similar to that previously approved. It is proposed that the extension would be sited between the existing single storey rear extension and the shared boundary with No. 7. It was previously cited that a number of the neighbouring rear elevation roof slopes had been extended with dormers and therefore it was not considered at that time that the proposal would be out of character with the street scene. In this instance, it is considered that a small pitched roof dormer extension again, would not be out of character or significantly detrimental to visual amenity and is therefore considered to be acceptable.

With regards to construction materials, the materials for the porch would match the host building and the dormers conditioned to be tile hung to match the host property. The size, scale and design of the dormers and porch would ensure that the original dwelling would be retained as the dominant element and it is therefore considered that the proposal accords with Policies D2, BE1, BE2, BE13 and BE15 of the Unitary Development Plan and advice within the National Planning Policy Framework. Furthermore, the development would accord with emerging policy PLP24 of the Publication Draft Local Plan which states that proposals should promote good design by ensuring (amongst other things) 'the form, layout and details of all development respects and enhances the character of the townscape.....'

3 – Impact on residential amenity:

The main considerations when assessing the impact of development on residential amenity is the harm caused to and from potential overlooking, overshadowing or by being overbearing.

Overlooking – in terms of overlooking, there are proposed openings within the front dormers and porch, a window within the rear elevation dormer and also an additional first floor opening within the existing side elevation of the dwelling. This latter window should be obscurely glazed given its close relationship to the boundary of the site and private amenity spaces of neighbouring properties. In terms of the front elevation and rear elevation openings, the openings would be set back from the existing elevations at ground floor and therefore would not decrease any established separation distances between the site and neighbouring properties. It is however recognised that the proposed dormer extensions would be at first floor level and therefore in an elevated position within the building where no such windows presently exist. However, to the front there is a substantial distance across the highway to the closest affected no. 6 (around 30 metres). At the rear of the property there is evidence of other dormer extensions within the rear elevation roof slopes of the street scene and that the separation distance between the proposed dormer and the dwelling to the rear, 130 Woodside Road, would be approximately 30 metres, it is not considered that there would be undue harm to the occupiers of the neighbouring properties.

With regards to the porch, this would project from the front of the building by 1.2 metres and would be non-habitable accommodation and single storey in height, therefore causing minimal harm. The proposed first floor window within the side elevation of the dwelling would be for the bathroom and it is therefore considered to be reasonable and necessary to attach a condition ensuring that this opening is obscurely glazed.

Overshadowing/overbearing – with regards to the dormer extensions, these would be isolated to the roof space and therefore would not cause any undue harm from overshadowing or by being overbearing. The limited increase in the height of the roof would not cause any material increase in overshadowing.

In terms of the front porch, Policy BE14 states that extensions to the front of dwellings are normally considered acceptable where they are 'small in scale'. As assessed within the previous application, due to the siting and design of the porch and separation distance between it and front window to the attached neighbouring property, no.7, there are minimal concerns regarding residential amenity.

Taking into account all the above, it is not considered that the proposed dormer extensions, raise in the height of the roof, porch and additional first floor window would be detrimental to residential amenity and would accord with Policies D2 and BE14 of the Unitary Development Plan and advice within the National Planning Policy Framework. Furthermore, the proposal would accord with emerging PLP24, proving an acceptable standard of amenity for neighbouring properties.

4 – Impact on highway safety:

The proposed development would have no impact on the existing parking provision that would impact on highway safety.

5 – Other matters:

The process for determining the need for bat survey is as follows; if a property falls within a GIS layer known as the 'Bat Alert Layer' planning officers use details of the proposals to apply a flow diagram, which indicates if further assessment for bats is required.

The requirement to consider bats, and biodiversity in general, is a statutory requirement on the LPA and the process outlined above forms part of the means by which we discharge this duty. The intention is that it is an objective and robust approach.

The proposed scheme is similar to that previously approved and whilst this current submission would raise the entire roof of the building, it is currently well sealed with no evidence of bat roost potential within the site. In addition, the surrounding area is a built-up residential area which minimal landscaping which would attract bats for either foraging or creating roosts. The Council's GIS system does not indicate that there are any known bat roosts within close proximity of the site. As such, in line with the previous application, a bat survey was not considered to be a requirement of this application. This is in accordance with Chapter 11 of the National Planning Policy Framework and the requirements of PLP30 of the Publication Draft Local Plan.

6 – Representations:

One letter of representation received with the following comments and Local Planning Authority response:

- Rear corner window is going to intrude on our daily living as due to the different heights of the property the window is going to look directly into the rear of our property

Response: This has assessed within the residential amenity section of this report

- As their property has already been extensively extended it is already nearer than previously but we felt at the time as it was a single storey extension it would not intrude but now not that long after it now is going to be extended even more

Response: This has been assessed within the residential amenity section of this report

- A skylight would be more appropriate

Response: it was not considered that the rear dormer required removal from the scheme given the assessment above.

7 – Conclusion:

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.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2017/92408

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE1, BE2, BE13, BE14 and BE15 of the Kirklees Unitary Development Plan and Policy PLP 24 of the Publication Draft Local Plan.

3. The external walls and roofing materials of the re-roofing of the building and porch extension hereby approved shall harmonise those used in the construction of the existing building and the attached property at no. 7 Longden Avenue.

Reason: In the interests of visual amenity, in recognition that the new roof to the application property will adjoin the roof of no. 7 Longden Avenue and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP24 of the Publication Draft Local Plan.

4. The dormer extensions hereby approved shall be tile hung to the front and cheeks and roofed in tiles to harmonise with the roof of the extended building.

Reason: In the interests of visual amenity and to accord with Policies BE1 and BE2 of the Unitary Development Plan and Chapter 7 of the National

Planning Policy Framework and Policy PLP24 of the Publication Draft Local Plan.

5. The development shall not be occupied until the first floor window in the northern side elevation of the building hereby approved has been fitted with obscure glazing, minimum Grade 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the window shall thereafter be retained obscure glazed.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Unitary Development Plan and Policy PLP24 of the Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	1706.1		21st July 2017
Existing ground floor plan	1706.2		21st July 2017
Proposed ground floor plan	1706.3A		21st July 2017
Proposed first floor plan	1706.4A		21st July 2017
Existing front and rear elevations	1706.5		21st July 2017
Proposed front and rear elevations	1706.6B		21st July 2017
Existing and proposed side elevation	1706.7B		21st July 2017
Proposed side elevation	1706.8A		21st July 2017

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer did not enter into negotiations or request amended plans for the proposed development as it was considered that the application was considered acceptable in its submitted form.

Report Dated: 18th September 2017

