

**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: 2017/62/92833/E

Site Address: 1, Park House Drive, Thornhill, Dewsbury, WF12 0DQ

Description: Erection of single storey front and side extension, first floor rear extension and dormers to front and side

Recommending Officer: Jennifer Booth

DECISION - REFUSE

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

Julia Steadman

AUTHORISED OFFICER

Date: 09-Oct-2017

OFFICER REPORT

Site Description

1 Park House Drive, Thornhill, Dewsbury is an artificially stone faced semi-detached dwelling located in a position with the side elevation facing onto the road. The property has a parking area to the front for two vehicles off road and an enclosed garden to the rear. There is an existing single storey rear extension which was built with a 6m projection under the larger home notification scheme.

There are similarly aged dwellings surrounding to the front and sides and a small area of undeveloped land to the rear of the property.

Description of Proposal

The applicant is seeking permission for the erection of a single storey wrap around extension to the front and side, erection of a first floor rear extension including a side facing dormer, and a dormer extension within the front roof plane of the property.

The single storey extension would project 1.3m from the original front wall of the dwelling, be set back 3m from the common boundary with the adjoining property, extend out 1.1m past the side elevation and would extend 6.2m along the side elevation of the dwelling. The single storey extension is proposed to have a hipped roof form.

The first floor side extension is proposed to extend across the width of the dwelling and would project 3m out from the original rear wall of the dwelling. The roof form is proposed to be a perpendicular pitched roof form with a dormer in the road facing roof plane. The dormer would have a width of 1.2m, a height of 1.4m and a depth of 1.4m. The roof is proposed to be pitched.

The dormer within the front facing roof plane is proposed to have a width of 2.8m and a height of 1.5m with a depth of 2.5m. The roof is proposed to be pitched and the dormer would be set up 1m from the eaves level of the dwelling and down 0.5m from the apex of the roof.

The walls of the extensions are proposed to be constructed using art stone with tiles for the roof covering and to clad the dormer cheeks.

History of negotiations

Given the issues with the proposals in terms of the cumulative nature of the extensions and the harm which would be caused with regards to visual amenity, amended plans have not been requested.

Relevant Planning History

2013/91659 – erection of single storey extensions to the front and rear and a detached garage – granted although not built

2013/93748 – larger home notification – granted and built

2015/92892 – erection of single storey extension to the side and erection of front and rear dormers – granted although not built

Representations

The application was advertised by site notices and neighbour letters, which expired on 22/09/2017

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

Consultation Responses

None

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 on the UDP Proposals Map

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)

- **BE14** – Extensions to dwellings (scale)
- **BE15** – Front Dormers
- **T10** – Highway Safety
- **T19** – Parking

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
- Chapter 11 – Conserving and enhancing the natural environment

Publication Draft Local Plan Policies

PLP 22 - Parking

PLP 24 - Design

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development:

The site is unallocated within the Unitary Development Plan. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The property is sited within a recently built development with similarly sized dwellings. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The proposal under consideration consists of 3 distinct elements which shall be addressed below.

Single storey front & side extension

The wrap around design of the front / side extension would occupy a prominent position and forms an unusual feature in the street scene. However, the scale of the front extension can be considered to be modest and the materials proposed would match the host property. As such, this element of the scheme can be considered to be acceptable in terms of visual amenity.

Front dormer

The dormer proposed in the front roof plane would meet most of the criteria set out in policy BE15 of the UDP in respect of dormers located to the front or main roof slopes of dwellings houses. It would not cover more than 50% of the roof plane; it is shown on plan as being centrally sited and the recommended distance between the eaves of the dwelling and the base of the dormer is achieved. The space between the top of the dormer and the apex of the roof is less than would normally be suggested under policy BE15 however, the use of a pitched roof detail reduces the overall impact of the front dormer and the use of vertically hung tiles for the dormer cheeks is considered to result in an acceptable addition to the front of the dwelling in terms of visual amenity.

First floor rear extension with side facing dormer

The first floor rear extension can be considered to be acceptable in terms of its projection and the use of appropriate materials. However, the height with the formation of rooms in the roof space together with the dormer within the new side roof plane would represent an unacceptable and very prominent feature given the position of the dwelling within the street scene.

Overall

The extent of works proposed would result in a cumulative impact which would be harmful in terms of the appearance and character of the host property.

Having taken the above into account, the proposed extensions would cause significant harm in terms of visual amenity for both the host dwelling and the wider street scene, complying with Policies D2, BE1, BE13 and BE14 of the UDP and the aims of chapter 7 of the NPPF.

3 – Impact on residential amenity:

Single storey front & side extension

The limited scale of the front extension, together with its position relative to the neighbouring properties, is such that there would be no harm caused in terms of residential amenity.

Front dormer

The front dormers would not represent any reduction in the space between the host property and the side elevation of the neighbouring dwelling opposite the front elevation, 5 Park House Drive. Given the separation distance of 15m together with the lack of direct alignment between the host property and the neighbour, there would be no harm caused to the amenities of the occupiers of the neighbouring property in terms of privacy or overbearing.

There would also be no harm caused to the amenities of the occupiers of the adjoining property given the position of the dormer within the existing roof plane.

First floor rear extension with side facing dormer

There are no neighbours to the rear or to the west side of the dwelling which could be affected by the proposed first floor rear extension or the dormer proposed within the roof scape.

The extension would be constructed along the common boundary with the adjoining 3 Park House Drive. As such there would be some potential for overshadowing in the late afternoon and an overbearing impact. However, the projection of this extension is limited to 3m in line with policy BE14 of UDP and the roof form would slope up and away from the neighbour, thereby reducing the visual emphasis of the extension. Given this, the impact on the amenities of the occupiers of the adjoining property is not significant.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with policies D2, BE1 and BE14 of the UDP.

4 – Impact on highway safety:

The proposals will result in some intensification of the domestic use. However the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. The scheme would not represent any additional harm in terms of highway safety and as such complies with policies D2, T10 and T19 of the UDP.

5– Other matters:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are

found during the development then work must cease immediately and the advice of a licensed bat worker sought. This would accord with the aims of chapter 11 of the NPPF.

There are no other matters for consideration.

6 – Representations:

None

7 – Proposed conditions

None as the recommendation is for refusal.

8 – Conclusion:

This application to erect a single storey extension to the front & side of 1 Park House Drive along with a first floor rear extension with a side facing dormer and formation of a dormer within the front roof plane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

The cumulative impact of the proposed extensions would result in an incongruous feature being formed in a prominent position which would be detrimental in terms of visual amenity.

In addition, the proposed rear extension, due to the height of the pitch would form an incongruous relationship with host property which would be damaging in terms of visual amenity. As such it would be detrimental to visual amenity and contrary to policies D2 and BE13 of the Kirklees UDP and guidance given in the NPPF.

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. 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.

Recommendation

Refusal

Decision Authorisation - Delegated Powers

Application Number: 2017/92833

Officer Recommendation: REFUSE

Reasons for refusal

1. The cumulative impact of the proposed extensions to the front, side and rear of the host dwelling would result in an incongruous form of development in this prominent location. To permit the proposed extensions would be harmful to the visual amenity of the host dwelling and wider streetscene, contrary to Policies D2, BE1 and BE13 of the Kirklees Unitary Development Plan and advice given within the National Planning Policy Framework.

2. The height of the first floor rear extension, when viewed in addition to the proposed dormer, would result in an incongruous feature in a prominent position. To permit the proposed extension would be harmful to the character of the host property and the wider street scene and contrary to Policies D2, BE1 and BE13 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location plan	02	651003	14/08/2017
Existing plans	PDD/01	651001	14/08/2017
Proposed plans	02	651002	14/08/2017

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.

Given the issues with the proposals in terms of the cumulative nature of the extensions and the harm which would be caused with regards to visual amenity, amended plans have not been requested.

Report Dated 06/10/2017