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:	2017/62/93318/W
Site Address:	259, New Hey Road, Oakes, Huddersfield, HD3 4GH
Description:	Erection of two storey side extension with basement floor under to rear and dormer window to rear
Recommending Officer:	Oliver Corbett

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: 21-Nov-2017

Officer Report

Reference- 2017/**93318**

Applicant- **S Kaur**
259 New Hey Road
Oakes
Huddersfield
HD3 4GH

Location – **259 New Hey Road, Oakes, Huddersfield, HD3 4GH**

Proposal – **Erection of two storey side extension with basement floor under to rear and dormer window to rear**

Site Description

The application relates to a semi-detached, split two-and-three storey property on New Hey Road in Huddersfield. The property is faced in stone and render, with a concrete tile roof. The property shares design characteristics with a number of properties further along New Hey Road including the attached neighbour, although there is a variety of house designs and scales in the wider streetscene. The property possesses a covered porch area to the front, with an attached single storey garage to the side. The site slopes steeply to the rear boundary, with the property being two-storey to the front but three to the rear.

To the south west of the site is a more recent infill property no. 261.

A public right of way runs along the southern boundary of the property.

Description of Proposal

The application proposes the erection of a two storey side extension, with basement floor to the rear (to match the host property). It also proposes the erection of a dormer to the rear, having altered the existing hipped roof to a gable. Each element is described below;

Alterations to form gable roof and erection of rear dormer

The roof of the host dwelling will be altered to form a gable roof. This will result in a roof with a maximum height of 8.5 metres across the full width of the original dwelling. 2no roof lights are proposed to be installed on the front roof plane. The roof will remain constructed in slate tiles. At the rear, a flat roofed dormer would be installed with a width of 4.8 metres, a height of 2.5 metres, and set in from the eaves by 0.5 metres. Without reviewing the specifics of the GPDO, it is understood that the works described above benefit from permitted development (subject to materials) and would not require planning permission. They will be assessed as part of this planning application however, in the absence of a Certificate of Lawful Development application being lodged. The dormer would be faced in white uPVC panelling and there are two windows to the rear elevation.

Two storey side extension

The extension will be situated on the western side elevation of the property, replacing the existing single storey garage at the site. There is adequate parking space for 2no cars within the paved front garden and driveway, while there is unrestricted street parking provision for any other vehicles visiting the property. It will have a projection of 2.9 metres, with a length of 7.8 metres. The extension will therefore be set in from the front elevation of the existing dwelling by approx. 0.2 metres and from the rear elevation by 0.3 metres. It will have a maximum height from lower ground floor (at the rear) of 9.6 metres, with a height from ground level at the front of the property to the ridgeline of 7.5 metres. It will have a hipped roof constructed in slate tiles, with a varied eaves height from approx. 5.3 metres from ground, and the ridge sits 0.9 metres below the ridge of the host dwelling.

The extension features windows to the front elevation, with a blank face on the side elevation, and three windows on the rear elevation on each resultant floor. It would be faced in coursed stone at ground and lower-ground floors to the front and rear, with pebbledash render at first floor and the whole of the side elevation, all to match the host dwelling (excepting that there would be no stone at lower level along the side elevation). The windows will be faced in white uPVC.

History of negotiations/amendments received

A discussion took place to confirm the material and colour palette of the rear dormer, which was not noted in the application forms.

Relevant Planning History

No relevant planning history.

Representations

Final publicity date expires: 3rd November 2017.

No representations were received.

Consultation Responses

No consultations were 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 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 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. 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.

The site is unallocated on the UDP and the PDLP Proposals Map.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions (design principles)
- **BE14** – Extensions (scale)
- **T10** – Highway safety
- **R13** – public rights of way.

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

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 21** – Highway Safety
- **PLP 22** – Parking
- **PLP 24** – 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
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) 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]".

The Publication Draft Local Plan (PDLP) states that:

"Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise."

All these considerations are addressed later in this assessment.

2 –Impact on visual amenity:

The proposed works will significantly increase the scale of the property within the site in comparison to its attached neighbour. When considering the resultant property against other properties in the streetscene of New Hey Road however, it would be an acceptable scale and would not look out of character. Although the gable roof would differ from that of the neighbouring

property with a hipped roof, it would not result in a disproportionate or harmful appearance. As noted previously, it is understood that the works to alter the roof to a gable and form a dormer to the rear benefit from Permitted Development rights (subject to materials) and under such rights, the impact on visual amenity would not be assessed and the works would be acceptable. It remains the case however that there would not be a significant impact on amenity as a result of these elements. Along this section of New Hey Road there are a wide variety of house types, both in design and materials and in this context the changes to the existing roof would not be unduly harmful to visual amenity. The use of white cladding for the dormer would, however, draw too much attention to the scale of this feature in the roof. It will be conditioned that this be dark grey to harmonise with the principal roof in the interests of visual amenity.

The extension to the side remains would be subservient to the host dwelling, through the use of a lower, hipped roof, and being set in from both the front and rear elevations of the property. It is also constructed in materials to match the host and neighbouring properties, using stone and render.

Overall, the works are considered to be acceptable, with the original property remaining the dominant element and the impact on the streetscene being low. Although the extension retains only a narrow gap between the extension and the boundary of the boundary no terracing effect would be established. This is because of the 'air gap' retained to the side and the roof form of the side extension and because the property to the west, no 261 is of a different design and is set behind the application property.

It is therefore considered that the proposed development adheres to the guidelines set by Policies BE1, BE2, BE13 and BE14 of the UDP, and Policies PLP 1, 2 and 24 of the PDLP.

<u>3 – Impact on residential amenity</u>:

In respect of the attached property no. 257 New Hey Road the works to create a side extension and alter the roof would not result in any significant detriment to this neighbouring property, with the rear elevation being south-facing and the extensions and alterations not impacting upon light levels. This also signifies that the dormer extension would not result in any detrimental shadowing on the property or its rear amenity space. The proposed windows on the rear elevation of the extension and the dormer are also unlikely to result in any significant loss of privacy at the property, given that there are already high level windows on the rear elevation serving habitable rooms which overlook the rear amenity space of the neighbour.

To the rear of the site is a recreation ground, and it is not considered that there would be any detrimental impact on this property as a result of the works.

To the west of the site is no. 261 New Hey Road, which possesses two small windows in the side elevation directly facing into the amenity space of the

application property. To the front elevation there is a ground floor window and a further window in a dormer above close to the boundary with no. 259. The works may result in some overlooking from the proposed windows in the rear elevation of the side extension across the small windows in the eastern elevation of the property, however this would be at an oblique angle and not represent a significant detrimental impact, given the existing windows on the rear elevation of the application property.

There may be a very small potential to overlook the dormer windows of no 261 from the windows in the rear elevation of the extension, although this would be at a near 180 degree angle and the windows are at different levels and as such it is not considered that there would be a resultant undue impact.

The scale of the side extension would increase built form to a point close to the joint boundary with no. 261. This would be apparent from the windows in the front elevation of the property. However this would not exceed the scale of the host property – which is an established relationship - and is also to the north east of the site where it would not directly affect sunlight. The use of a hipped roof reduces the scale somewhat and the affected windows would retain an open aspect to the north. Given all this the scale and proximity of the side extension is not considered to be overbearing.

Overall the impact on all affected properties is considered acceptable; there would not be any significant impact on properties across the other side of New Hey Road, given the separation distance.

It is therefore considered that the proposed development adheres to the guidelines set by Policies BE1, BE2, BE13 and BE14 of the UDP, and Policies PLP 1, 2 and 24 of the PDLP.

4 – Impact on highway safety:

The applicant notes that the existing garage on site is too narrow and unsuitable for use of modern vehicles, and the demolition of this element and replacement by the extension would not result in any fewer parking spaces at the property. With this in mind, the property does retain space for 2 vehicles to park on the paved front garden and driveway, while there is unrestricted parking along New Hey Road for any additional vehicles. Although the proposals increase the bed spaces at the property from 3 to 5, it would not represent a significant intensification of parking usage at the site and the on-street parking provision would be acceptable, in accordance with Policy T10 of the UDP and PLP 21 and 22 of the PDLP.

5 – Other matters:

There is a public footpath running along the southern boundary of the site. Given the separation of the proposed extensions to the line of this footpath it is considered that the setting of this route, and users of this route, would not be prejudiced. This accords with Policy R13 of the UDP.

6 – Representations:

No representations were received.

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: 2017/93318
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 schedule 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, BE13 and BE14 of the Kirklees Unitary Development Plan, and Policies PLP 1, 2 and 24 of the Publication Draft Local Plan.

3. Notwithstanding the details proposed, the use of white uPVC cladding for the dormer window is not approved. The front and sides of the dormer shall be clad in dark grey material to harmonise with the roof of the dwelling before the room it serves is first brought into use. It shall thereafter be retained clad in dark grey material to harmonise with the roof of the dwelling.
Reason: In the interests of visual amenity so as to ensure that the dormer windows does not appear unduly prominent in the roofscape and to accord with Policies D2 and BE13 of the Kirklees Unitary Development Plan, and Policies PLP 1, 2 and 24 of the Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Existing Plans and Elevations	Dwg no. 660-01	-	28/09/2017
Grouped Proposed Plans and Elevations	Dwg no. 660-02	-	28/09/2017

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 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 application as submitted was considered to be acceptable to Planning Officers, no negotiations or amendments were therefore required for this application.

20/11/2017

Report Dated: