

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: 2018/62/92746/W

Site Address: 34, Thornhill Road, Edgerton, Huddersfield, HD3 3DD

Description: Erection of three storey side extension, single storey rear extension, front porch and external alterations to enlarge driveway and improve access (within a Conservation Area)

Recommending Officer: Francis Davies

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 12-Dec-2018

Officer Report

Reference: 2018/92746

Proposal: Erection of three storey side extension, single storey rear extension, front porch and external alterations to enlarge driveway and improve access (within a conservation area)

Location: 34 Thornhill Road, Edgerton, Huddersfield, HD3 3DD

Site Description

The application dwelling is set within Edgerton conservation area, described within the area appraisal as being characteristically leafy Victorian residential with large detached building set in generous grounds. The application dwelling is no exception to the above assessment, identified as a good example of the type of housing described.

Constructed from natural stone and slate tiles the dwelling is set over four storeys and displays a number of architectural features, including bay windows, a turn gable and ornate detailing. A generous amount of private amenity space extends to the front (east) and hosts a vehicle driveway leading to an attached garage. Equally, the dwelling benefits from a large amount of private amenity space to the rear. Delineating boundary features are considered substantial, consisting of natural stone walls and mature vegetation.

Description of Proposal

The application seeks planning consent for the erection of a two storey side extension, a single storey rear extension, alterations to form an enclosed double garage and widening of the access from Thornhill road.

The proposed two storey side (south) extension would not increase the footprint of the dwelling, being built up of the existing single storey garage, a previous addition, granted planning permission under application 90/03326. As such the application would be set back from the principal elevation by approximately 7m, have a width of 7m and a depth of approximately 7.2m. In respect of height the extension would offer an eaves height of 7m and a total

ridge height of 9.7m, below that of the original dwelling. It is noted that the first floor and second floor extension would be set in by approximately 2m.

The design of the extension appears to mimic that of the host dwelling, continuing the distinctly Victorian style. Furthermore, proposed materials of construction would match those of the application dwelling, natural stone and slate tiles while the fenestration would be aligned and complementary to the parent dwelling. On completion this element of the scheme would contribute an en-suite and dressing room.

In respect of the single storey rear extension this is distinctly contemporary in design being constructed from full height aluminium curtain wall glazing and finished in flat roof finished in grey GRP 'Glass Reinforced Plastic' featuring a roof lantern. Alternatively, the north facing elevation would be constructed from natural stone blending with the original dwelling. With regard to scale it is noted that the extension would have an eaves height of approximately 2.8m and total height of 3.4m. On completion this aspect of the development would offer an additional family room. Other minor alterations include the widening of the vehicle entrance off Thornhill Road.

History of negotiations

Concerns were raised with the agent regarding the proposed porch and circular window which were considered to create incongruous development. Accordingly revised plans were received omitting these features. It is also noted that the original scheme was for a three storey side extension although this was not considered financially viable and the scheme reduced.

Relevant Planning History

90/03326 – Proposed garden room. Car port/garage/ garden store extension (Conditional Full Permission)

91/02025 – Erection of conservatory (Conditional Full Permission)

Representations

Final publicity date Expires: 17th October 2018

One public representation was received regarding this application. Below the concerns raised are outlined in brief:

- The proposed alterations will result in a radical change to the appearance of the house. The dwelling is located within Edgerton conservation area
- Materials used should match those of the existing dwelling
- Concern regarding the design of the proposed porch
- Skylights should be conservation type

- Will boundary features be retained natural stone wall and mature vegetation

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- Conservation and Design – No objection (informally consulted)

Policy

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 48 of the National Planning Policy Framework (2018). 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 (2018), 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 Proposals Map and remains unallocated on Kirklees Publication Draft Local Plan. The dwelling is located within the Edgerton conservation area.

- Access considerations - None

Kirklees Unitary Development Plan:

- D2 – Unallocated Land
- BE1 – Design Principles
- BE2 – Quality of Design
- BE5 - Conservation Area
- BE13 – Extensions to dwellings (design principles)
- BE14 - Extensions to dwellings (Scale)
- T10 – Highway safety

Kirklees Publication Draft Local Plan (PDLP):

- PLP1 – Achieving Sustainable Development
- PLP21 – Highway Safety and Access
- PLP24 – Design

- PLP35 – Historic Environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 24th July 2018, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving Sustainable Development
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

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

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.

Impact on Visual Amenity and Edgerton Conservation area

The application site is located in Edgerton conservation area. Section 72 of the planning (listed Building & Conservation Areas) Act 1990 introduces a general duty in respect of conservations areas. As such special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Additionally, Policy BE5 of the Unitary Development Plan, Policy PLP35 of the publication draft local Plan and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework

(NPPF) outline the principle of development and restrictions on development in Conservation areas.

The application would introduce a large two storey side extension of a similar architectural design and matching construction materials, built over a single storey garage extension. While this element of the development is large in scale it is notably subservient to the host dwelling by virtue of the fact that it is set back from the principal elevation, set in from the boundary and set down from the eaves and ridge. Consequently, the original dwelling would remain as the dominate element, ensuring the extension appears as a later addition. Equally, though mimicking the Victorian architectural style, the proposed is not anticipated to result in an incongruous or out of place addition. Whilst the extension would be built above the garage door and slightly unusual, given the set back and design details of the proposal is element of the scheme is considered to be acceptable.

In respect of the addition to the rear (west), this represents a notable departure from the style of the host property, introducing a distinctly contemporary design. The proposed floor to ceiling aluminium curtain wall glazing and the flat roof finished in GRP area alien construction materials, distinct from the traditional construction materials of the original house.

However, it is noted that the rear extension would be replacing a small UPVC conservatory and would incorporate natural stone so as to blend the extension to some degree. Furthermore, the juxtaposition of old and new is not considered to be harmful but rather refreshes the appearance of the dwelling. In this respect the KC conservation and design officers did not offer any objection but instead supported the design. However, acceptance of such a modern addition is considered acceptable owing to the fact that it is located to the rear of the dwelling and as such does not harm or impose on the prevailing urban grain.

All other aspects of the scheme are considered to be minor. However, it is noted that the applicant wishes to widen the existing access off Thornhill Road which would lead to the partial demolition of the boundary wall. It is noted that the current access is narrow and a widened access is considered to be reasonable request and would not lead to a substantial loss of a boundary wall. Presently, it is noted that the current access is flanked by ornate stone gate posts, a common feature along Thornhill road. As such, to preserve the visual amenity of the dwelling and character of the conservation area overall it is advised that a condition will be attached requiring the existing stone gate posts to be re-instated.

The harm to the heritage asset is considered to be less than substantial and the public benefits of providing an enhanced dwelling within the conservation area are considered to outweigh any harm to the heritage asset.

In light of the above the application is considered to acceptable complying with Policies BE1, BE2 and BE5 of the Unitary Development Plan, Policies PLP1, PLP24 and PLP35 of the publication draft Local Plan and guidance

contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework (NPPF).

Impact on Residential Amenity

The application is located in a residential area and as such is bounded to all sides by dwellings. Those neighbouring properties which bound immediately to the host dwelling include no.36 Thornhill, no.32 Thornhill, no.31 Thornhill and no.69 Thornhill Avenue.

No.36 Thornhill Road

No.36 Thornhill road is a large detached dwelling of similar architectural design and construction materials, located to the south of the application dwelling. The two storey side extension would not reduce the separating distances between the two dwellings of approximately 0.5m. However, as a two storey extension it would introduce a significant amount of built form close the boundary with this dwelling.

To this end it is noted that particular attention has been paid to the design of the two storey development whereby it is set in, to a greater extent than the existing garage. As such the side extension would have a distance to the common boundary of approximately 2.5m. Furthermore, the south facing elevation of the extension would not host any openings and is at a reduced height relative to the eaves and ridge of the host dwelling. Such design considerations, serve to mitigate concerns relating to matters of an overbearing and overlooking nature. Indeed it is noted that the north facing elevation of no.36 does itself not host any opening which would be impacted by the proposed development in respect of overshadowing. The hosts property location to the north would ensure that there is no adverse overshadowing impact.

Given the above the application, on-balance is considered to be acceptable not harming the residential amenity of the occupiers of this dwelling.

No.32 Thornhill Road

No.32 Thornhill road is a semi-detached dwelling, adjoining the application property to the north. Consequently, the architectural design and materials of construction mirror those of the application dwelling. Owing to the fact that this neighbouring property is located to the north it is not anticipated that the two storey side (south) extension would materially harm the residential amenity enjoyed by the occupiers of this dwelling. Rather, it is the single storey rear (west) extension which presents the greatest concern, particularly given the rear projection of 5.8m.

As detailed earlier in the report the single storey rear extension would have an eaves height of 2.8m and a total height of 3.4m. Furthermore, it is noted that the extension would be set in from the boundary by approximately 2.4m and be constructed from natural stone along the norther side elevation with a return. It is clear therefore that consideration has been given to the residential

amenity enjoyed by the occupiers of no.32 whereby the agent has sought to reduce the impact of a larger extension. As such, the extensions is not anticipated to overbear, overlook or overshadow the private amenity space of no.32 thereby being acceptable. It is also noted that No.32 had permission for a rear conservatory with a projection of 4.2 metres approved under application 2004/5056 and given the set in from the shared boundary a large rear extension is considered to be acceptable.

No. 31 Thornhill Road & no.69 Thornhill Avenue

No.31 Thornhill road is located to the east of the application dwelling and benefits from a separating distance of approximately 33.7m while Thornhill road serves to remove the dwellings from one another. As such the impact of the proposed development on no.31 is considered to be negligible, not harming the residential amenity of the occupiers of this dwelling.

In respect of no.69, this dwelling is located to the southwest and again benefits from a considerable separating distance of approximately 38m. As such, while the proposed development would be visible from this dwelling it is not anticipated to harm the residential amenity. Overall, the impact of the proposed scheme on these dwellings is considered acceptable.

Conclusion on residential amenity

In light of the above assessment, while it is noted that the scheme will introduce a considerable amount of built form, owing to sensitive design features it is anticipated that sufficient mitigation has been offered so as to overcome concerns of residential amenity. As such the application is considered to comply with Policies D2 and BE14 of the Unitary Development Plan, Policies PLP 1 and PLP24 of the publication draft Local Plan and guidance contained within Chapter 12 of the National Planning Policy Framework (NPPF).

Impact on Highway Safety

The application proposed to widen the existing access off Thornhill Road. It is anticipated that such an amendment would serve to improve access to the dwelling thereby being acceptable. In respect of parking provision it is advised that this would remain unchanged, retaining the existing driveway and introducing a double garage, replacing a single garage and car port.

Furthermore the proposed extensions do not offer an additional bedrooms and as such are not anticipated to result in an increase in vehicle traffic visiting the dwelling or the need for additional parking. It is noted that electric gates are proposed to be installed at the entrance and this would lead to vehicles having to wait on street for the gates to open before entering the site. However Thornhill Road is wide and on street parking is common, therefore having to wait a short period of time for electric gates to open is on balance considered to be acceptable.

As such the application is not believed to give rise to any concerns of a highway safety. The application is therefore deemed to comply with Policy T10 and T19 of the Unitary Development Plan and Policy PLP21 of the publication draft Local Plan.

Other Matters

No other matters for consideration.

Representations

One public representation was received in respect of this application. The comments received are individually considered below:

- The proposed additions will make quite a radical change to the overall appearance of the house.

Comment: Noted. The visual amenity of the proposed scheme has been assessed by both planning officers and conservation and design officers and is considered to have an acceptable impact on the street scene and character of Edgerton conservation area.

- Materials used – will the stone used in the extension be reclaimed stone in order to make it fit as well as possible with the existing building.

Comment: A condition will be attached to the permission requiring that construction materials used in the two storey side extension shall match the construction materials used in the host dwelling. New material may initially appear distinct but it is believed that those materials will weather to fit with the host dwelling. It is not considered necessary to condition that reclaimed stone is used in the two storey side extension.

- Is the porch really in keeping with the age and style of the property?

Comment: Following consultation advice received from KC Conservation and Design officers the applicant was advised to remove the porch element of the scheme. Accordingly revised plans were submitted omitting this element.

- Will the dormer window be a copy of the existing one at the front of the property?

Comment: Subsequent alterations to the application have resulted in the omission of the originally proposed dormer extension. As such this comment is no longer relevant

- Skylights – should these be conservation style skylights.

Comment: The installation of skylights does not form part of this application. As such it is not relevant to attach a condition requiring skylights to be of a conservation style.

- Will the front steps from the drive to the front door be the original ones just relocated and will they have to keep the hedge as all the properties along this section of the road have hedges above the stone walls.

Comment: It is not known if the front steps from the driveway to the front door will be the original. Such amendments are considered minor and would be imperceptible when completed. Equally, given the above it is not deemed necessary to dictate the nature of materials in this respect. The proposed plans indicate that the boundary natural drystone boundary wall will be retained although it is not clear if hedges above the stone walls will also be retained. It is not considered necessary to condition that such vegetation is retained.

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: 2018/92746

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 protect the character, appearance and special historic significance of the Edgerton Conservation Area, and to accord with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, Policies PLP1, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

3. The stone and roof tiles used in the hereby approved extensions shall in all respects match those used in the construction of the existing building.

Reason: In the interest of visual amenity to protect the character, appearance and special historic significance of the Edgerton Conservation Area and to comply with Policies D2, BE1, BE2, BE5 and BE13 of the Kirklees Unitary Development Plan, Policies PLP1, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and guidance contained within Chapters 12 and 16 of the National Planning Policy Framework.

4. As set out on the hereby approved drawing A(10)-01, works to widen the drive shall include the retention of the existing stone gate posts relocated to the edge of the enlarged drive. The existing gateposts shall be relocated before the hereby approved extensions are brought into use

Reason: In the interest of visual amenity to protect the character, appearance and special historic significance of the Edgerton Conservation Area and to comply with Policies D2, BE1, BE2, BE5 and BE13 of the Kirklees Unitary Development Plan, Policies PLP1, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and guidance contained within Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Plan – As Existing	A(00)-02	-	04th September 2018

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	A(00)-01		
Integrated Design & Access / Heritage Statement	August 2018	-	04th September 2018
CON29M Residential Mining Report	18 May 2018	-	04th September 2018
Drainage and Water Enquiry	18 May 2018	-	04th September 2018
Building Survey	5th April 2018	-	04th September 2018
Site Plan and Location Plan	A(90)-02	-	08th November 2018
Plans & Elevations – As proposed	A(10)-01	-	28TH November 2018

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.

Concerns were raised with the agent regarding the originally proposed porch and first floor circular window. As such revised plans were submitted omitting these element. It is advised that the scale of the scheme was reduced at the request of the agent due to reasons of financial viability.

Report Dated: 11/12/2018