

**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: 2019/62/90171/W

Site Address: 4, Thornfield Avenue, Lockwood, Huddersfield, HD4 5HG

Description: Erection of single storey conservatory and rear dormer window

Recommending Officer: Jason Hammond

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: 27-Mar-2019

Officer Report.

Reference: 2019/90171

Location: 4 Thornfield Avenue, Lockwood, Huddersfield, HD4 5HG

Proposal: Erection of single storey conservatory and rear dormer window.

Site Description.

4 Thornfield Avenue is a terraced two storey property located in Lockwood, Huddersfield. The property benefits from a small paved area to the front with a larger garden to the rear, with some of this land being owned by Kirklees Council. The property is faced with natural stone to the front, with red brick to the rear. The roof is pitched, constructed in blue slate roofing tiles.

The site is situated within a residential area sharing a similar design being constructed in the 1930s. This predominant style is of stone faced buildings to the front, with red brick to the rear. Extensions are not uncommon to the rear of the properties along this street, with conservatories and single storey extensions being common, with examples of two storey extensions. To the south is woodland. To note, the street is on a downward eastern gradient with properties on different ground levels.

Description of Proposal.

The rear extension is to allow for a conservatory, projecting 4.00 metres from the property and having a length of 4.10 metres. This is to have a lean-to roof with a maximum height of 3.00 metres and eaves of 2.00 metres. Glazing and French doors are proposed on the rear elevation with roof lights covering the roof, with brickwork proposed on the side. The extension is to be set in 0.50 metres from each side.

The rear dormer is to have a length of 4.30 metres with a width of 3.20 metres and height of 1.80 metres with a flat roof. The dormer is to be constructed in white uPVC with a felt roof. One rear facing window is proposed. The dormer allows for an attic bedroom.

History of Negotiations.

Amendments were sought to reduce the scale of the initially proposed two storey extension with balcony and rear dormer due to the impact on residential amenity and overdevelopment and intensification of the site. Amended plans were received on 25/03 for a single storey conservatory with glazing on all elevations, albeit obscurely glazed to the side. Further amendments were sought to reduce the glazing in the conservatory, with amended plans removing the side glazing in place for matching brickwork. Confirmation was given to change the description to 'Erection of single storey conservatory and rear dormer window' to allow for these amendments.

Relevant Planning History.

2001/90642 - *Rear of 4 Thornfield Avenue* - Erection of detached garage. *Granted in 2001.*

Similar applications have also been made nearby to the site:

99/91962 – *16 Thornfield Avenue* – Erection of two storey extension. *Granted in 1999.*

2004/93055 – *14 Thornfield Avenue* – Erection of two storey extension and detached garage. *Granted in 2004.*

2012/92809 – *1 Thornfield Avenue* – Erection of single and two storey extension. *Granted in 2004.*

This shows that extensions of varying forms are not uncommon in the area.

Representations.

The application was advertised by a site notice and neighbour letters which expired on 17/03/2019. Two letters of representation were received to the originally submitted larger proposal, stating they have no objection.

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

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 27th February 2019).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **PLP 1** – Achieving Sustainable Development
- **PLP 2** – Place Shaping
- **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 February 2019, 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 12** – Achieving well-designed places

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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

Principle of development:

The site is without notation on the Kirklees Local Plan. Policy PLP1 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.

Policy PLP1 goes on further to stating that “the council will always work pro-actively with applicants jointly to find solutions which mean that proposals can

be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy PLP 24 of the Kirklees Local Plan (as modified) will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In this case the application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

Impact on visual amenity:

The proposal refers to the rear of Thornfield Avenue, a residential area with properties in the area sharing a similar design of terraced properties faced with stone to the front and brickwork to the rear. The proposal refers to the erection of a rear conservatory and a rear dormer. Conservatories and extensions are not uncommon in the area, although with no examples of dormers in the proximity. This sets the context of the streetscene and area.

It is considered that the conservatory would be in keeping of the area, with conservatories present on either side to the site. The conservatory is to benefit from French doors and extensive glazing to the rear elevation which are not untypical features to a conservatory. Glazing is to be utilised in the roof which is also deemed to be non-obtrusive and having no harm on the visual amenity of the area. The side of the property is to be faced with matching brickwork that would be in keeping with the materials of the main property. The lean-to roof ensures the main property remains dominant.

The rear dormer is to be set in from the sides, as well as from the roof ridge and eaves that will allow for the main roof to be clearly seen and ensure that the dormer is seen as subservient. To ensure that the dormer window does not appear overly prominent it will be conditioned to be clad in a dark colour or clad in vertically hung tiles. No dormers are present in the area, although the addition of this dormer would have no harm on the visual amenity of the area.

In addition, the proposal has been significantly scaled down through amendments that has improved the appearance and setting of the extension. The amendments has ensured there is no overdevelopment or intensification of the site and has ensured the main property remains dominant and visible. There is also sufficient amenity space for the current residents, with the garden not being dominated by extensions.

Therefore, the proposal is in accordance of Policy PLP 24 of the Kirklees Local Plan (as modified) that states “extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”. The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area.

Impact on residential amenity:

The site shares its boundary to properties to the east and west, meaning development here has the potential to impact these neighbours. These are set out and discussed below:

- *2 Thornfield Avenue* – This property is located to the west, sharing a side boundary where the proposed conservatory is to be situated. It is considered that the impact on this property is to be minimal when considering the existing conservatory this property benefits from on this side, plus any light impacts only occurring in the early morning. Additionally, this property is on a higher ground level meaning there is less of an overbearing impact from the proposed development. No side windows are proposed ensuring privacy levels are retained.
- *6 Thornfield Avenue* – This property is located to the east, set on a lower ground level to the site and sharing the boundary where the conservatory is to be situated. The impact upon this neighbour is considered to be acceptable considering the small scale of the conservatory and it being set from the boundary. The conservatory is to project 4.00 metres from the rear which would be of little harm and would only overbear upon the side of the existing conservatory of this property and the rear door. This neighbour is set on a lower ground level although the typical height from the conservatory will be of no harm upon being overbearing or overshadowing. There is no side windows that ensures privacy levels are retained.

The proposal therefore accords with Policy PLP 24 (as modified) of the Kirklees Local Plan which states “extensions...minimise impact on residential amenity of future and neighbouring occupiers.” Having considered the above factors affecting neighbouring properties and relevant policies, the proposed side extension is not deemed to result in any significant harm upon the residential amenity.

Impact on highway safety:

The proposed rear extension would result in a new conservatory, which would not result in the need of an increase of car usage or reduce the capacity of car parking to the property. Therefore, the proposal is considered to have no

impact on highway safety and as such complies with Policies PLP22 and PLP24 of the Local Plan (as modified).

The proposal would result in a conservatory and extra bedroom which could result in an increase of car usage to the property. However, it is considered that this additional bedroom would be of no harm upon the property with sufficient on-street parking to the front of the property, as well as a garage to the rear of the property accessed from access road further down Thornfield Road. Therefore, the proposal is considered to have no impact on highway safety and as such complies Policies PLP22 and PLP24 of the Local Plan (as modified).

Other matters:

There are no other matters for consideration.

Representations:

Two letters of public representation were received to the larger proposal, stating they have no objection to the proposal. This is noted by Planning Officers.

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: 2019/90171

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 Policy PLP24 of the Kirklees Local Plan (as modified).

3. The hereby approved dormer shall be clad in a dark colour cladding or tile hung to match the existing roof tiles

Reason: So as to ensure the satisfactory appearance of the development on completion and to accord with Policy PLP24 (as modified) of the Kirklees Local Plan.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 - 18.30 hours (Mondays to Fridays), 08.00 - 13.00 hours (Saturdays)
with no work carried out on Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			21/01/2019
Grouped Plans and Elevations (shows existing)	HS 01		21/01/2019
Revised Plans and Elevations	CB02a		26/03/2019

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.

Amendments were sought in order to reduce the initially proposed plans, with amended plans resulting in a single storey conservatory which were deemed satisfactory in terms of visual and residential amenity. Confirmation was obtained for the change in description to reflect the changes in the amended plans.

Report Dated:

26/03/2019
