LRJ PLANNING

Planning, Design and Development

APPEAL STATEMENT

SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION BY KIRKLEES METROPOLITAN COUNCIL

APPEAL SITE: 4, INGLEWOOD AVENUE, BIRKBY, HUDDERSFIELD, HD2 2DS

APPELLANT: MR AND MRS ALI

APPLICATION REFERENCE: 2019/62/93203/W

PREPARED BY: LRJ PLANNING LTD

DATE: MARCH 2020

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1 AUTHOR'S BACKGROUND

1.1 My name is Lloyd Jones. I am a Chartered Town Planner and I hold a degree in City and Regional Planning from Cardiff University. I am a member of the Royal Town Planning Institute and prior to establishing LRJ Planning I worked in Local Government for 15 years dealing with a range of applications from householder schemes to major residential development.

1.2 The evidence which I have prepared and provided for this appeal is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2 INTRODUCTION

2.1 This Appeal Statement has been prepared by LRJ Planning on behalf of Mr and Mrs Ali in support of an appeal against the decision of Kirklees Metropolitan Council to refuse a planning application (planning reference: 2019/62/93203/W) for the following development at 4 Inglewood Avenue, Birkby, Huddersfield, HD2 2DS:

"*Extension of dormer windows to side elevations, erection of two storey side and rear extension and exterior alterations."*

A copy of the plans that were refused by the Council are produced at **Appendix A.**

2.2 The application was validated by the Council on 2nd October 2019. The application was determined under delegated powers where it was refused on 28th February 2020 for the following reasons:

"1. The proposed development, by reason of its siting, scale, design and relationship with the host building would fail to represent a subservient addition to the property introducing an unsympathetic, incongruous and overly prominent form of development and would have a detrimental impact on visual amenity and the character and appearance of the host property and wider local area. The proposals as such would be contrary to Policy LP24 (a and c) of the Local Plan and paragraph 127 of the National Planning Policy Framework.

2. The proposed development, by reason of its siting, scale and proximity to neighbouring land would result in an overbearing and oppressive impact upon the residential amenity of the occupiers of the adjoining dwelling no. 2 Inglewood Avenue. The extension would be viewed as an unduly overbearing structure. To permit such a development would be contrary to

policy LP24 (b) of the Kirklees Local Plan and the aims of the National Planning Policy framework.

3. The proposed window shown in the side elevation to Bedroom 2 would result in overlooking at close quarters of private amenity space associated with the neighbouring property number 2a and would therefore be contrary to Policy PLP24 (c), as well as the aims of chapter 12 of the National Planning Policy Framework."

2.3 A copy of the officer delegated report and decision notice is attached at **Appendix B.**

3 APPEAL SITE LOCATION, BACKGROUND AND PROPOSAL

Appeal Site Location

3.1 The appeal property comprises a 1960's detached chalet style property positioned on the western side of Inglewood Avenue. The property is finished in brick /cladding and a tiled roof. The houses along Inglewood Avenue and Birkby Road are individually designed and differ in size, positioning, scale and architectural detailing. The aerial photograph in Figure 1 below illustrates this. Further photographs exhibited at **Appendix C** illustrate the diversity of architectural styles.

Figure 1 – Aerial View of Appeal Site and Surrounding development



3.2 The appeal property does not fall within a conservation area and there are no designated heritage assets within the immediate vicinity of the site.

Background

3.3 The appellant has viewed an appeal as a last resort and during the determination of the application sought to work with the Council to find a positive solution to the issues raised.

3.4 The appeal proposal as initially submitted sought planning permission for the extension of dormer windows to side elevation and the creation of a two-storey side and rear extension. Figure 2 below illustrates the elevations of the initial submission, but full details are provided at **Appendix D.**

Figure 2 – Initial Proposal



3.5 On 21st November 2019, the Council advised the appellant that while they supported the principle of the extension, they had concerns about the design of the box type nature of the development and the impact the development would have on the living conditions of No.2 and No.2a.

Appeal Proposal

3.6 The appeal proposal sought to address the concerns raised by the Council in relation to the impact on the neighbouring properties. The amended plans illustrate the removal of the first floor rear element which result in a significant reduction in overall mass at the rear. Full details of the amended plans are produced at **Appendix A,** but figure 3 below illustrates the amended elevations.

Figure 3 – Amended Plans (Areas identified in red illustrate elements that have been deleted)



3.7 The supporting Design Statement exhibited at **Appendix E** details the extensive work that was carried out to justify the design approach adopted and that there will be no material impact on the residential amenity of the occupants of any neighbouring property, namely No.2 and No.2a. Further commentary will be provided on the specific details of this case at Section 6 of this Statement.

3.8 The overarching aim of the proposal is to provide additional space for the appellant and his family.

3.9 It should be noted that the Architect who designed the scheme is award winning and the Inspector is invited to view the 3d model of the scheme by viewing the following link:

http://www.transformarchitects.co.uk/T1042BIMX05.bimx

Desktop and laptop settings:
Once downloaded and running on your machine you can change the settings to get the same quality of render as Martin showed you.

1. Press “esc” on your keyboard
2. Settings menu
3. Render Mode
4. Click on headlight and change to global illumination
5. Click on Camera height 1.60m and change to 1.40m
6. Press “fn” F3 (Mac) or F3 (PC) for turning on the sunlight
7. Press “F” key so that gravity is switched on
8. Done.



4. PLANNING POLICY CONTEXT

4.1 In June 2019, the Government published the latest version of National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and sets out how they are expected to be applied. The NPPF took immediate effect.

4.2 Paragraph 2 of the NPPF states that *"Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."* The plan-led approved approach to development as enshrined by Section 38(6) of the Planning and Compulsory Purchase Act 2004. In addition, the NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions, as are previous planning decisions and appeals.

4.3 Paragraphs 7 and 8 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises economic, social and environmental dimensions.

4.4 The NPPF retains a presumption in favour of sustainable development. Paragraph 11 reaffirms that *"applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."*

4.5 In respect of the presumption in favour of sustainable development, Paragraph 11 identifies that development proposals which accord with the development plan should be approved without delay and importantly:

"approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:



i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

4.6 Paragraph 38 of the NPPF relates to decision making and confirm that "*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

4.7 The Courts have held that Central Government's policy is a material consideration that must be taken into account by the decision maker, as are relevant appeal decisions.

Kirklees Local Plan (2019)

4.8 **Policy LP24 (a)** states that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.

4.9 **Policy LP24 (b)** describes that development shall provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary.

4.10 **Policy LP24 (c)** identifies that that proposals should promote good design extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.

4.11 Section 6 of this appeal statement will address the above consideration and set out the appellant's case and full grounds of appeal.

5. MAIN PLANNING CONSIDERATIONS

5.1 I am of the opinion that the principal considerations relating to this appeal are:

- The effect the development has on the character and appearance of the property and the surrounding area; and
- The effect on the residential amenity of the occupants of the neighbouring properties at Nos. 2 and 2a.

5.2 The reasons why the planning permission should be allowed are considered in depth below. In the first instance, it is considered that the proposal would comprise sustainable development as defined in the NPPF. Additionally, it is the appellant's grounds of appeal that there are no significant adverse environmental impacts that would outweigh the presumption in favour of sustainable development. The concerns raised by the Local Planning Authority regarding the impact on the appearance of the area and the impact on neighbours, which are not accepted by the appellant.

5.3 Overall, as the proposed use represents sustainable development, there is presumption in favour of it, unless there are compelling reasons why planning permission should not be granted.

5.4 Section 6 of this appeal statement will address the above consideration and set out the appellant's case and full grounds of appeal.

6. STATEMENT OF CASE

CASE AGAINST REFUSAL OF PLANNING PERMISSION

i) Character and Appearance

6.1 The appeal property is sited within a part of the street scene where there is a lack of architectural cohesiveness. No one house is the same. Moreover, within the immediate vicinity of the appeal site there are numerous examples of innovative and contemporary developments that form part of the established character of the area. The photographs produced at **Appendix C** and within the Design Statement illustrate this diversity of architecture within the immediate area.

6.2 The appellant has sought a sensitive design approach, as supported by paragraph 126 of the National Planning Policy Framework. Paragraph 126 states that *"To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified."*

6.3 The appellant considers that the Council has sought to stifle an innovative and sensitive approach. Due to the architectural variety in the local area including flat roof development, the design approach adopted is acceptable.

6.4 The Council acknowledge that the wrap around flat roof box would be in keeping within the general characteristics of the area, given that No.2a is a 2-storey flat roofed property. Notwithstanding this admission, the Council somehow and with no basis allege that the appeal proposal will result in

an incongruous and obtrusive form of development. This is not accepted by the appellant. The flat roof wrap around element is well designed and appears lightweight. The flat roof is lower than the existing ridgeline of the dwelling that allows the original form of the front gable to be easily read. Both local and national planning policy promote innovative design such as that proposed.

6.5 The photographs of the existing street scape that are provided at **Appendix C**, illustrate that it is a diversity of architectural styles in the vicinity. Furthermore, the Council has given no weight to the fact that the neighbouring properties are all materially different. As there is so little uniformity to the properties on the road and no regular, repeating pattern of development, the proposed development will not appear incongruous or out of place.

6.6 Additionally, it is evident that this property is viewed in the context of a varied street scene and not as an isolated group of properties. As acknowledged by the Council there are numerous examples within the existing street scene where flat roof structures are prominent.

6.7 The 3d image taken from the Design Statement and produced overleaf illustrate that the proposed extension is read in the context of the flat roofed dwelling at No.2a. Furthermore, due to the set down from the ridge and the set back off the front elevation, the wrap around extension will appears as a subordinate addition to the existing property.

Figure 4 – 3D Scaled perspective



6.7 It is clear that the proposal satisfies a number of the criteria set out in policy LP24 (a and c)of the Local Plan for the following reasons:

- is a sensitive and high quality design;
- the roof form complements the form of the adjacent development;
- the extension is set back from front elevation and set down from existing ridgeline;
- secures the retention of existing architectural details; and
- high quality palette of external materials are proposed.

6.8 For the above reasons, the development proposed is of a high quality, innovative and sympathetic design that will enhance the character of the property and the surrounding streetscape. It is advanced that due to the minor nature of the proposal, along with local precedents that have been established, it will improve the character of the property or street scene.



6.9 The amended proposal along with the robust justification set out in the Design Statement will result in significant enhancements to this dwelling and existing street scape. Accordingly, the proposal is therefore compliant with the National Planning Policy Framework (2019) and Policy LP24 (a and c) of the Local Plan.

ii) Residential Amenity

6.10 The Council's officer report describes that the proposal would result in an overbearing and oppressive impact upon the residential amenity of No.2 and result in overlooking of No.2a. This is not accepted by the appellant for the reasons that will be elaborated below.

6.11 In relation to the alleged impact on No.2, this property is positioned along the eastern boundary of the site. The Council has failed to take a number of important factors in their assessment.

6.12 Firstly, despite the Council acknowledging that No.2 has a very large overhang as evidenced in the Design Statement and that it contributes to overshadowing, the Council somehow consider that the extension will overshadow this property. The amended plans have resulted in the overall mass of the extension being reduced at the rear. The Council is silent on this point.

6.13 Secondly, the windows facing the appeal property at No.2 are ones that are high level and not principal windows. Given this factor the proposed development will not result in any overbearing impact or material increase in overshadowing that warranted the refusal of the application on this basis.



6.14 Finally, the closest part of No.2 to the appeal site is the existing double garage and parking area. There are no habitable room windows or areas of private amenity space that will be impacted by the proposal. The flat roof nature of the development also alleviates any perceived overbearing impact or overshadowing.

6.15 The appellant considers that the Council has been overzealous in refusing the application. It is advanced that the proposal does not result in any significant material harm to the living conditions of the occupants of No.2.

6.16 Additionally, the Council has also taken no account of the positioning of the appeal property and the trajectory of the sun**.** No.2 is located to the west of the proposed development. Due to the projection and the limited height of the extension, as well as its positioning it ensures that there will be no material increase in overshadowing. The Council has provided no substantive evidence to justify otherwise.

6.17 Turning to the impact on No.2a, as set out in the officer report, the habitable rooms of this dwelling are positioned some 25 metres to the north of the appeal property. No2a is a substantial property that is some five times the size of most dwellings in the immediate area and it extensively overlooks the appeal property and surrounding properties. The flank end of the extension will be served by two bathroom windows that will be obscurely glazed and a high level bedroom window. The Council consider that the bedroom window will overlook the private amenity space of No.2a. Again, this is not accepted by the appellant.

6.18 An existing electrical substation and driveway serving No.2 acts as a buffer between the appeal site and No.2a. Due to the position of the bedroom window that will be high level and the acute angle involved the proposal will not result in any direct overlooking of any private amenity space at No.2. Given the existing arrangement of development within this part of

Inglewood Avenue, there is a degree of overlooking between the neighbouring properties. However, as a result of the sensitive positioning of the window it will not lead to any unacceptable overlooking of the private amenity space at No.2

6.19 In this case the proposal will significantly improve the family's living space and living conditions, as well as being of a high quality design that will not materially impact the living conditions of the occupants of adjacent dwellings. The proposal therefore represents sustainable development.

6.20 Overall, the Council has failed to take into account a number of significant factors in their deliberations, including the presence of a large overhang at No.2, the windows at No.2 being high level and not principal windows, as well as the acute angle between the proposed bedroom window and the rear amenity space at No.2a. Given these factors, it is advanced that there would be no material impact on the living conditions of the occupants of neighbouring properties that justified the refusal of the application.

6.21 Accordingly, the proposal is clearly compliant with the NPPF and policy LP24 (b and c) of the Local Plan.

7 CONCLUSION

7.1 The appellant has sought to work with the Council to understand their concerns. An appeal has been made as a last resort, but it is considered that the proposed development is of a high quality and sensitive design that will significantly improve the character and appearance of the property and the surrounding street scene, and it does not have any material impact on the residential amenity of neighbouring properties through any unacceptable overbearing impact, overshadowing or loss of privacy.

7.2 The Council has failed to substantiate their reasons for refusal in their delegated report, as well as failing to give sufficient weight to the varied character of the area and the flat roofed nature of the surrounding development. The extension appears as a contemporary, subservient feature that allows the original form of development to be easily read. It is the site's context that justified the contemporary approach adopted.

7.3 Moreover, the NPPF places significant emphasis on maximising homeowners' freedom to alter and extend their properties to improve their living conditions. The appeal proposal will create more versatile, long-term living accommodation, which will significantly improve the quality of accommodation the property provides to the appellant and his family.

7.4 The proposal accords with the National Planning Policy Framework (2019) and policy LP24 (a, b and c) of the Local Plan.

7.5 The appellant, therefore respectfully requests that the appeal is upheld and that planning permission is granted for the development.

APPENDIX A

Contractor must verify all dimensions on site before commencing any work or shop drawings.
If this drawing exceeds the quantities taken in any way, the building designers are to be informed before the work is initiated.
Only figured dimensions to be taken from this drawing, Do not scale off this drawing.
Drawing based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.
All drainage layouts are schematic and invert levels must be established prior to construction.



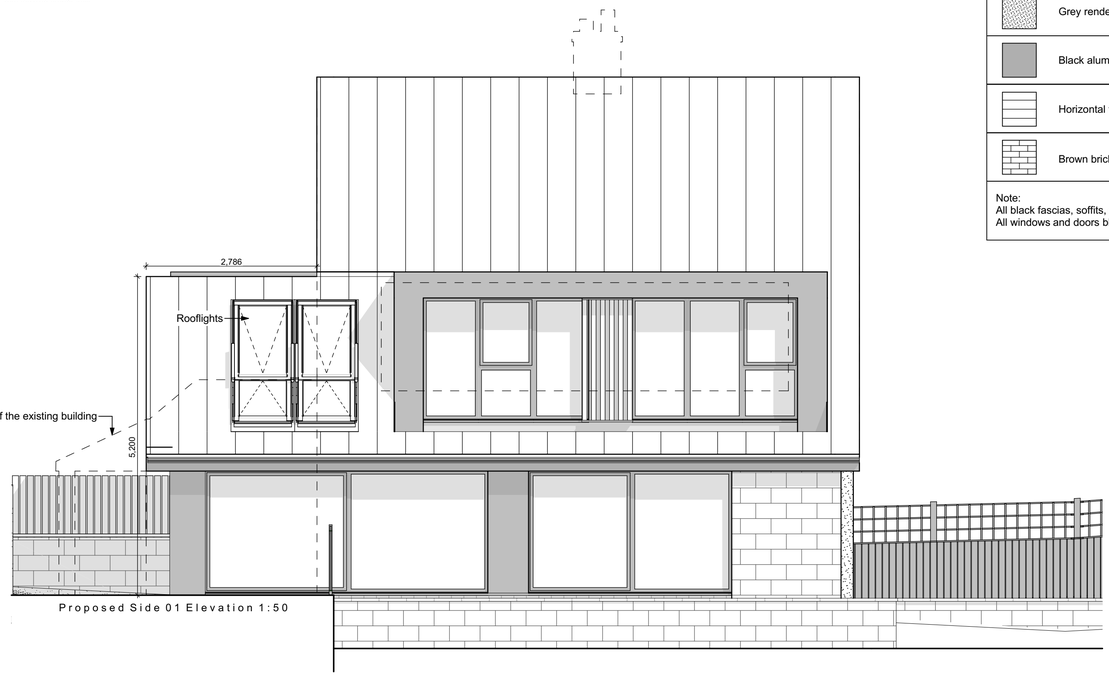
Proposed Street Elevation 1:100

Material Key:	
	Metal deck roof.
	Buff stonework.
	Hit and miss vertical timber cladding.
	White render.
	Grey render.
	Black aluminium.
	Horizontal timber cladding.
	Brown brick.

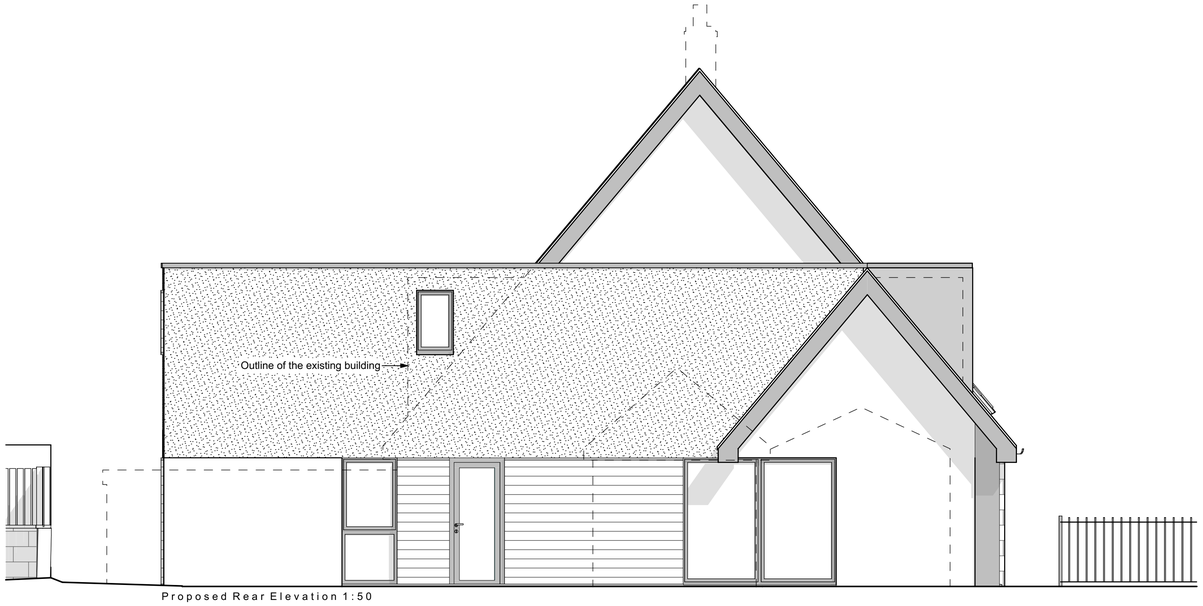
Note:
All black fascias, soffits, gutters & downpipes.
All windows and doors black.



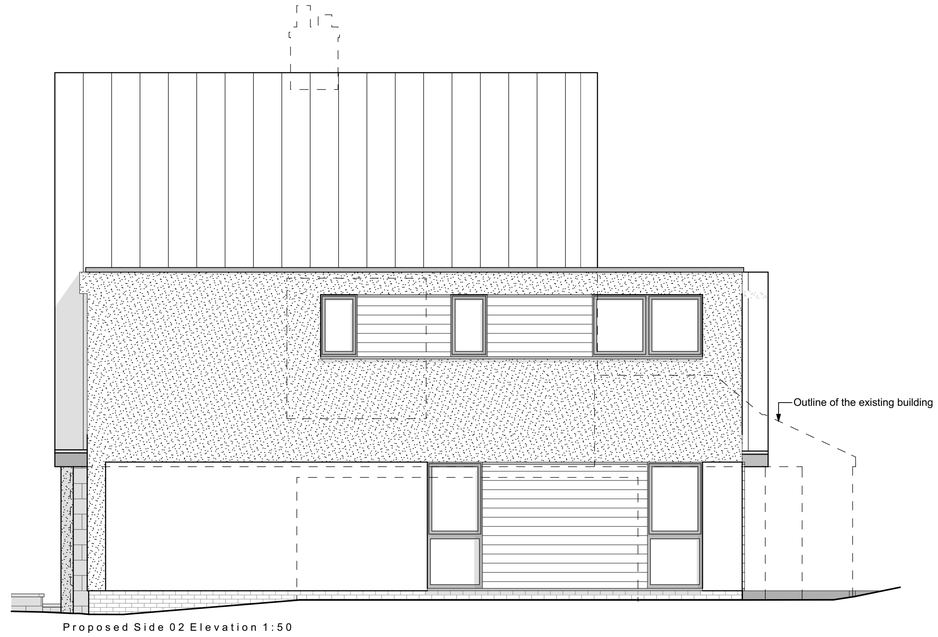
Proposed Front Elevation 1:50



Proposed Side 01 Elevation 1:50



Proposed Rear Elevation 1:50



Proposed Side 02 Elevation 1:50

14.01.2020 Rev A - Scheme updated after comments from planner. JN

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Elevation A1
Scale:	1:50, 1:100
Date:	14.08.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL06
Revision:	Rev A

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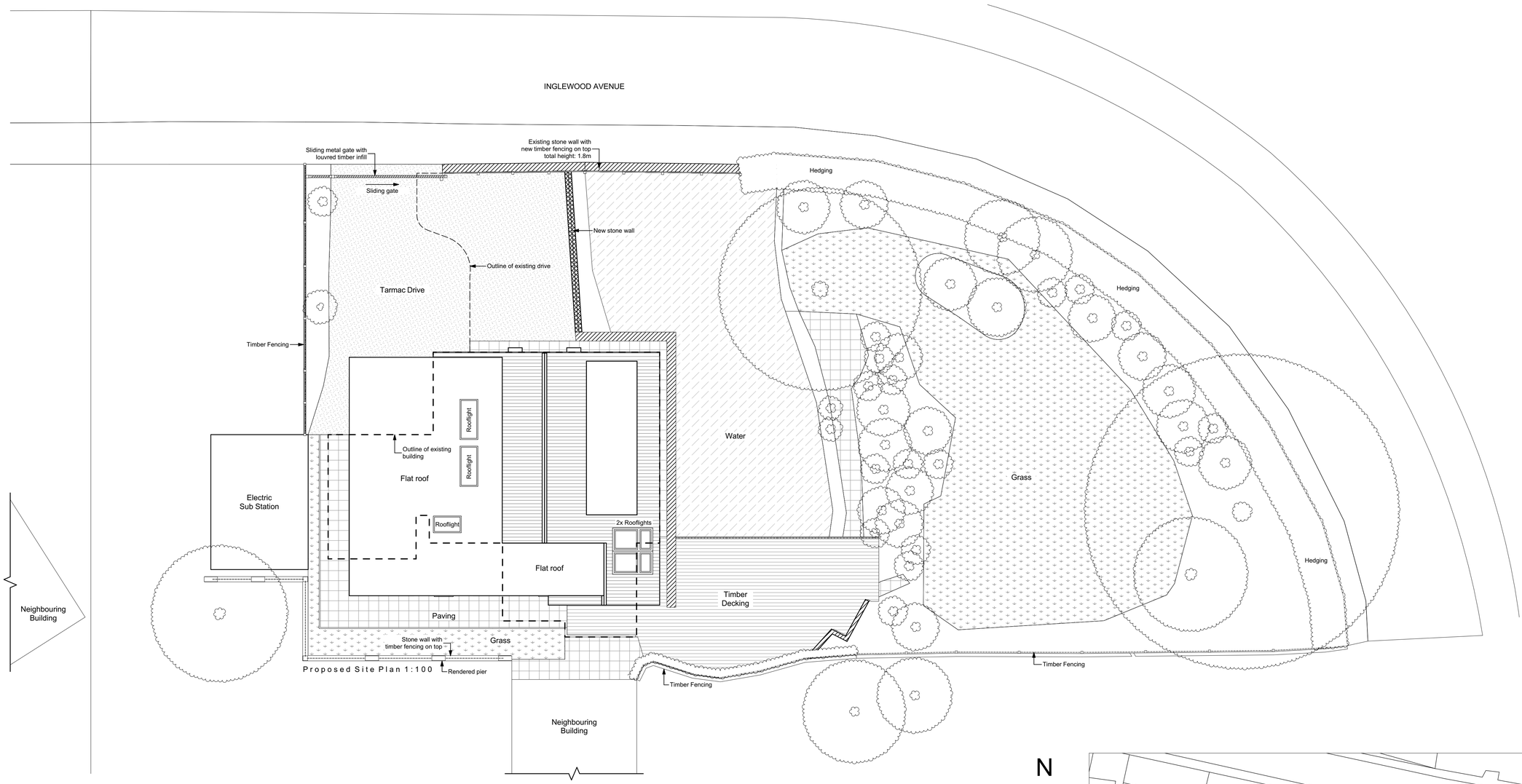
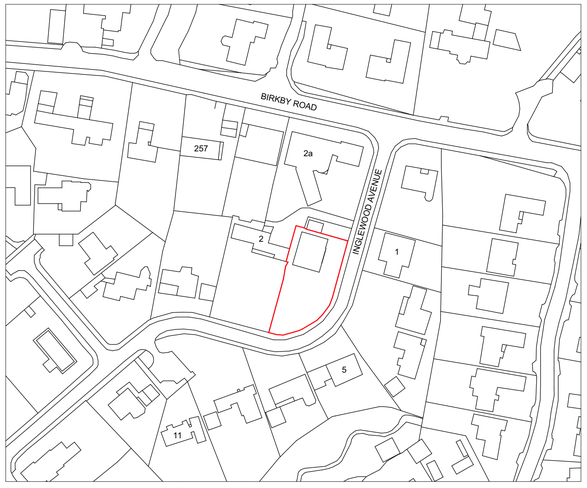


Proposed Site Plan 1:100

N



Proposed Site Location Plan 1:1250



Proposed Site Block Plan 1:500

14.01.2020 Rev A - Scheme updated after comments from planner. JN

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Site Plan
Scale:	1:100, 1:500, 1:1250
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL04
Revision:	Rev A

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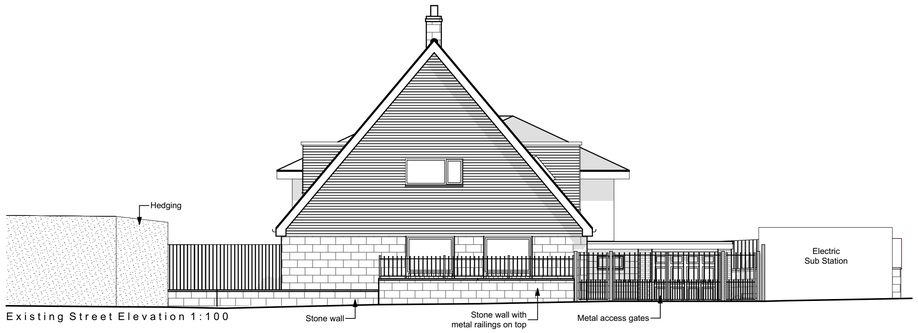


Existing Street Elevation 1:100

Material Key:	
	Buff stonework.
	Brown brickwork.
	Pebble dashing.
	Vertical brown timber cladding.
	Horizontal brown timber cladding.
	Horizontal white timber cladding.
	Brown roof tiles.

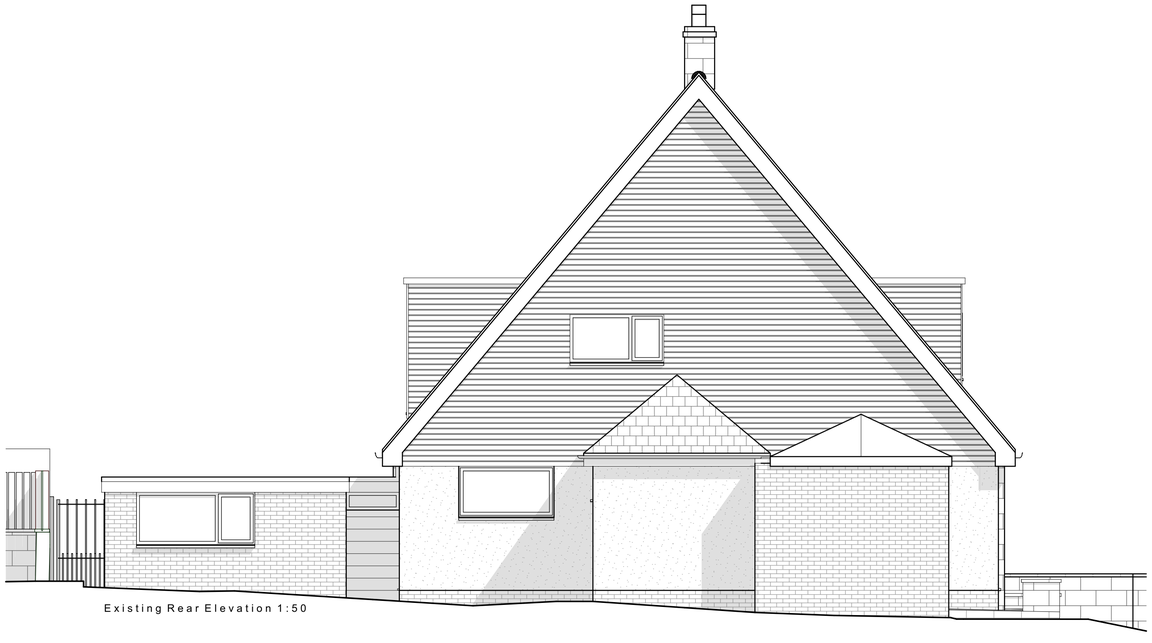
Note:
All white fascias and soffits.
All black gutters and downpipes.
All white windows and doors.



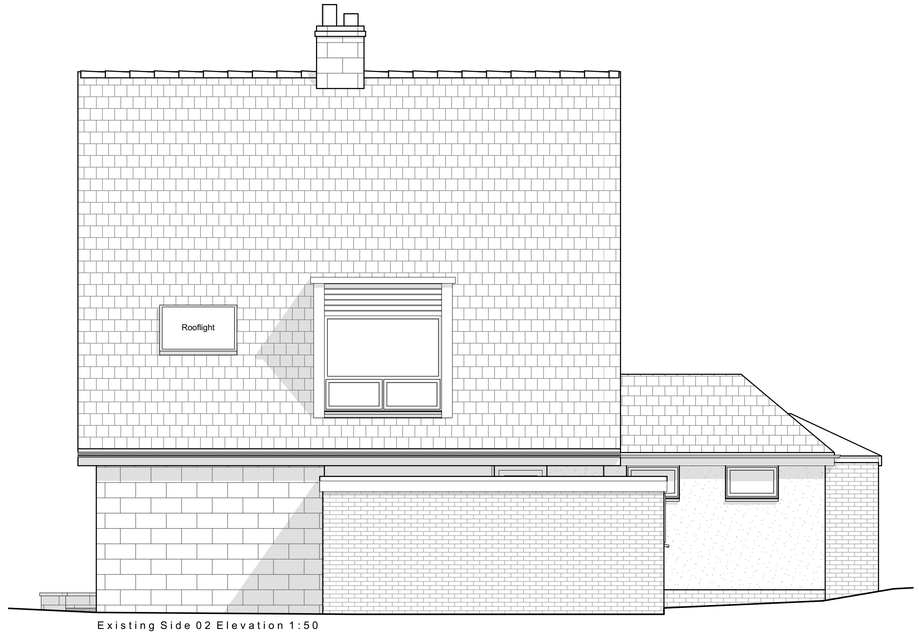
Existing Front Elevation 1:50



Existing Side 01 Elevation 1:50



Existing Rear Elevation 1:50



Existing Side 02 Elevation 1:50

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Existing Elevations A1
Scale:	1:50, 1:100
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL03
Revision:	Nil

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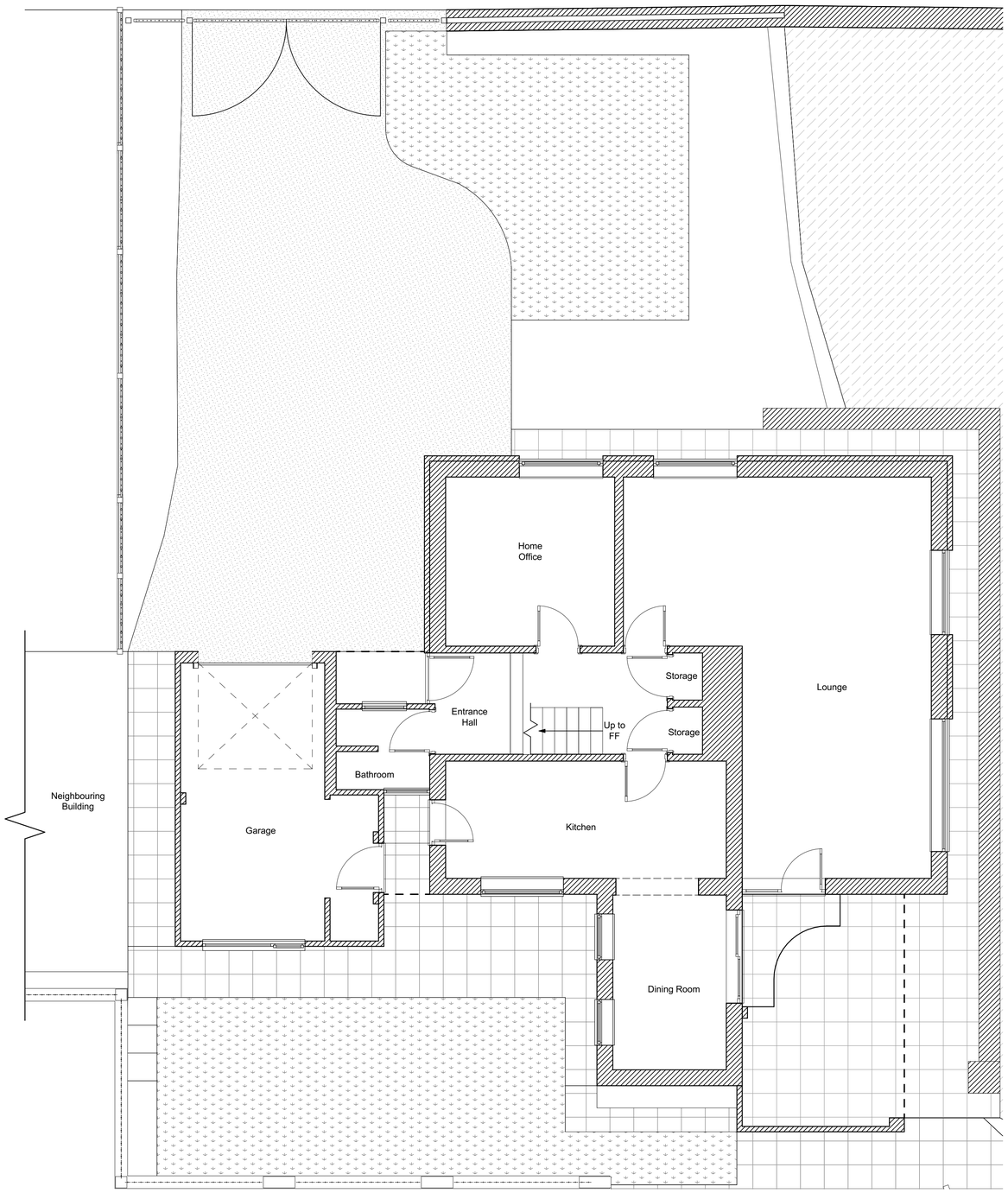
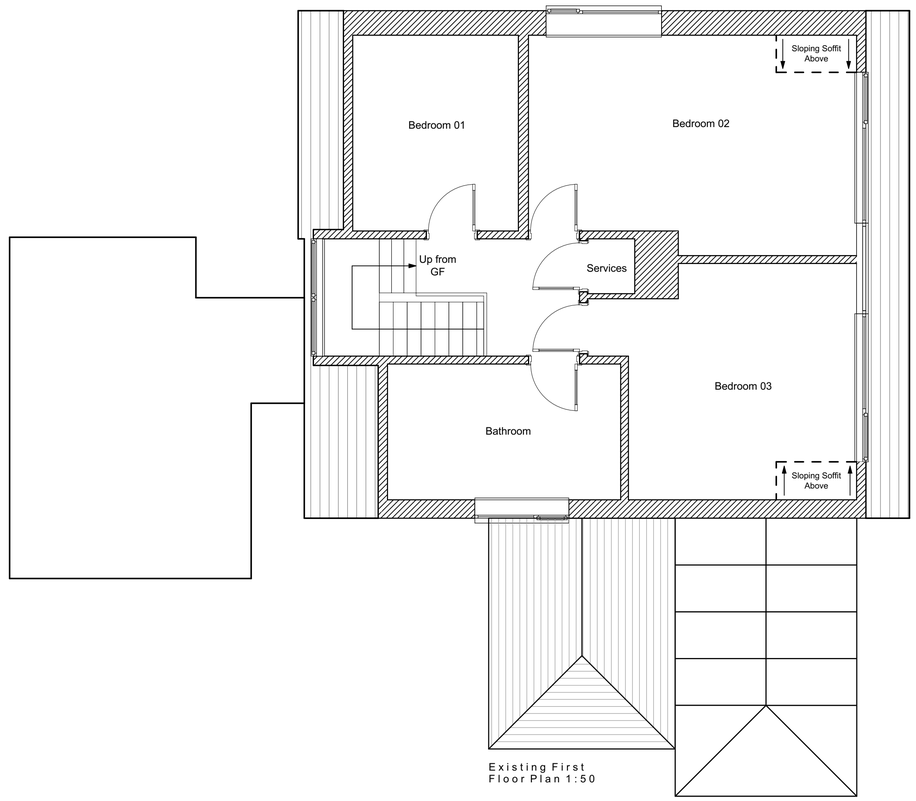


Existing Ground Floor Plan 1:50



Existing First Floor Plan 1:50

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Existing Floor Plans A1
Scale:	1:50
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL02
Revision:	Nil

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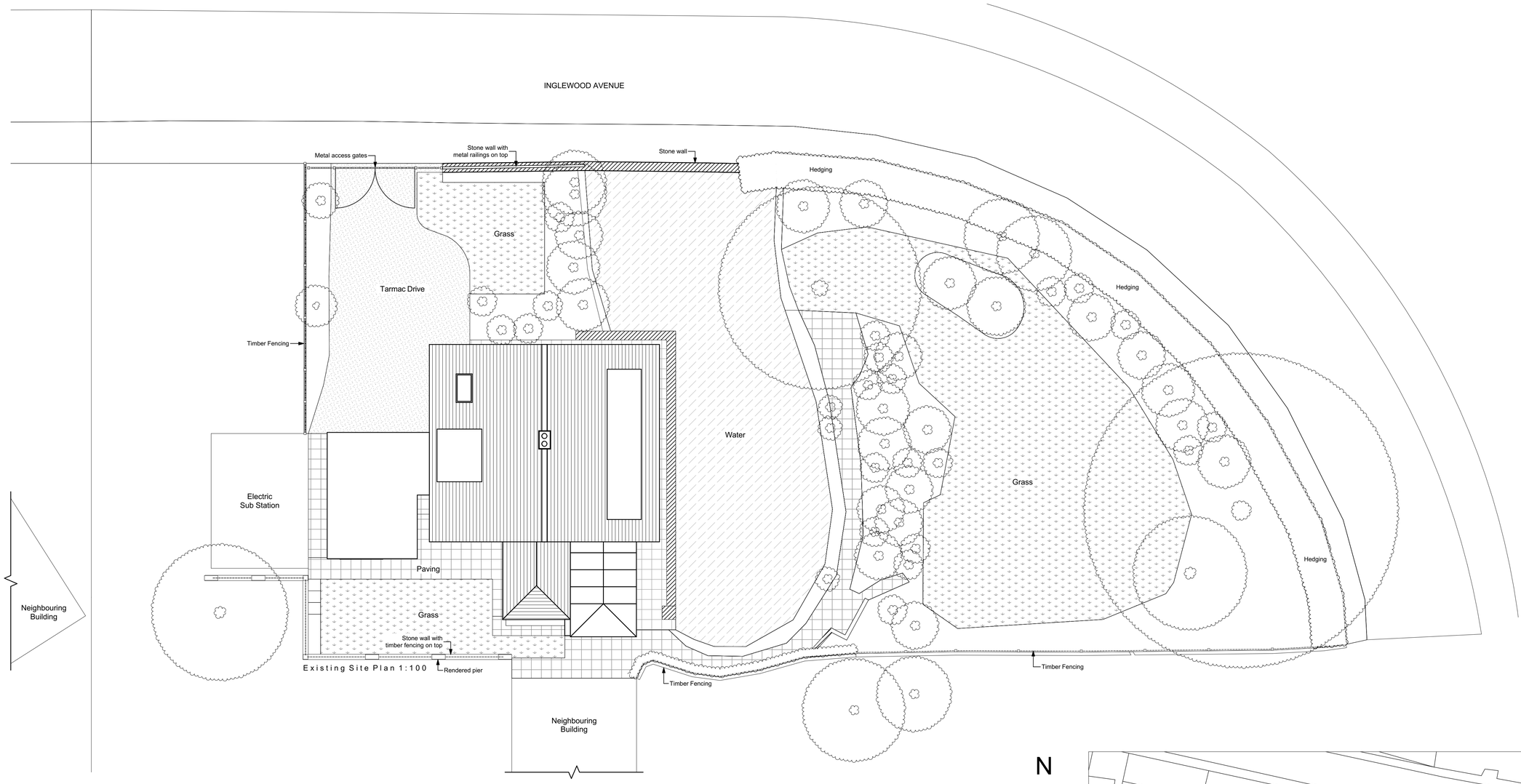
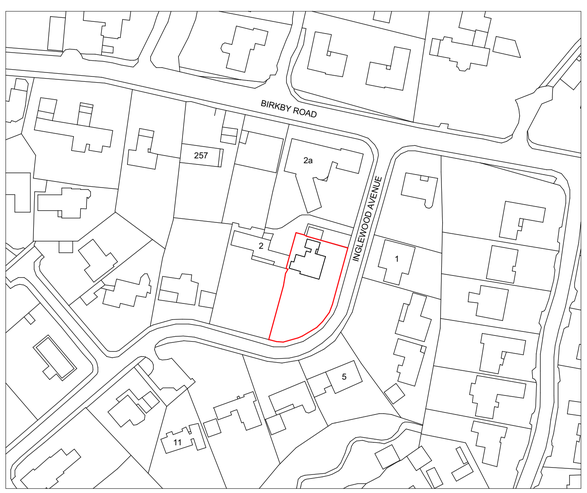
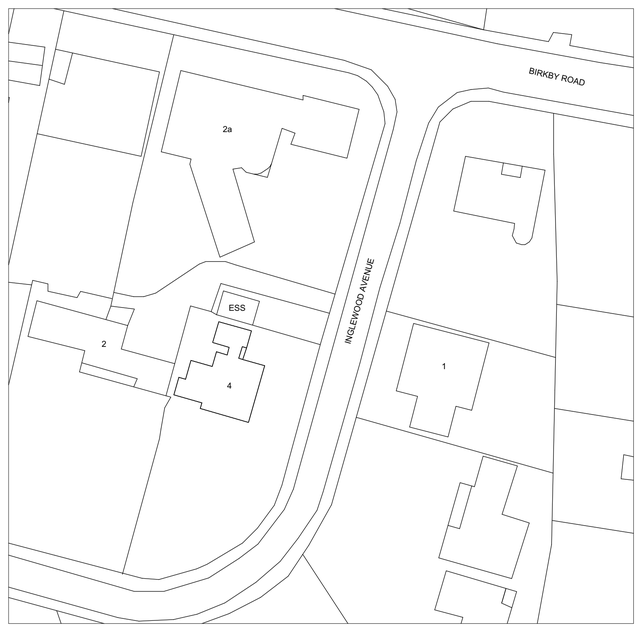


Existing Site Plan 1:100



Existing Site Location Plan 1:1250



Existing Site Block Plan 1:500

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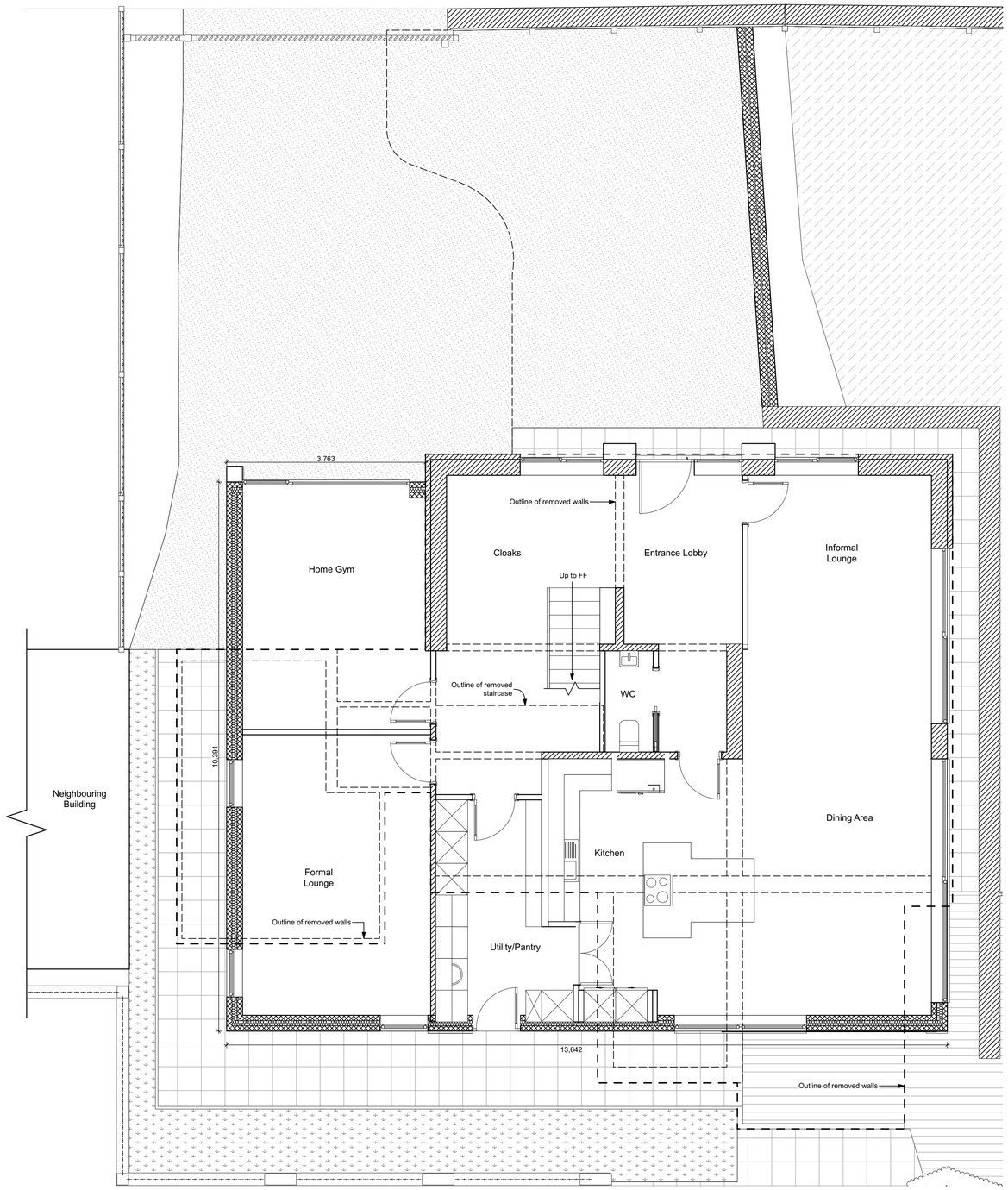
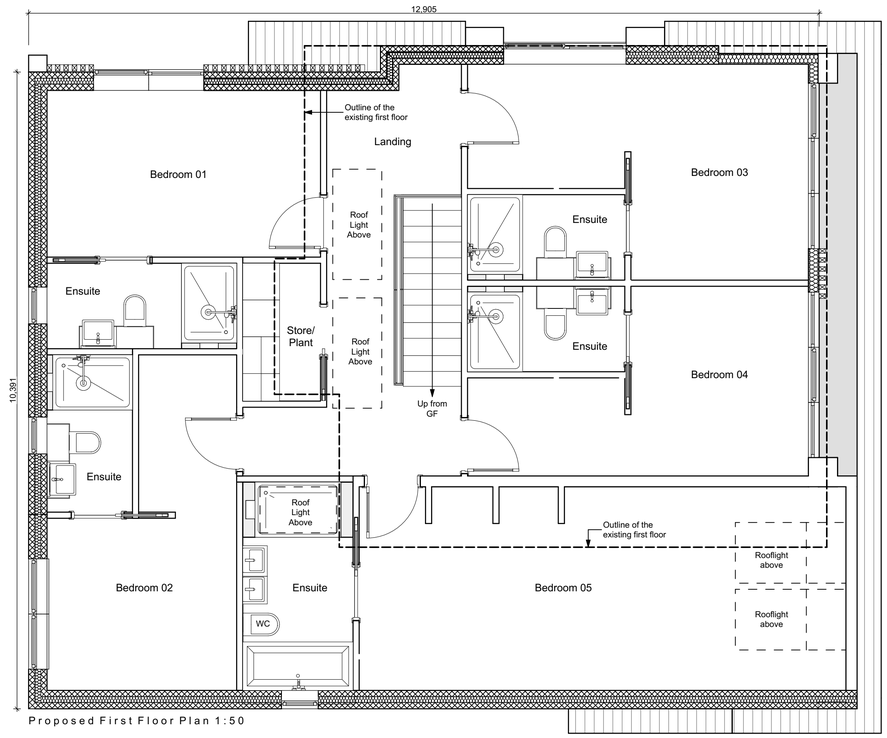
tel: 01924 275 594
web: www.transformarchitects.co.uk email: info@transformarchitects.co.uk

Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Existing Site Plan
Scale:	1:100, 1:500, 1:1250
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL01
Revision:	Nil

Contractor must verify all dimensions on site before commencing any work or shop drawings.
If this drawing exceeds the quantities taken in any way, the building designers are to be informed before the work is initiated.
Only figured dimensions to be taken from this drawing, Do not scale off this drawing.
Drawing based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.
All drainage layouts are schematic and invert levels must be established prior to construction.



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

14.01.2020 Rev A - Scheme updated after comments from planner. JN

Project Status:	PLANNING ONLY

transform architects...
Defining problems with beautiful solutions...
4 Rushmead Court, Ossett, WF5 0NZ
tel: 01924 275 594
web: www.transformarchitects.co.uk email: info@transformarchitects.co.uk

Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Floor Plans A1
Scale:	1:50
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL05
Revision:	Rev A

APPENDIX B

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:	2019/62/93203/W
Site Address:	4, Inglewood Avenue, Birkby, Huddersfield, HD2 2DS
Description:	Extension of dormer windows to side elevations, erection of two storey side and rear extension and exterior alterations
Recommending Officer:	Sam Jackman

DECISION - REFUSED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 28-Feb-2020

SITE DESCRIPTION

No 4 Inglewood Avenue is a 1960 chalet bungalow with front and rear dormers. The property is built of stone ground floor with timber cladding to the upper floor gables with a blue slate steep roof. The property benefits from an attached flat roofed garage to the north, a conservatory and dining room to the west elevation.

The property is located in a residential area of individually designed detached properties, all within fairly large plots. No 4 is located on the inside bend with the front elevation facing east. Due to the large open vistas between properties, three elevations of the property can be clearly seen from the public highway.

The property is set back from the road and is situated in the NW corner of the plot with the majority of the garden located to the south with mature planting along the front.

DESCRIPTION OF PROPOSAL

The proposal is to demolish the existing garage, conservatory and dining room.

The new extension would create an ‘L’ shaped extension along the north and west elevation created a 2-storey flat roofed structure.

The existing dormer on the south elevation would be enlarged in width and depth, where the extension to the west would have a lean to roof with the ridge set down from the main ridge, in front of a flat roof behind.

The extensions and internal reconfiguration of the property would create a new lounge, gym, new entrance hall way, utility and 5 larger first floor bedrooms all with en-suites.

The existing property and extension would replace the existing blue slate tiled roof with metal deck roof. The existing stone work at ground floor will be retained with brown brick foundation plinth to the front and north elevation, hit

and miss vertical timber cladding to the new dormer and front elevation of the rear box structure, white render to the ground floor extension, grey render to the first floor element, black aluminium horizontal detailing around the dormer and window details and horizontal timber cladding to the north and rear elevation between the proposed windows. The existing timber cladding to the front gable will be replaced with full height windows, with white and grey render either side.

The existing drive will be increased in size providing spaces for approx. 4 cars.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

The original plans showed the rear extension adjacent to the boundary with No 2, to have a dual pitched roof following the line of the existing roof. A larger side dormer and a large side 2-storey box structure to the north elevation.

Amended plans were requested on the 21st November to reduce the impact on neighbours at No 2 by removing the first floor element to the rear of the property and potential overlooking of the garden to No 2a.

Amended plans have been received on the 5th Feb which set the rear extension in from the boundary by an additional 0.12m, removing the dual pitched roof over the rear extension, this would be replaced in part by a lean to roof on the south facing elevation with the internal layout unchanged.

An extension of time was requested due to the submission of amended plans, which has been agreed by the agent until the 28th Feb.

RELEVANT HISTORY

None

PUBLIC/MEMBERS RESPONSE

Publicity date Expires: 18.11.19 for the original submission

2 letters of representation have been received objecting to this application.

A summary of the comments received are set out below:

- Overshadowing,
- Loss of light
- Overlooking
- Noise during construction
- Parking during construction

The amended plans were re-publicised giving neighbours 10 days until the 17th Feb to comment. Representations are summarised below:

- Overlooking
- Previous concerns remain

CONSULTATION RESPONSES

None

POLICY

The statutory development plan comprises:

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 (LP):
LP 1– Achieving sustainable development
LP 2 – Place shaping
LP 22 - Parking
LP24 – Design
LP 30 - Biodiversity and geodiversity

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th 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
- **Chapter 14** – Meeting the challenge of climate change, flooding & coastal change.
- **Chapter 15** – Conserving and enhancing the natural environment

ASSESSMENT

Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

> "The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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 LP24 of the Local Plan is a key material consideration when assessing such proposals, which relates to good design amongst other matters. It states good design should be at the core of all proposals in the district and should be considered at the outset of the development process. In turn proposals should ensure the form, scale and details of all development respect and enhances the character of the townscape, landscape and heritage assets.

Also of relevance is Chapter 12 of the NPPF which strongly emphasises the importance of good design and how this can contribute to the overall quality of the area not just for the short term but over the lifetime of the development.

Taking the above into account, the principle of extending properties on unallocated land is normally considered to be acceptable however, careful consideration has to be made on the size and design of the extension in relationship to the host property. An assessment of this, along with all other material planning considerations, including visual and residential amenity, shall be set out below.

Impact on visual amenity:

4 Inglewood Avenue is a 1960's chalet bungalow within a residential area, where properties are of individual designs, incorporating mainly detached properties using a mixed palette of materials for construction.

The original application was submitted with a rear extension incorporating a pitched roof in line with the host property. Attached to the south facing side elevation was a new large dormer and a 2-storey flat roofed box to the north. Where in principle the design of the extensions were acceptable and provided a mix of traditional design to match the host property with a modern extension to the north elevation, however there were other material planning concerns to these plans as outlined below.

Amended plans were requested to reduce the impact on neighbours at No 2 due to the distance from the boundary and the height of the extension. Amended plans have been received retaining the floor plans as existing to both levels and only removing the dual pitched roof. These amendments change the design and create a wraparound flat roof box which, in part, would be in keeping with the general characteristics of the area given that No 2a is a 2-storey flat roofed property.

In terms of visual amenity Policy LP24 is most appropriate and states that extension should promote good design by ensuring:

- Extensions are subservient to the original building and are in keeping with the existing buildings in terms of scale to minimise impact on residential amenity of future and neighbouring occupiers.

The policy goes onto to say the scale of development should relate to neighbouring development and the street / public open space adjacent to the building. Consideration should be given to views, vistas and skylines. The layout of development should take into account the street pattern in the locality and the size of blocks and plots.

The character of the existing property is defined, in part, by the distinctive 1960's chalet bungalow with steep roof pitch incorporating flat roofed dormers within both roof slopes, located in a fairly large plot albeit the property is situated in the north west corner of the site.

Whilst the principle of contemporary extensions could be considered to be acceptable, it must still be subservient and in keeping with the host property. The proposed extension, as amended, would detract from the scale and detail of the original building. The large extended flat roof form would visually contrast with the traditional pitched roof profile of the existing dwelling and the box like structure wrapping around the side would, even though it is slightly set back, be overly prominent within the street scene due to the open vista between the property and its neighbour.

The proposed 2-storey side box extension would 5.35m high sitting just above the existing dormer, project a total of approx. 6.12m again from above the dormer by approx. 10.7m across the side elevation, including 2.4m extended beyond the gable. The depth of the rear element along the boundary with No 2 would be approx. 11.5m from the new ridge.

The addition of 2-storey box, in a wraparound form, adds considerable mass to the property which is highlighted by the significant projection of the extension sitting awkwardly when viewed in context. The concerns are worsened by its design and materials. Therefore the proposal as amended, albeit smaller in volume to the original proposal, would not be considered as subservient to the original building, or in keeping with the existing buildings in terms of scale, materials and details.

The materials proposed are a mixed variety including metal deck roof sheets, stone (existing), brown brick, hit and miss vertical timber cladding, white and grey render, black aluminium and horizontal timber cladding. The existing timber cladding to the gables will be replaced with full height windows central to the elevation with white and grey render either side. In principle the materials proposed could be appropriate, however it is considered that the use of all the different materials proposed would overload the material palette in this case detracting from the development and host building. It is considered that a revised palette of materials could have been agreed with the applicant/agent once an acceptable design of extension had been achieved and as such is not a reason to refuse the application.

In conclusion it considered that the extension would be harmful to the character and appearance of the host dwelling and the surrounding area. The resultant visual impact of the addition of a large rear extension, would not be subservient or in keeping with the host dwelling and would not accord with Policy LP24 (a & c) of the Kirklees Local Plan or Chapter 12 of the NPPF.

Impact on residential amenity:

The proposed extension and alterations are assessed upon whether they would have a detrimental effect on visual amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities.

The properties to the south and west are considered to be at an acceptable distance of over 23m to the nearest property with no direct facing windows onto the property. It is accepted that the front elevation would have a new first floor window above the entrance which is to a bedroom corridor this is considered to add additional light to the room but not part of the main circulation space of the bedroom. Also the existing side dormers would be enlarged but only marginally. Therefore the properties opposite are at an acceptable distance for the extension not to create overlooking, overbearing or overshadowing affect.

The property to the North again would be approx. 25m away from facing habitable room windows, however the new first floor windows in the side extension would include two bathroom windows and one bedroom window which would be only 1.9m from the boundary. These would, in part, overlook the adjacent substation and the drive to No 2 but given its position toward the NE corner of the plot would result in overlooking of the private amenity space of the garden of No 2a.

The property to the rear, No 2, is built almost on the shared boundary with some windows in close proximity to the proposed extension. It is accepted there is only one first floor window to a bathroom which would be obscurely glazed and if approved, this should be conditioned so. It is considered there would be no overlooking from this elevation. The window in the rear extension adjacent to the dormer in the south facing elevation would overlook the applicant's garden but would also be able to see in part the neighbour's garden, however mature planting would provide screening.

It is the proximity and size of the extension being close to the boundary with No 2 which would cause an overbearing and overshadowing effect to the neighbouring occupants. It is accepted that the house design of No2 with its large overhanging eaves contributes to the overshadowing, it is still considered that the proximity of the side extension with a flat roof will have an impact on the neighbour.

In conclusion for the aforementioned reasons it is considered that the extension would have an overbearing, overshadowing and overlooking effect

to the neighbours at No 2 & 2a Inglewood Avenue and would not accord with Policy LP24 (a & c) of the Kirklees Local Plan or Chapter 12 of the NPPF.

Impact on highway safety:

In terms of highway safety there are no highway issues as the drive is being extended given the loss of the garage and part of the existing parking area to provide spaces for approx. 4 cars, as such would meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of the National Planning Policy Framework.

Other matters:

Climate Change - On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Due to the size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change.

K.C. Biodiversity – the application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

This is due to the fact the property is in a good state of repair, however a cautionary note would be added if the application was recommended for approval.

As such the development would have little impact on bats and would be in accordance with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees LP.

Supporting document submitted be the agent

The agent has submitted a supporting document which indicates that No2 already has large overhanging eaves with only 2 high level windows in the side elevation, furthermore the extension would be adjacent to the neighbour parking area and not amenity space.

The agent has also gone onto to say and give examples of other flat roof structures within the area.

Finally the document gives 3D illustrations on how the extension would be seen in relation to its neighbours and within the street scene.

These points have been considered and referred to within the report above.

Representations:

It should be noted that two representations have been received as a result of site publicity.

- Overshadowing,
  Response: referred to in the report above

- Loss of light
  Response: referred to in the report above

- Overlooking
  Response: referred to in the report above

- Noise during construction
  Response: this can be controlled by condition.

- Parking during construction
  Response: this can be controlled by condition, albeit some disruption may occur and any restriction of access would be a police matter.

The neighbours have been re-consulted on the amended plans, where only one representation has been received re-iterating there initial concerns referred to above.

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 proposals do not accord with the development plan and the application of policies in the NPPF that protect areas or assets of particular importance provide clear reason for refusing the development proposed.

Decision Authorisation - Delegated Powers

Application Number: 2019/93203

Officer Recommendation: Refuse

1. The proposed development, by reason of its siting, scale, design and relationship with the host building would fail to represent a subservient addition to the property introducing an unsympathetic, incongruous and overly prominent form of development and would have a detrimental impact on visual amenity and the character and appearance of the host property and wider local area. The proposals as such would be contrary to Policy LP24 (a and c) of the Local Plan and paragraph 127 of the National Planning Policy Framework.

2. The proposed development, by reason of its siting, scale and proximity to neighbouring land would result in an overbearing and oppressive impact upon the residential amenity of the occupiers of the adjoining dwelling no. 2 Inglewood Avenue. The extension would be viewed as an unduly overbearing structure. To permit such a development would be contrary to policy LP24 (b) of the Kirklees Local Plan and the aims of the National Planning Policy framework.

3. The proposed window shown in the side elevation to Bedroom 2 would result in overlooking at close quarters of private amenity space associated with the neighbouring property number 2a and would therefore be contrary to Policy PLP24 (c), as well as the aims of chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing site layout 1:100, 1:500 & 1:1250	T1042-PL01		2/10/19
Existing floor layout	T1042-PL02		2/10/19
Existing elevations	T1042-PL03		2/10/19
Proposed site layout 1:100, 1:500 & 1:1250	T1042-PL04	A	5/2/20
Proposed floor layout	T1042-PL05	A	5/2/20
Proposed elevations	T1042-PL06	A	5/2/20
Design & Access Statement			5/2/20

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 requested amended plans during the process of the application to seek amendments to reduce the impact of the development on the amenity of nearby residents. Amended plans were received but not considered acceptable. This decision is based on the amended/additional documents submitted.

Recommendation and Authorisation Box

28.2.20

Report Dated:

Coal – low risk

Planning Application Decision Notice

To: Martin Bell,
Transform Architects
4 Rushmead Court
Ossett
WF5 0NZ

For: ALI

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PERMISSION FOR DEVELOPMENT

Application Number: 2019/62/93203/W

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby refuses to permit:-

EXTENSION OF DORMER WINDOWS TO SIDE ELEVATIONS, ERECTION OF TWO STOREY SIDE AND REAR EXTENSION AND EXTERIOR ALTERATIONS

At: 4, INGLEWOOD AVENUE, BIRKBY, HUDDERSFIELD, HD2 2DS

In accordance with the plan(s) and applications submitted to the Council on 02-Oct-2019, except as amended or specified, details of which can be found in the table below. The reasons for the Council's decision to refuse permission for the development are:

1. The proposed development, by reason of its siting, scale, design and relationship with the host building would fail to represent a subservient addition to the property introducing an unsympathetic, incongruous and overly prominent form of development and would have a detrimental impact on visual amenity and the character and appearance of the host property and wider local area. The proposals as such would be contrary to Policy LP24 (a and c) of the Local Plan and paragraph 127 of the National Planning Policy Framework.

2. The proposed development, by reason of its siting, scale and proximity to neighbouring land would result in an overbearing and oppressive impact upon the residential amenity of the occupiers of the adjoining dwelling no. 2 Inglewood Avenue. The extension would be viewed as an unduly overbearing structure. To permit such a development would be contrary to policy LP24 (b) of the Kirklees Local Plan and the aims of the National Planning Policy framework.

3. The proposed window shown in the side elevation to Bedroom 2 would result in overlooking at close quarters of private amenity space associated with the neighbouring property number 2a and would therefore be contrary to Policy PLP24 (c), as well as the aims of chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

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Proposed site layout 1:100, 1:500 & 1:1250	T1042-PL04	A	5/2/20
Proposed floor layout	T1042-PL05	A	5/2/20
Proposed elevations	T1042-PL06	A	5/2/20
Supporting Design Statement			5/2/20

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 requested amended plans during the process of the application to seek an amendment which would to reduce the impact of the development on the amenity of nearby residents. This decision is based on the amended/additional documents submitted.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Site Notice

- The application has been publicised by notice(s) in the vicinity of the site. Please would you now remove the notice(s) and responsibly dispose of to avoid harm to the appearance of the local area**.**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- As this is a decision for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

- If an enforcement notice is served or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:

  i) 28 days from the date of this notice where the enforcement notice has been served,
  i) 28 days of the date of service of the enforcement notice or,
  ii) 12 weeks of the date of this notice,

  which ever period expires earliest.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/planning-inspectorate . Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.

- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 28-Feb-2020

Signed: 

Karl Battersby
Strategic Director Economy and Infrastructure

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2019/62/93203/W.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Planning Services
Strategic Investment Service
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR

LRJ PLANNING
Planning, Design and Development

APPENDIX C –PHOTOGRAPHS OF APPEAL PROPERTY AND SURROUNDING AREA

Figure 1 – View of front elevation of appeal site



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Figure 2 – View of No.2a



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Figure 3- View of No.2a that forms part of context of appeal site



LRJ PLANNING
Planning, Design and Development

Figure 4 - View of No.2a that forms part of context of appeal site



LRJ PLANNING
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Figure 5 – View of high level (non-principal) windows and large overhang at No.2



LRJ PLANNING
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Figure 6 – Varied street scene along eastern side of Inglewood Avenue



APPENDIX D

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Defining problems with beautiful solutions...

Access & Design Statement for
T1042 – PROPOSED EXTENSIONS AND INTERNAL ALTERATIONS:
4 Inglewood Avenue, Huddersfield, HD2 2DS

Client/Owner:
Mr & Mrs Ali,
4 Inglewood Avenue,
Huddersfield,
HD2 2DS

Proposal:
The existing detached three bedroom, two-storey dwelling is proposing a two-storey side and rear extension (to form five bedrooms), internal alterations, an external makeover and a raised decking area.

Design Use:
Ground Floor:
To create an open plan kitchen / dining / lounge, a utility room, formal lounge and home gym.

First Floor:
To create an additional two bedrooms.

Amount:
Existing:
Ground Floor: 114.10 sq m (Including the garage)
First Floor: 70.30 sq m
Total: 184.40 sq m

Proposed:
Ground Floor: 148.80 sq m (Including the garage)
First Floor: 138.30sq m
Total: 287.10 sq m

Difference: 102.70 sqm larger as proposed.

Privacy:
The proposals do not unreasonably impact upon the privacy of the neighbours; the proposed windows do not allow intrusive views through neighbouring windows or toward private garden areas.

Overshadowing:
The proposed extensions are sited such that they do not take any daylight and sunlight from the main windows and garden areas of neighbouring dwellings. No neighbours are affected.

Dominance:

The proposed extensions do not unreasonably dominate or result in significant loss of outlook from the main windows and garden areas of neighbouring dwellings.

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Driveways and Parking:

The existing site and parking arrangements are unaffected.

Private Garden Space:

The proposed extensions will leave the existing garden arrangements unaffected. There are large garden areas for family living with some flat lawn type areas with further hard landscaping in other areas.

The Site Layout:

The proposed extensions have been designed to relate sympathetically with their surroundings, the amount of open space and landscaping and the proximity of adjacent buildings.
Our proposals are of a residential nature and do not create amenity problems with regards to privacy, noise, smell or other nuisance and the privacy of existing adjacent building is ensured through separating distances between the proposals and the existing neighbouring dwellings.
Our proposals seek to attain appropriate levels of sun lighting and day lighting within the internal spaces. This is achieved with wider than standard windows in specific areas which do not face towards neighbouring dwellings.
Private outdoor space is provided for activities such as sitting out, children's play, drying & washing etc.

Views from the Dwelling:

The disposition of rooms and window sizes and shapes has been fully considered to be appropriate to their relationship to the spaces overlooked and their distance to other dwellings.

The Visual Impact on the Site and Neighbouring Properties:

The design will support local character and distinctiveness. We feel that the building design relates to what is valued about the area, the creation of good quality design.

Scale:

The scale of building supports local character and relates well to its surroundings. Good design does not mean copying what is already there or necessarily keeping to the same scale, but it does mean understanding and respecting it.

Environment and Sustainability:

The proposal creates a contemporary, energy efficient sustainable design which does not detract from the local character. Most of the buildings in the immediate area are different from each other; the local character is in the range of designs rather than a strong continuous street scene. The proposal sets to create a dwelling with high design and environmental standards.

Natural Light:
White walls, floors and large windows allow the natural light to flood into the building as the sun rotates throughout the day allowing the users the maximum light gains.

Energy saving bulbs:
The scheme is to have more than the 33% requirement for energy saving bulbs which last up to 12 times longer than normal bulbs and save £9.00 per year each on bulb in costs.

Insulation:
The building fabric will be over insulated which means it can benefit from savings of up to £200.00 per year on energy bills.

Low E Glass:
Sun light passes through the glass but the heat is blocked from leaving the room. Low E glass reduces heat loss by about 30%.

Low flush W/c:
All toilets are low flush.

Energy efficient Boiler:
The specified boiler which will be highly energy efficient will be oversized therefore at any one time it runs at only 60% capacity which in its self makes it more energy efficient.

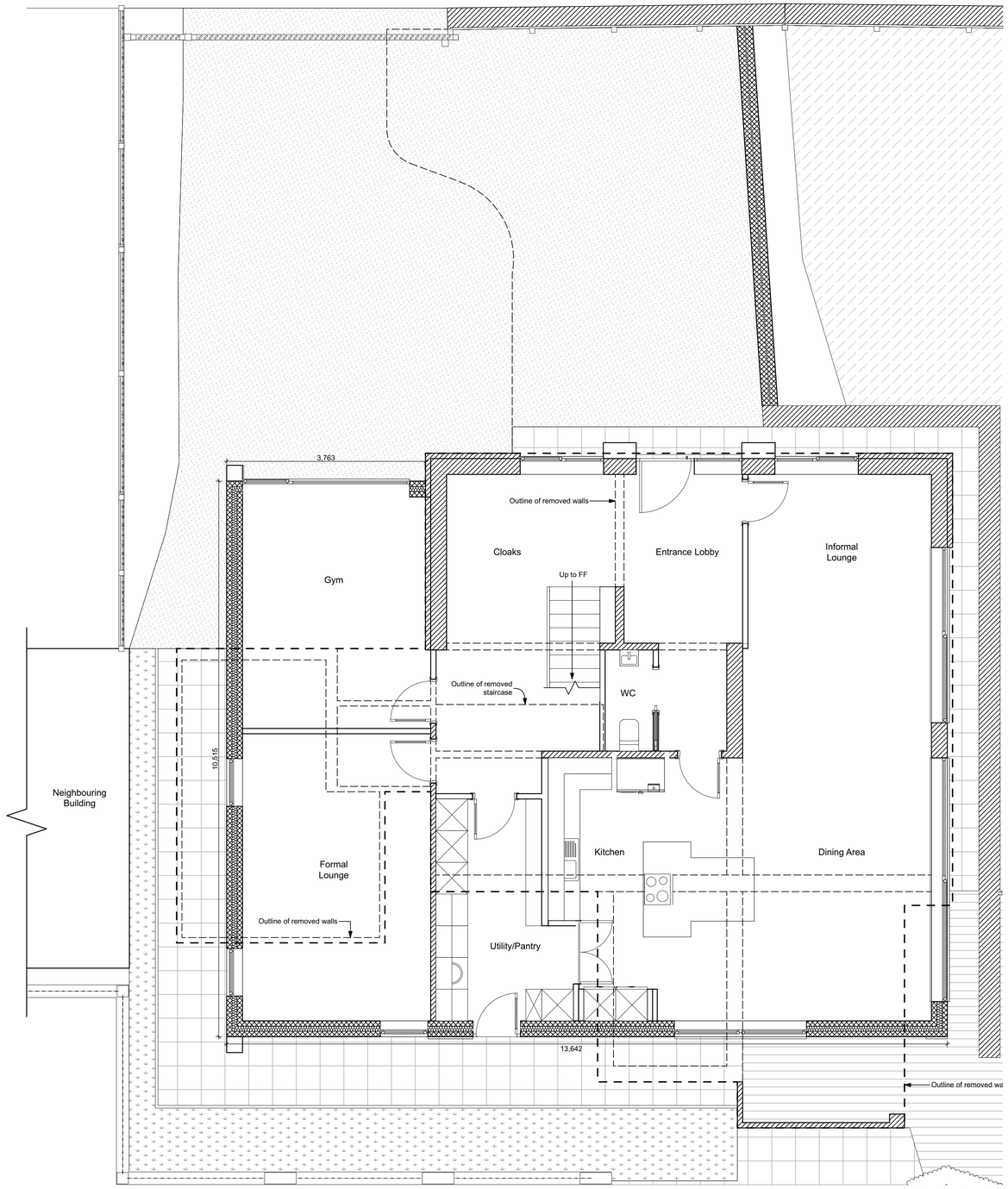
Our Conclusion:

The scheme is considered to be one which responds positively to the site and its surroundings and ultimately provides for an interesting, attractive and sustainable additions to the existing dwelling.

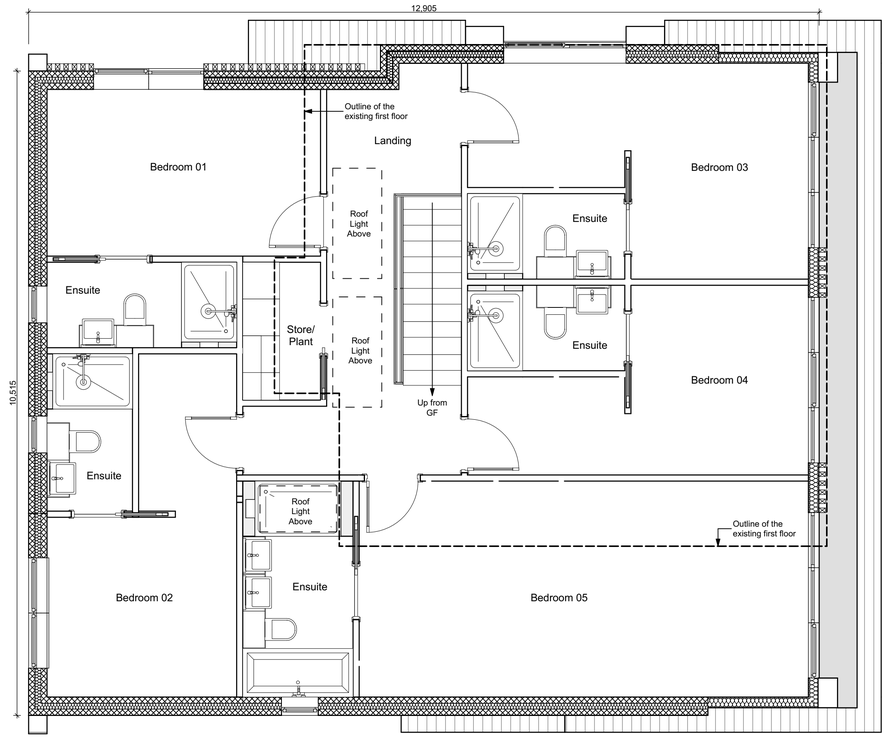
Specific Access Issues:

ISSUE	RELEVANT LEGISLATION	STAGE TO BE CONSIDERED
Car parking: Three cars on the drive.	Planning and Building Regulations	Planning
Bus Stop: not affected	N/A	N/A
Train Station: not affected	N/A	N/A
Routes to entrance: Via existing access which complies with current building regulations.	Planning and DDA	Planning and management

Contractor must verify all dimensions on site before commencing any work or shop drawings.
If this drawing exceeds the quantities taken in any way, the building designers are to be informed before the work is initiated.
Only figured dimensions to be taken from this drawing, Do not scale off this drawing.
Drawing based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.
All drainage layouts are schematic and invert levels must be established prior to construction.



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

Project Status:	PLANNING ONLY

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Floor Plans A1
Scale:	1:50
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL05
Revision:	Nil

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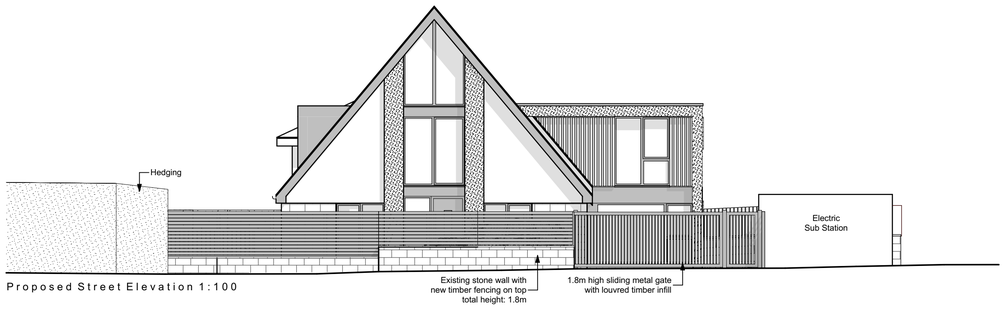
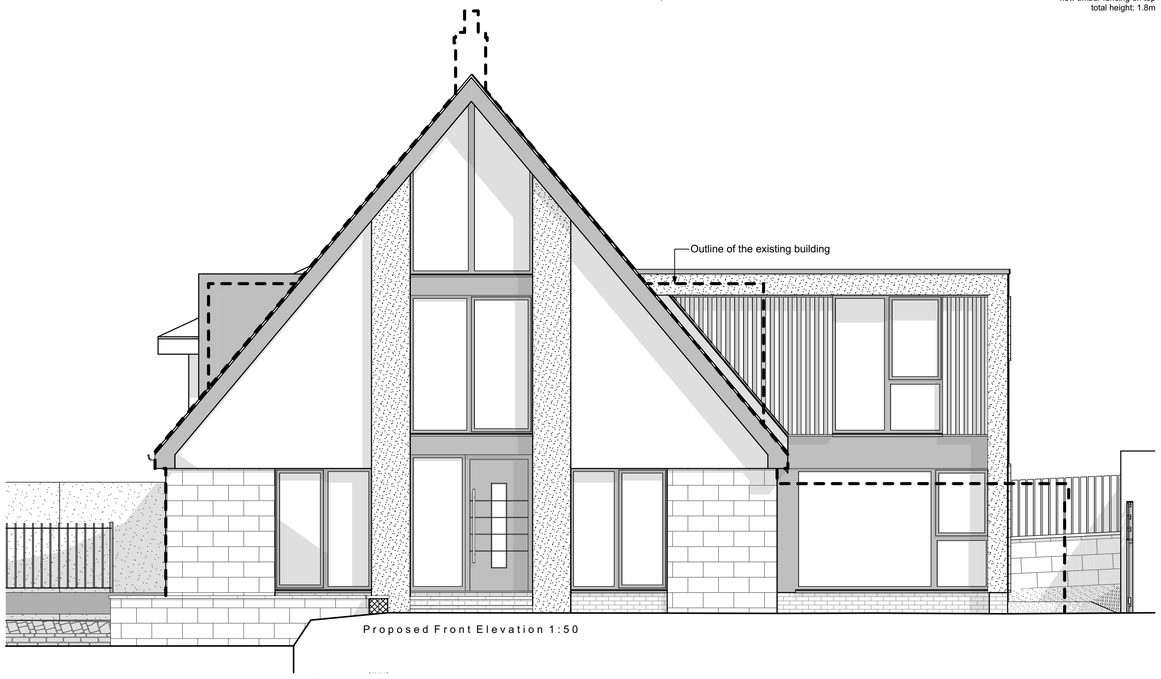
Drawing based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.
All drainage layouts are schematic and invert levels must be established prior to construction.



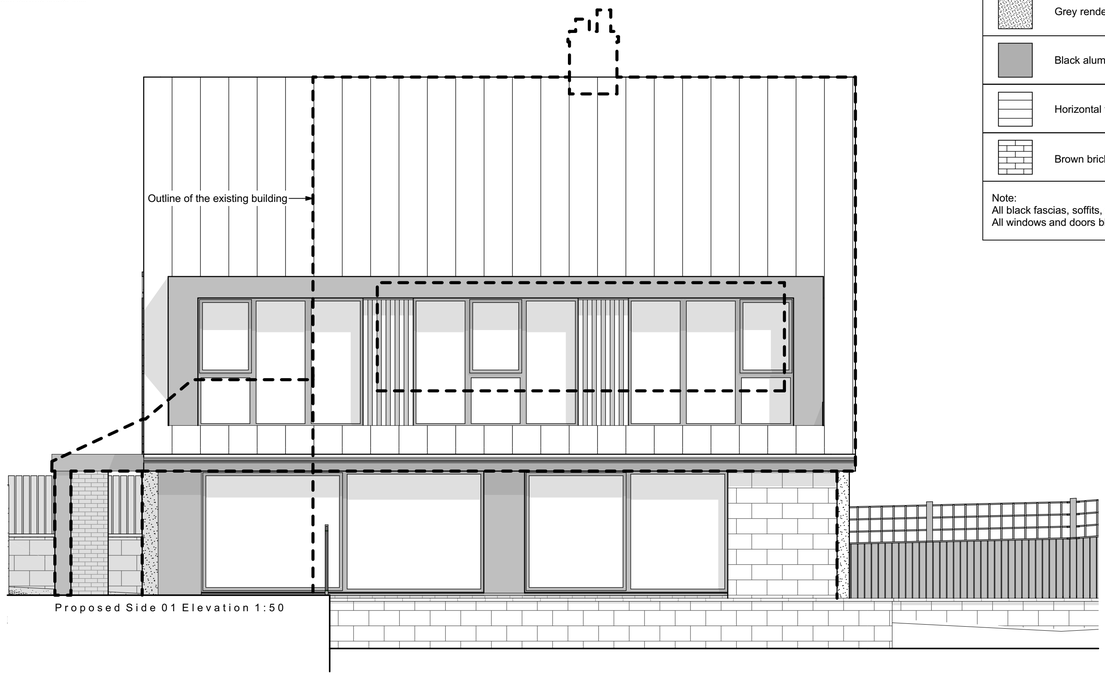
Proposed Street Elevation 1:100

Material Key:	
	Metal deck roof.
	Buff stonework.
	Hit and miss vertical timber cladding.
	White render.
	Grey render.
	Black aluminium.
	Horizontal timber cladding.
	Brown brick.

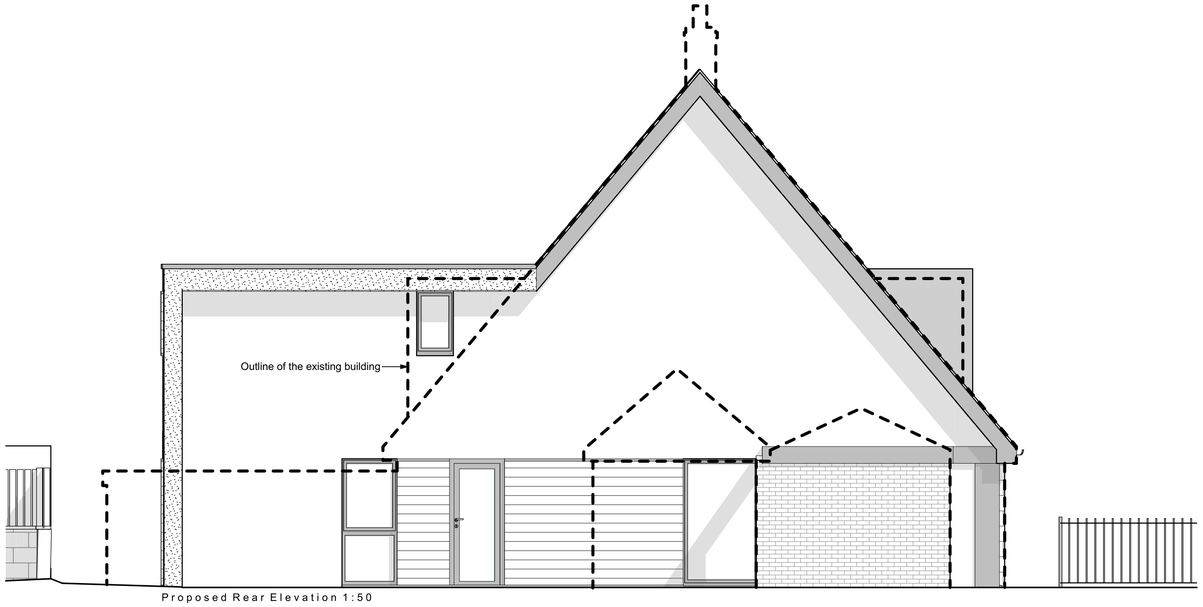
Note:
All black fascias, soffits, gutters & downpipes.
All windows and doors black.



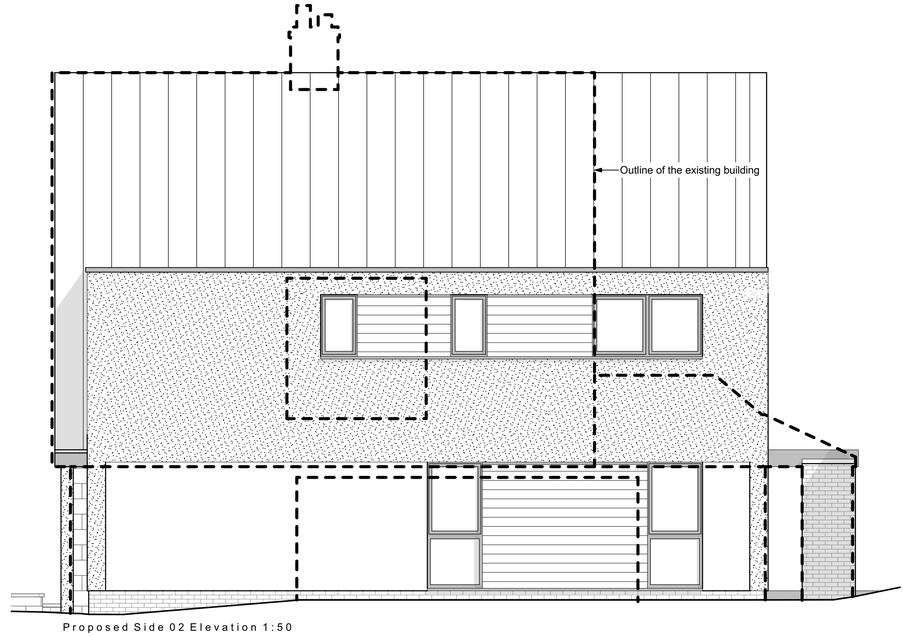
Proposed Front Elevation 1:50



Proposed Side 01 Elevation 1:50



Proposed Rear Elevation 1:50



Proposed Side 02 Elevation 1:50

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Elevation A1
Scale:	1:50, 1:100
Date:	14.08.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL06
Revision:	Nil

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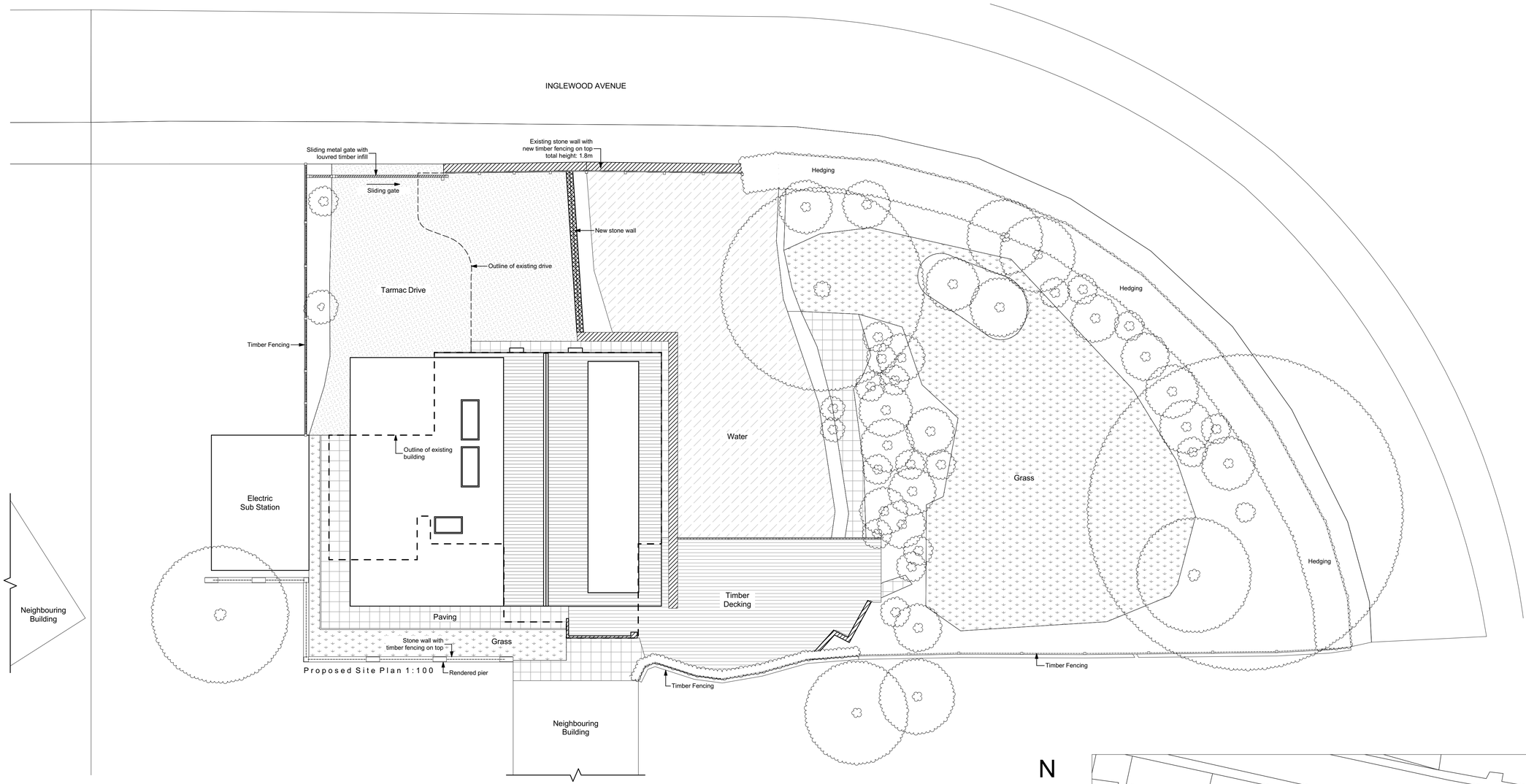
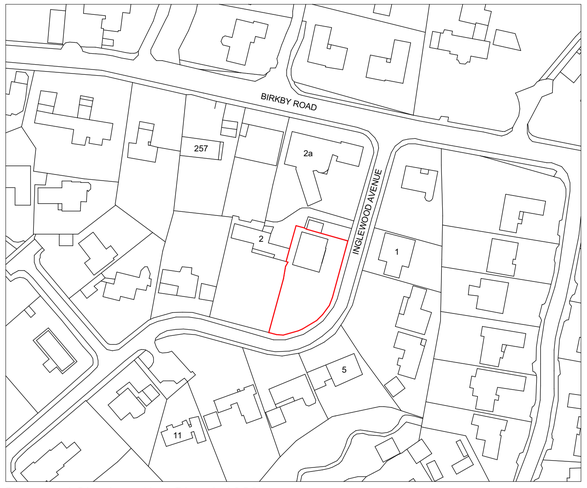
All drainage layouts are schematic and invert levels must be established prior to construction.



Proposed Site Plan 1:100



Proposed Site Location Plan 1:1250



Proposed Site Block Plan 1:500

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Project Address:	4 Inglewood Avenue, Huddersfield, HD2 2DS
Client:	Mr A Ali
Drawing Title:	Proposed Site Plan
Scale:	1:100, 1:500, 1:1250
Date:	05.09.2019
Drawn By:	MNB
Drawing Number:	T1042 - PL04
Revision:	Nil

APPENDIX E

Supporting Design Statement for
T1042 – PROPOSED EXTENSIONS AND INTERNAL ALTERATIONS:
4 Inglewood Avenue, Huddersfield, HD2 2DS

Planning comments received:
From: Sam Jackman <sam.Jackman@kirklees.gov.uk>
Sent: 21 November 2019
Subject: RE: T1042- 4 Inglewood Avenue, Huddersfield, HD2 2DS- 2019/93203

"Good afternoon Tracy,

I have now discussed with my line manager the proposed alterations and extensions. In principle the property could be extended however the scheme would be required to be amended to receive an approval.

The proposed side extension would have to be removed, albeit a single storey extension may be acceptable in this area. The new front dormer is acceptable provided it again sits in from the gables either side similar to the proposed design. The removal of the garage and replacement with the rear extension is also acceptable in principle, however this should be set in from both gabled elevations by 1.5m.

These amendments are due to the impact the side extension will have on the neighbour with regards being overbearing and overshadowing. The rear box is a design issue and the impact it will have on the street scene as well as reducing the bulk on the neighbouring property.

Please can you submit amended plans within the next two weeks and agree an extension of time until the 20th Dec to allow the application to be processed.

Regards
Sam Jackman"

Our response which is supported with updated full scale drawings reference:
T1042 - PL04 Proposed Site Plan Rev A
T1042 - PL05 Proposed Floor Plans A1 Rev A
T1042 - PL06 Proposed Elevation A1 Rev A

Our client has considered the changes as you have proposed in your email as highlighted in red above. My client has proposed an alternative to that you have suggested with some supporting information as to why what my client has proposed is a good compromise between what was originally submitted and the changes you have highlighted and the reasons why.

Your main reasons for the suggested changes raised above appear to be:

1. *These amendments are due to the impact the side extension will have on the neighbour with regards being overbearing and overshadowing.*
2. *The rear box is a design issue and the impact it will have on the street scene as well as reducing the bulk on the neighbouring property.*

Below I will address both of your points above with responses to support the changes made on the drawings as resubmitted on the drawings referenced above:

1. ***These amendments are due to the impact the side extension will have on the neighbour with regards being overbearing and overshadowing.***

The changes to the originally submitted scheme has reduced any impact of overbearing and/or overshadowing onto the neighbouring dwelling at 2 Inglewood Avenue, Huddersfield, HD2 2DS.

The main points we have taken into consideration when re-assessing the scheme from the originally submitted scheme with regards to the impact on the boundary of 2 Inglewood Avenue, Huddersfield, HD2 2DS are as follows:

1. 2 Inglewood Avenue, has large overhanging eaves within its design which creates an overbearing and overshadowing impact on itself. (See photos below)
2. 2 Inglewood Avenue, has only high level windows on this neighbouring boundary elevation which are not principal windows for views or natural light, there are no other windows on this elevation. (See photos below)
3. 2 Inglewood Avenue, has its driveway and parking area adjacent to the neighbouring boundary of our proposed extension with the existing double garage being closest to the boundary on the ground floor and high level non principal windows above.



Self overshadowing and overbearing on the neighbouring boundary elevation from the overhanging eaves of the existing building.



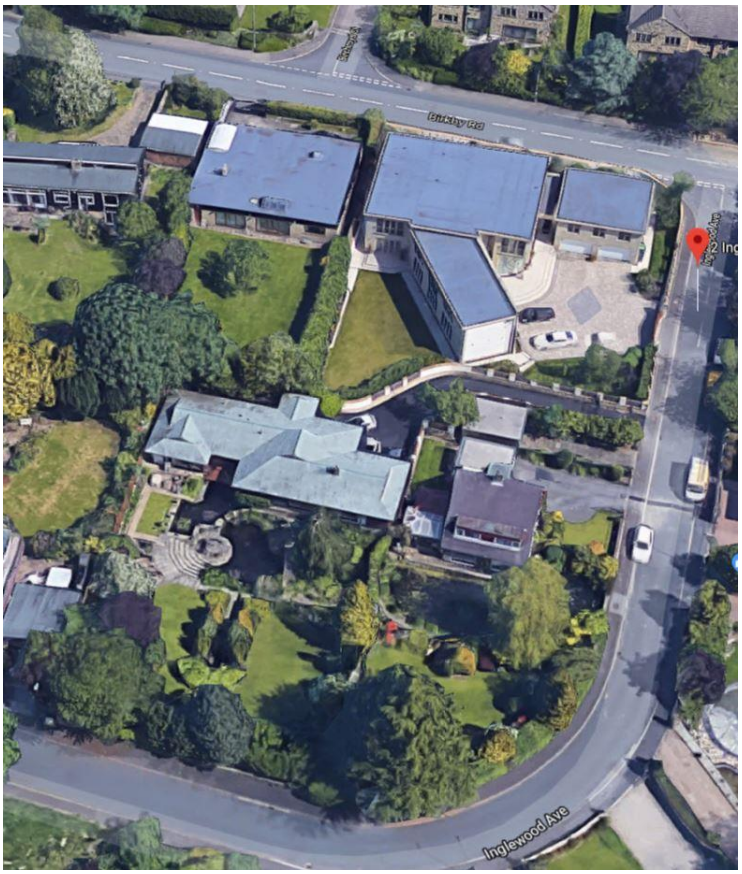
Self overshadowing and overbearing on the neighbouring boundary at its rear (our side) elevation from the overhanging eaves of the existing building.



Self overshadowing and overbearing on the neighbouring boundary at its front (our other side) elevation. There are no other windows other than the high level ones which are already self shadowed and are affected by an overbearing impact from the overhanging eaves of the existing building.



2 Inglewood Avenue, seen from 4 Inglewood Avenue, self overshadowing and self overbearing over the existing front windows when looking from Inglewood Avenue.



The distance between 2 Inglewood Avenue and 4 Inglewood Avenue as proposed is a lot less than that of adjacent properties which also have similar relationships between neighbouring dwellings but are much closer together as illustrated above. (2a Inglewood Avenue)

The principal windows and views from 2 Inglewood Avenue are illustrated in the photos below:



2 Inglewood Avenue, its rear elevation (our side elevation) – Main aspect towards the landscaped garden away from our neighbouring boundary.



2 Inglewood Avenue, its front elevation (our other side elevation) – Defensive aspect towards the front drive with principal windows on this elevation a considerable distance from the neighbouring boundary of number 4 Inglewood Avenue. The only impact of our propoals here is on the driveway and parked cars.

In light of your comments and the above site observations we have reduced the impact of the main pitched roof by removing it from the proposals on the neighbouring dwellingside, as we believe the amended two storey flat roof extensions as now proposed, has little to no impact on the existing self overshadowing and self overbearing neighbouring dwelling at 2 Inglewood Avenue and its driveway.



Existing 3D Perspective 02 (No Scale)

Existing house side elevation (Number 2 is on the left hand side – rear elevation)



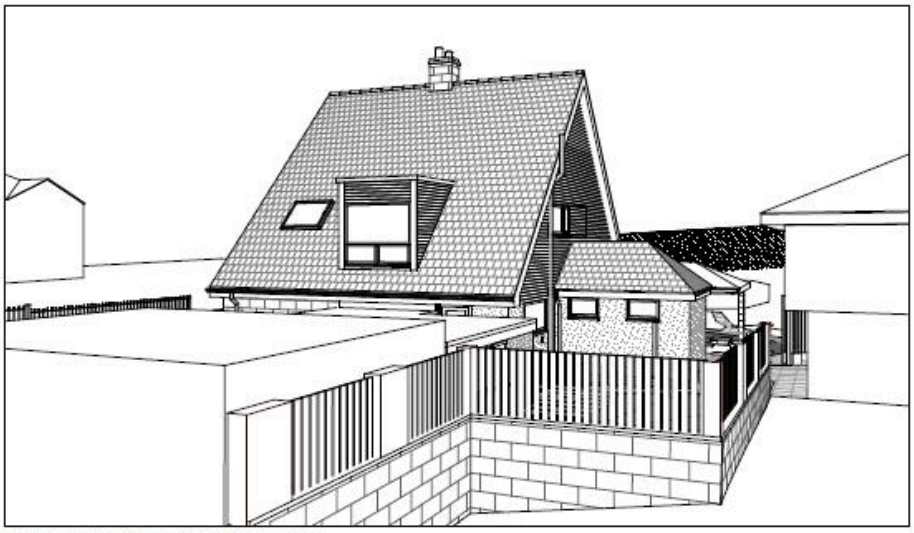
Previously Submitted Proposal 3D Perspective 02 (No Scale)

Originally proposed house side elevation (Number 2 is on the left hand side – rear elevation)



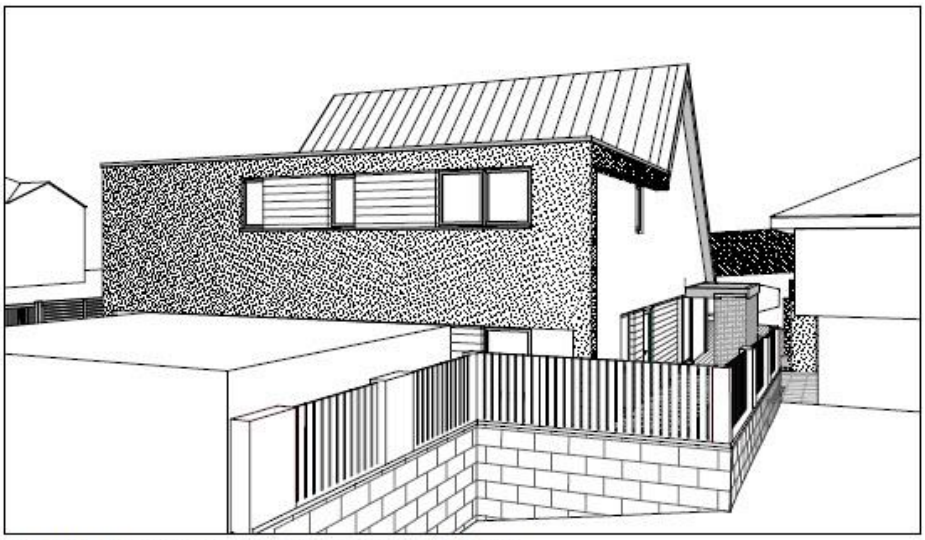
Revised Proposal 3D Perspective 02 (No Scale)

Amended proposed house side elevation (Number 2 is on the left hand side – rear elevation)
The Impact has been reduced and there is sufficient gap between the properties.



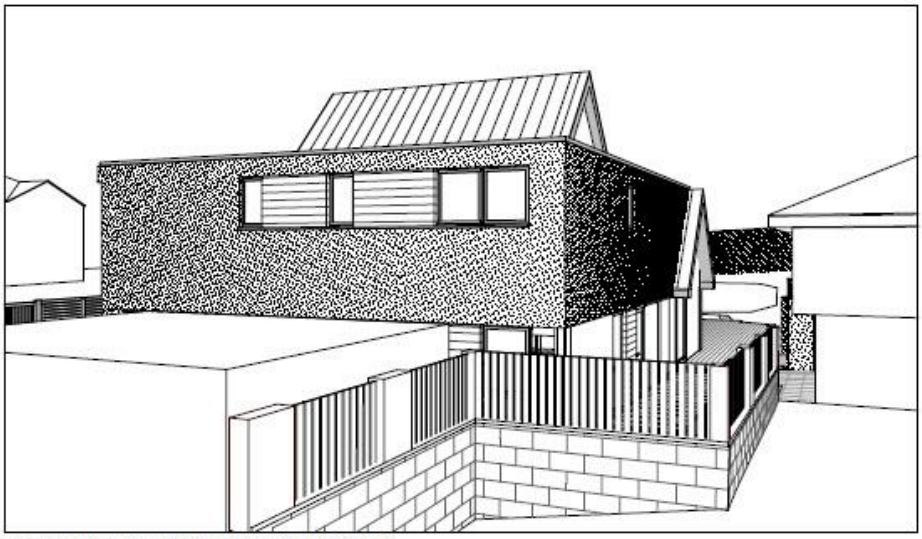
Existing 3D Perspective 01 (No Scale)

Existing house other side elevation (Number 2 is on the right hand side – front elevation)



Previously Submitted Proposal 3D Perspective 01 (No Scale)

Originally proposed house other side elevation (Number 2 is on the right hand side – front elevation)



Revised Proposal 3D Perspective 01 (No Scale)

Amended proposed house other side elevation (Number 2 is on the right hand side – front elevation)
The Impact has been reduced and there is sufficient gap between the properties.

2 *The rear box is a design issue and the impact it will have on the street scene as well as reducing the bulk on the neighbouring property.*

The rear box (our proposed other side elevation) is not a design issue when related to its immediate context. There are lots of examples of flat roof buildings and extensions in the immediate context which have a much larger impact on the street scene than our proposals.

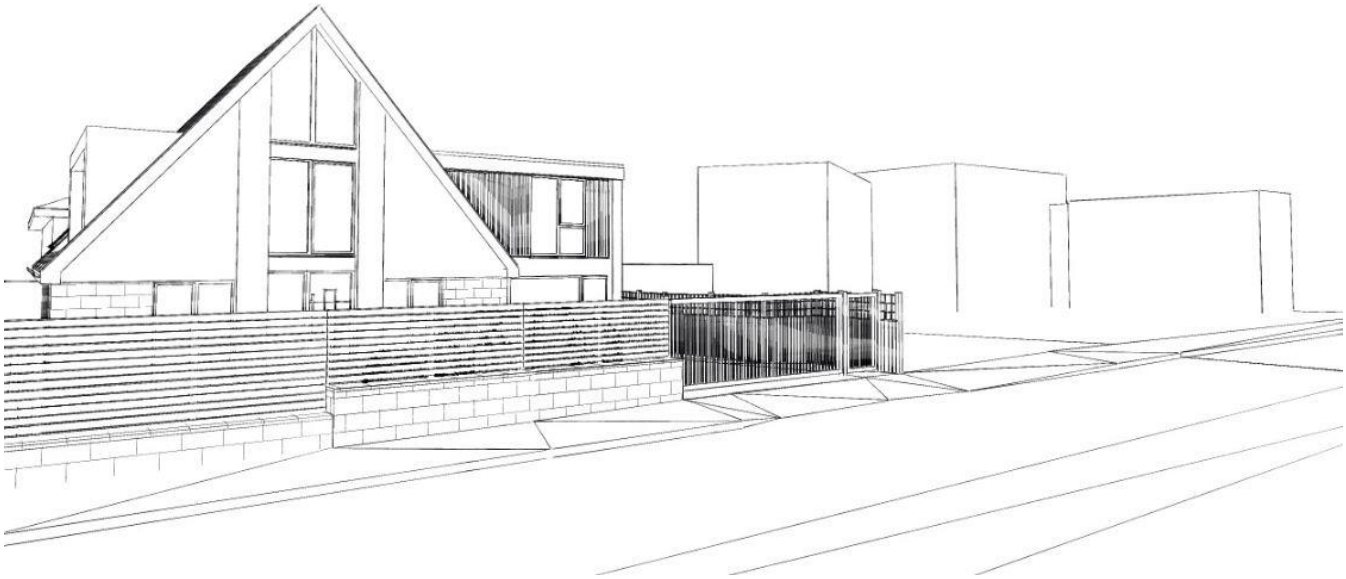
Below are some examples of the immediate local context which clearly demonstrates box like designs in and around the site which form the street scene, thus our own design is very much inkeeping with this street scene. The neighbouring buildings are of assorted designs and material finishes and we do not feel that the proposed scheme will have anything other than a positive effect within its context.



An aerial view of our site and its immediate context, which clearly illustrates two buildings in its immediate context which are three to four times larger than our <u>proposed</u> building as amended with nothing other than a flat roofs and box designs. 2a Inglewood Avenue (the largest), being our proposals neighbouring dwelling.



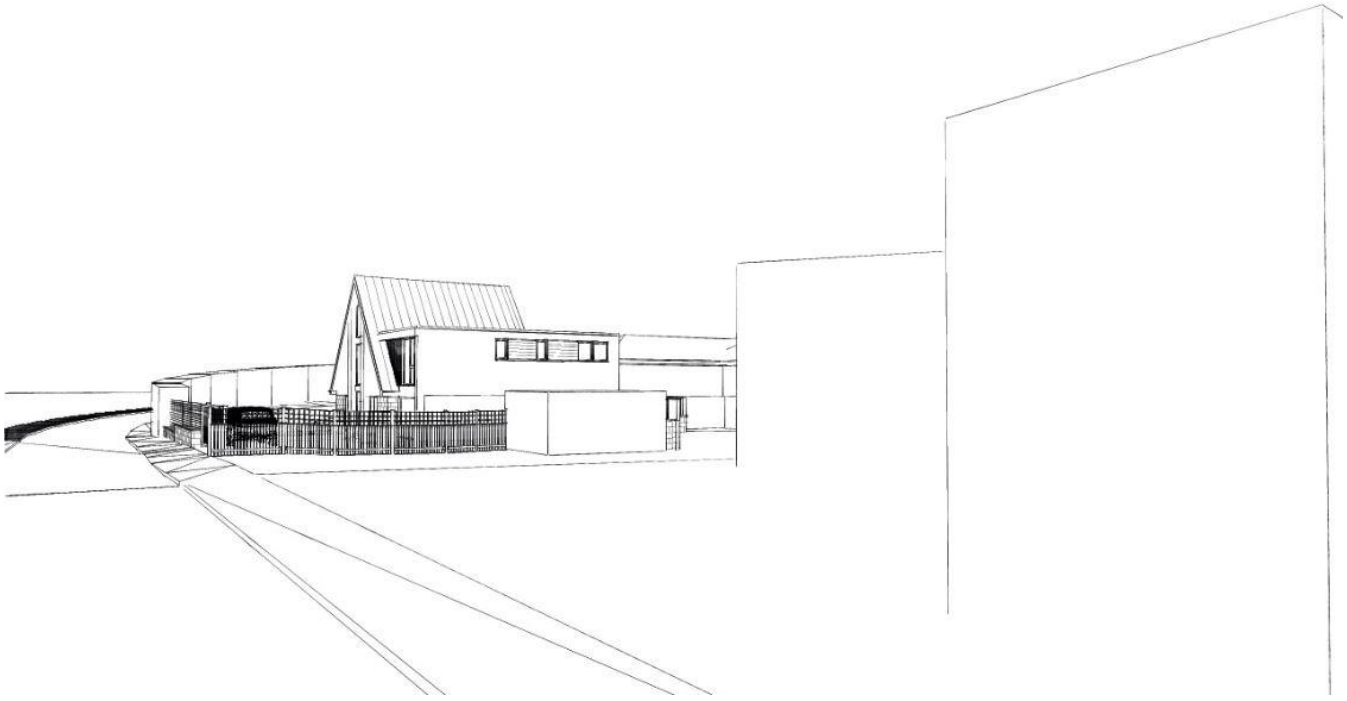
The streetscene from 4 Inglewood Avenue, as existing illustrating the box design next door at 2a Inglewood Avenue which is nearly four times larger than are whole proposed scheme and all flat roof which dominates the streetscene with other flat roof buildings.



A 3d scaled perspective of our proposed street view with a basic massing model of 2a Inglewood Avenue ilustrating the low impact of the proposed box design in context.



The streetscene from 2a Inglewood Avenue, looking at 4 Inglewood Avenue in the distance.



A 3d scaled perspective of our proposed street view with a basic massing model of 2a Inglewood Avenue ilustrating the low impact of the proposed box design in context. (Boundary walls are not shown on 2a Inglewood Avenue).



The streetscene looking directly at 2a Inglewood Avenue and its box design.



The streetscene looking directly at 2a Inglewood Avenue from Birkby Road with its box design.

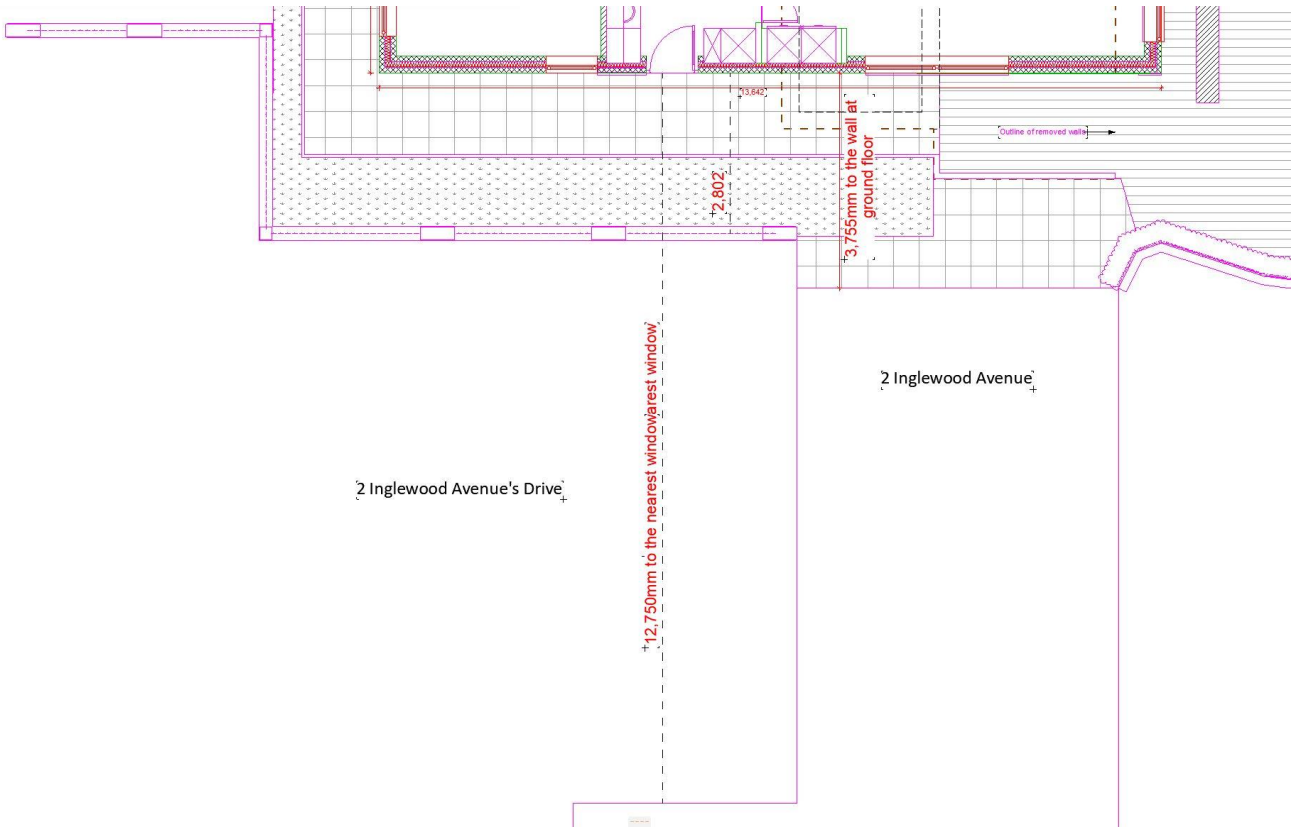


The streetscene looking indirectly at 2a Inglewood Avenue (left building) from Birkby Road with the neighouring building to 2a Inglewood Avenue also being a flat roof, box design which is closer than our proposed extension to number 2 Inglewood Avenue and has a significant height difference between the two dwelllings in the same contextual arrangement and orientation as our proposals. This is on the main road.

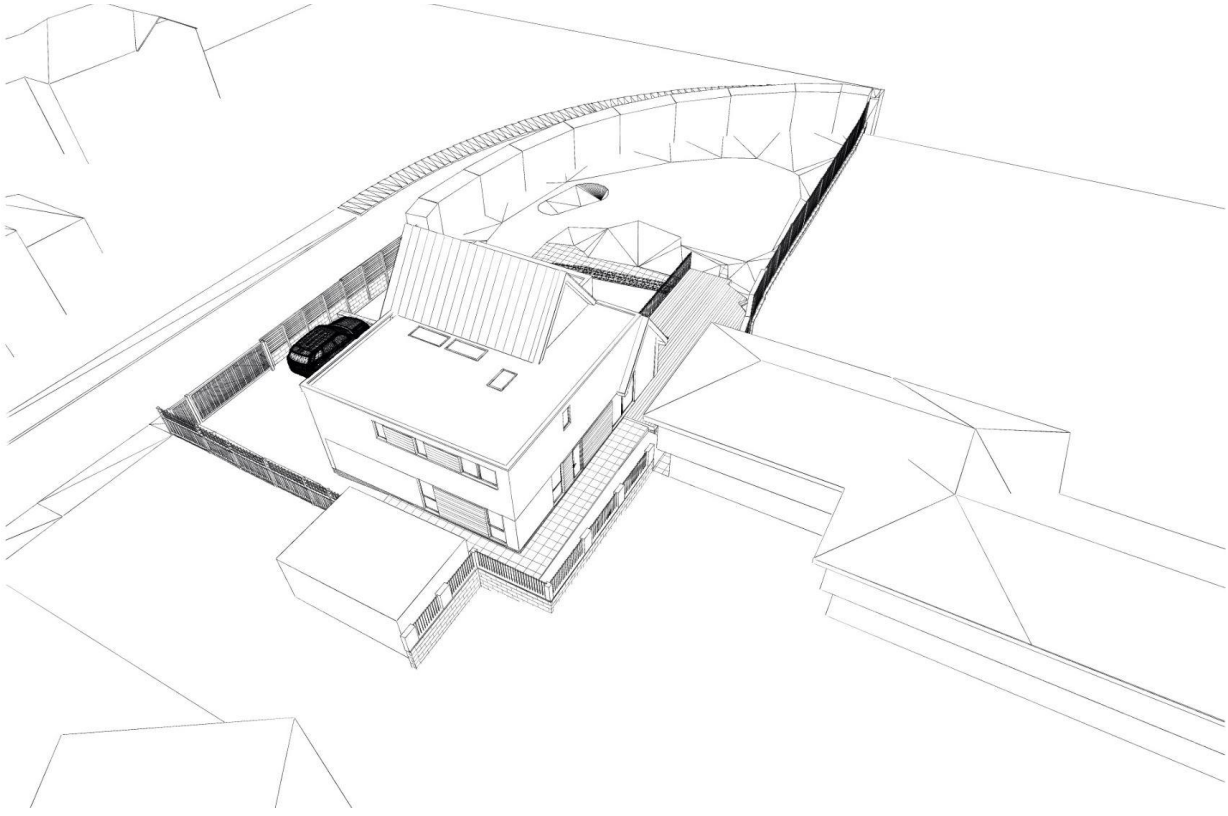
As demonstrated above in point one above there is no bulk impact on the neighbouring property as the proposed amended extension has minimal impact on an already self overshadowed and self overbearing design as existing at 2 Inglewood Avenue.

The proposed amended two storey flat roof extension is located:

1. Off the neighbouring boundary by 2.8m adjacent to the sub station.
2. On the ground floor it is 3.75m between buildings, adjacent to the garden elevation with the window on 4 Inglewood Avenue looking at a blank wall on 2 Inglewood Avenue.
3. On the first floor as point 2 above, it is 3.75m between buildings adjacent the garden elevation with the no windows facing onto the high level windows on 2 Inglewood Avenue.
4. On the first floor beyond the front building line of 4 Inglewood Avenue, we have a frosted bathroom window and an elevation which is 12.75m away from the nearest window which is adjacent to the drive of 2 Inglewood Avenue. (Please see below)



A plan showing the distances between properties.



A 3d scaled aerial perspective of our amended proposed design on 4 Inglewood Avenue ilustrating the low impact of the box design, lack of overshadowing on 2 Inglewood Avenue and non overbearing two storey flat roof design in the context of 2 Inglewood Avenue.