

**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: 2020/62/90167/W

Site Address: 60, High Street, Scapegoat Hill, Huddersfield, HD7 4NJ

Description: Erection of single storey rear extension and first floor extension with balcony and alterations to convert garage to extend living accommodation

Recommending Officer: Danielle Cooper

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 19-Mar-2020

Officer Report

Site Description

60 High Street, Scapegoat Hill, Huddersfield is a modest two-storey end of terrace dwelling which is constructed from stone with a concrete tiled gabled roof. The dwelling has a garage to the side of the dwelling with hard standing surface in front which can accommodate 1 vehicle. Amenity space is also located to the rear. The application site is located within a residential area with a mix of dwellings in terms of their character, style and design to the host dwelling.

Description of Proposal

Rear

Permission is sought for the erection of a single storey rear extension, first floor rear extension and two-storey side extension with balcony. The latter would replace the existing garage.

The first floor rear extension would be principally set above the existing single storey outrigger. It would have a gabled roof at right angles to the main roof. The eaves of the proposed extension will lie flush with the existing eaves on the original building and the ridge of the gabled roof will be set down from the original eaves by 0.3m.

The proposed side extension will be set back from the front elevation of the dwelling by 5m. It would be 5.7m in length and tie into the rear elevation of upper section of the rear extension. It would be 3.5m wide, and be set 1.5m from the boundary of the site. The eaves of the proposed extension will lie flush with the existing eaves on the original building and the ridge of the gabled roof will be set down from the original eaves by 0.3m. To the front elevation a balcony would project 1m forward, this would serve the master bedroom. Access would be from patio doors to be formed in the front elevation. A gable feature is proposed above the door.

The plans indicate that an existing dry-stone wall would be extended along the boundary and that a pedestrian access formed to the rear of the property.

A rear conservatory will be erected with a projection of 2m and a width of 4.5m. The overall height will be 3.2m and the eaves of 2.1m.

The extension will be faced in a mix of materials - stone & timber cladding, as indicated on the submitted plans. The roofing material will be natural blue slate with grey aluminium doors and windows will be inserted as indicated on the submitted plans.

History of negotiations/amendments received

Concerns were raised with the agent in regards to the proposed development causing overdevelopment and the overall design to not be in keeping within the street scene. Nevertheless, the applicant has decided to determine the application with the original submitted plans.

Relevant Planning History

None.

Representations

The application was publicised by site notice and neighbour notification letter

Final publicity date Expires: 05/03/20

No representations were received

Consultation Responses

Highways (informal) – No objections

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The 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):

- **LP1 Achieving sustainable development**
- **LP2 Place Shaping**
- **LP21 Highway safety and access**
- **LP22 Parking**
- **LP24 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 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- Chapter 12 – Achieving well-designed places

Assessment

The following matters are considered in the assessment below

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

Principle of Development:

The site is without notation on the 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 NPPF.

Policy LP1 goes on further to stating that “the council will always work proactively 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.”

Chapter 2 of the NPPF 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. Chapter 2 of the NPPF goes on further to state that:

“to support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment”. As well as “making effective use of land”.

In this instance, it can be stated that the principle of development of this application is acceptable. Therefore, the application is subject to the assessment of impacts on visual and residential amenity, as well as highway safety.

Impact on visual amenity:

The NPPF provides guidance in respect of design in chapter 12 (Achieving well designed places) with 124 providing an overarching consideration of design stating 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

Kirklees Local Plan policies LP1, LP2 and importantly, LP24 are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

LP24 states that all proposals should promote good design by ensuring the following:

'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape' and that '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'.

The proposed development will significantly extend the application property, detracting from the form and dominance of the original building. LP24 (c) states that extensions should be subservient to the original building, in this instance given the scale and mass of the proposed extensions, they would not appear subservient. This is both in terms of the mass created and the proposed design. The existing building is a modest end-terrace of vernacular style. It has a single storey outrigger, which may have been a common feature with other properties in the row. Whilst the erection of an extension above the outrigger, similar to one along the row, and the conservatory could well be undertaken whilst leaving the original dwelling the dominant element on site, the addition of a large two-storey side extension in conjunction with this would not. It would lead to a complicated roof form that detracts from the simple character of the terrace. The impact of the scale and mass of the extension is compounded by the detailing of the front elevation of the side extension. This includes the use of timber cladding, a decorative gable and projecting balcony: features that are incongruous in the otherwise simple terraced row. The balcony and timber cladding would also be clearly apparent when travelling west along High Street.

Considering the above, the proposed design of the new extensions would not be in keeping within the immediate area given its traditional appearance. The proposed design would not harmonise with the nearby existing dwellings along High Street which would have a detrimental impact to the visual amenity within the immediate area.

Regarding the use of timber cladding, it was noticed whilst the officer was on site that No. 22 Chapel Street, the neighbouring dwelling adjacent to the rear elevation is an 'eco house' with the use of cladding being a dominant material, however this dwelling is well hidden and can only be glimpsed along High Street. In addition, as cladding is not a common material along High Street,

with the use of stone being the primary material. The use of timber cladding will cause adverse harm to the traditional appearance of the surrounding dwellings along High Street.

Taking into account the above, it is considered that the proposal is an unacceptable form of development and would be detrimental to visual amenity, contrary to Policy LP24 (a and c) of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Impact on residential amenity:

LP24 states that alterations to existing buildings should provide the following: 'high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distance between buildings and the creation of development-free buffer zones between housing ... and means of screening where necessary'.

No. 62 High Street is the attached neighbouring dwelling west of the application site. It has been considered that the proposed development would have some impact on their residential amenity. The impact from overbearing & overshadowing has been assessed. It has been noted that as no. 62 only has one window on the first floor which is situated away from the proposed extension, near no. 64 High Street and they also have a single storey rear extension which is set just below the eaves, with no roof lights. It has been considered that although the proposed extension may cause some overshadowing given the time of day, it would not be unduly detrimental and is therefore acceptable. In regards to overlooking, as there are already existing openings on the first floor on the original building, it has been considered that the proposed openings would not have a greater material impact than the existing openings and they are therefore acceptable. As such it has been considered that the proposed development would not cause adverse harm to the residential amenity of no. 62 High Street.

No. 58 High Street is the neighbouring dwelling east of the application site. Given the separation distance of approx. 3m and no. 58 being set behind the host dwelling, along with no. 58 having no openings on their side elevation, the proposed extension would not cause any adverse harm to their residential amenity. Nevertheless, it has been considered that the only impact would be overlooking, however as there are existing openings on the first-floor elevation of the host dwelling, it has been considered that the proposed openings would not significantly increase the material impact and it is therefore acceptable. As such it has been considered that the proposed development would not cause any adverse harm to the residential amenity of no. 58 High Street.

No. 22 Chapel Street is the neighbouring dwelling adjacent from the rear elevation. it has been considered that there may be some overlooking caused from the proposed extension. However, given the considerable separation distance along with their being an existing relationship with overlooking given the existing openings on the rear elevation of the host dwelling. It has been

considered that the harm would not be materially greater than the existing relationship.

For the reason's set out above, it is considered that the proposal is acceptable in respect on residential amenity and against LP24 (b) and (c).

Impact on highway safety:

As the proposed development will increase the number of bedrooms on site to a 3-bedroom property, the impact on highway safety has been assessed. It is noted that the hard-standing surface to the front of the existing garage can accommodate 1 vehicle on site, along with there being space for one vehicle in front of the host dwelling on High Street. As such it has been considered that the on site and off-site parking arrangements is sufficient to be able to serve the dwelling. An informal consultation took place with Highways who raised no objections. Therefore, the proposal would comply with LP21 and LP22 of the Kirklees Local Plan.

Other Matters:

Climate change credentials - 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.

In this instance the extensions proposed will be primarily constructed from stone and timber cladding. Stone and timber are both eco-friendly building materials that is durable and, with stone, completely recyclable. Natural blue slate is also an eco-friendly building material, although the source of the material would need to be taken into consideration when assessing its 'eco credibility'. In regard to the conservatory to the rear, given the nature of the development which includes large amounts of glazing. This will allow natural light to be reflected into the conservatory. As such this will minimise the use of artificial light and absorb the sun's heat energy given the time of day. Therefore, the proposal will comply with LP24 (d) of the Kirklees Local Plan.

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 adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the National Planning Policy Framework as a whole.

Recommendation – Refuse

Decision Authorisation - Delegated Powers

Application Number: 2020/90167

Officer Recommendation: REFUSE

Reasons for refusal

The proposed extensions by reason of their mass, scale and design would not be subservient to the original dwelling or be in keeping with its scale, materials and detailing. The proposed development would not respect or enhance the character of the terraced row of which this dwelling forms part, or the wider street scene. It would thus be detrimental to the visual amenity of the area. To permit such a development would be contrary to Policy LP24 (a and c) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing Floor Plans	19-D13-2001-P02	1	27/01/20
Existing Elevations	19-D13-2002-P02	1	27/01/20
Proposed Floor Plans	19-D13-2003-P04	2	18/03/20
Proposed Elevations	19-D13-2004-P04	2	18/03/20
Proposed Site / Block Layout	19-D13-9002-P03	2	18/03/20

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Concerns were raised with the agent in regard to the proposed development causing overdevelopment and the overall design not being in keeping within the street scene. The applicant wished to the application to be determined on the basis of the original submitted plans.

Report Dated: 19/03/20