

**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: 2020/62/90492/W

Site Address: 27, Hill Grove, Salendine Nook, Huddersfield, HD3 3TL

Description: Erection of single-storey and first-floor extensions to rear, formation of pitched roof, and erection of front porch (modified proposal)

Recommending Officer: William Simcock

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: 07-Apr-2020

Officer Report

Site Description

27 Hill Grove is a detached two-storey dwelling forming the end property in a row, with semi-detached and townhouses opposite. It is mainly faced in brick and render with a small element of random stone. The dwelling has two elevations facing the street. The north-western elevation, designated “rear” faces Hill Grove; the opposite elevation, designated “front” faces Moor Hill Road. The only vehicular access is to the Hill Grove elevation. It has been substantially extended at the north-east side and to the Hill Grove frontage, forming a garage with a terrace and living accommodation above.

Description of Proposal

The proposal is for the erection of single-storey and first-floor extensions to rear, formation of pitched roof, and erection of front porch.

The works at first floor would involve the extension of the existing bedroom out and over the existing balcony by 2.0m so as to bring it in line with the floor below, the formation of a new gable roof over the bedroom as extended, and a new linking double-pitched roof connecting the extension roof to the main roof.

The ground floor extension would project 2.1m and would be the full width of the remaining part of the ground floor elevation, and with a lean-to roof joining the main wall at a height of 3.5m. Proposed materials are stone and tiles.

This proposal is the same in all respects as that approved in 2019 except that on the earlier scheme the first floor extension would have been 750mm smaller in extent and would in this way have retained part of the balcony.

History of negotiations/amendments received

None.

Relevant Planning History

2019/92395 – Erection of single-storey and first-floor extensions to rear, formation of pitched roof, and erection of front porch. Approved, not implemented.

Representations

Final publicity date Expires: 25-Mar-2020

One representation received.

- Overshadowing; causing further loss of light.
- Overbearing in terms of its scale, massing and general dominating effect.
- The objection relates to the first-floor extension only.

Consultation Responses

No representations were considered necessary.

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 without designation on the Kirklees Local Plan.

The proposal is not considered to raise access or other Equality Act issues.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 (including any heritage considerations)
- 3) Impact on residential amenity

- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. Of particular relevance is Policy LP24, and especially 24(c) which requires 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. Any implications for highway safety will also be considered as required by Policies LP21-22.

2 – Impact on visual amenity: The situation of this property is unusual because it borders the public highway both at the front and the rear. The Hill Grove elevation has been treated as the rear by the applicant and has been accepted as such by the Council in previous applications in this street. The impact of a proposed development on the street scene must still be given careful consideration, however.

In assessing the previous application, officers noted that there were precedents for substantial extensions on the Hill Grove frontage nearby and that no. 27 is a bigger property, and has a more substantial curtilage, than some of its near neighbours (23-25a).

As before, some elements of the scheme – in particular the formation of a pitched roof – would improve the appearance of the property overall, and the ground floor extension and porch are judged acceptable in scale and design.

On the previous plans, the first-floor part of the extension would have been set back from the ground floor extension, leaving a small balcony. The new proposal would result in the first floor element of the extension being flush with the ground floor part below. Although representing a relatively small increase in overall volume, would, it is considered, make the extension appear bulky and overly prominent in the street scene and would leave the building with an unbalanced appearance.

It is therefore considered that the proposed development would fail to respect the appearance of the host building or its surroundings and would thereby not accord with the aims of LP24(a) or (c).

3 – Impact on residential amenity: The bedroom extension would project about 3.75m beyond no. 25a's main elevation, or 750mm more than on the approved scheme.

No. 25a has two clear-glazed upper floor windows on the Hill Grove frontage, which are presumed to be habitable rooms, a ground floor window whose function is unknown but is likely to be a kitchen, and close to the common

boundary, a single garage. It is situated on a fairly small and narrow plot which has private amenity space distributed equally between front and rear.

The first-floor extension would not be in the direct line of sight of any neighbouring habitable room window, and any impact on direct sunlight to the neighbouring garden space would probably be slight, given the layout of the two dwellings and their amenity space.

It is considered however that the overall impact of the extension proposed would be materially greater than that of the approved first-floor extension under 2019/92395. It is officers' assessment that the combined impact of a substantial two-storey extension very close to the boundary line, and its being positioned to the south-west of no. 25a giving rise to greater likelihood of obstruction of sunlight to (especially) the nearer upper floor window, would result in the extension giving rise to a loss of residential amenity arising from overbearing impact.

It would thereby fail to comply with the aims of Policy LP24(b&c).

4 – Impact on highway safety: The development would not affect existing parking provision and it is considered unlikely it would result in an increase in parking demand that cannot be met within the site. It is therefore deemed to accord with the aims of LP21-22.

5 – Other matters:

Biodiversity:

The site is not in the bat alert layer and the development would appear to have no implications for biodiversity.

6 – Representations: One representation has been received. The main points are set out below with officer responses:

- Overshadowing and further loss of light from first-floor extension.

Response: It is considered that this concern is justified in planning terms, as set out in detail in part (3) of the Assessment above.

- First-floor extension would also be overbearing in terms of its scale, massing and general dominating effect.

Response: As set out in part (2) of the Assessment, the proposed extension is judged to be detrimental to visual amenity.

7 – Conclusion: The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF taken as a whole.

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number: 2020/90492

Officer Recommendation: REFUSE

Reasons for refusal

1. The proposed first-floor extension would appear as a bulky and overly prominent feature in the street scene and would result in the Hill Grove elevation of the dwelling having an unbalanced and incongruous appearance. The proposed development would therefore fail to respect the appearance of its surroundings and would not be in keeping with the existing building, contrary to the aims of Policy LP24(a) and (c) of the Kirklees Local Plan.
2. It is considered that the proposed first-floor extension, owing to its scale and siting in relation to the adjoining dwelling, would result in the extension giving rise to an undue loss of residential amenity arising from overbearing impact, contrary to the aims of Policy LP24(b&c) of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			18-Feb-2020
Location plan	1917.1		18-Feb-2020
Existing ground floor plan	1917.2		18-Feb-2020
Existing first floor plan	1917.3		18-Feb-2020
Proposed ground floor plan	1917.4	B	18-Feb-2020
Proposed first floor plan	1917.5	A	18-Feb-2020
Existing rear elevation	1917.6		18-Feb-2020
Existing side elevations	1917.7		18-Feb-2020
Proposed front and rear elevations	1917.8	B	18-Feb-2020
Proposed side elevations	1917.9	B	18-Feb-2020

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-

application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The applicant was not approached regarding amendments to the application. Since there was already an extant permission for a very similar development on the same site, it was not considered expedient to seek further modifications. For the reasons set out in the reason for refusal the development would not improve the environmental conditions of the area.

Report Dated:

06-Apr-2020
