

**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: 2020/62/91000/E

Site Address: 38, New North Road, Heckmondwike, WF16 9DH

Description: Erection of front extension and dormer windows to both sides, increase in roof height and alterations

Recommending Officer: Anthony Monaghan

DECISION - REFUSE

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Jul-2020

Officer Report

Site Description

The application relates to no. 38 New North Road, Heckmondwike; a brick built detached dormer bungalow with grey double roman tile roof. The dwelling has a garden to the front and a driveway to the side leading to a detached single garage and rear garden.

The property is located within a row of 6 similar type dwellings within a wholly residential area on the outskirts of Heckmondwike.

The site is unallocated on the Kirklees Local Plan.

Description of Proposal

The proposal is for the erection of a front extension, dormer windows to both sides, increase in roof height and other alterations.

The proposed front extension would be an "infill" adjoining the existing small gable feature; the roof would be altered to form a large gable at both front and rear, the pitch would be increased and the overall ridge height would also be increased.

There would be four dormers incorporated into the side (south) facing roof slope and two dormers in the side (north) facing roof slope.

Other alterations include the removal of the chimney and repositioning of some windows.

Materials would be facing brick to most elevations with cladding to the dormers matching that of the existing. The roof would be recovered with grey slates and the doors and windows would be of white uPVC.

History of negotiations/amendments received.

26/06/2020 Site photographs received from agent after request from Officer.

Planning History

None.

Representations

Final publicity date Expires: 19/06/2020

No letters of representation received.

Consultation Responses

None required.

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 1** – Presumption in favour of sustainable development.
- **LP 21**- Highway Safety and Access.
- **LP 22** – 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, and 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.

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change.

Chapter 15 – Conserving and enhancing the natural environment

Climate Change.

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.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity

- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development

The site is unallocated on the Kirklees Local Plan (KLP), Policy LP 1 is applicable and suggests that proposals that accord with the policies in the KLP (and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Policy LP 24 of the KLP suggests that proposals should promote good design by ensuring (among others) the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.

Policy in Chapter 12 of the NPPF, suggests that local planning authorities should ensure that the issue of 'Design' and the way a development will function are fully considered during the assessment of an application.

2 – Impact on visual amenity:

The existing dwelling is a detached dormer bungalow, with the dormer being on the roof slope. The front and side elevations remain relatively unaltered in common with the other 5 similar type bungalows in this row.

Although these bungalows are not identical, being built in mirror image pairs, they all feature the same front elevation design of a bay window with overhanging gable roof, with the main part of the roof being hipped; all the dwellings also feature a tall brick chimney within the forward-facing hipped part of the roof. As such these dwellings lend themselves to a certain rhythm to the streetscene and a not unattractive roofscape.

The proposals would alter the roof to become one encompassing twin pitched roof with gables to front and rear, the roof pitch would also be increased, resulting in a higher ridge. This in itself would result in a development which would be out of character with the surrounding development, however the proposals also include 6 dormer windows in the side facing roof slopes introducing additional incongruous elements into the streetscene.

With regard to other alterations the proposals would also result in the loss of the single chimney which again would affect the character of the development.

In terms of the materials, the proposed use of brick with tile roof to match the existing is appropriate, however for the reasons given above the proposals are unacceptable in terms of visual amenity.

It is considered therefore that the proposals would result in a form of development which would be harmful to the streetscene and the character of the townscape contrary to policy LP 24 of the KLP and national policy in chapter 12 of the NPPF.

3 – Impact on residential amenity:

The proposed increase in height of the roof of the dwelling is relatively moderate and as such is unlikely to result in any adverse impact on residential amenity.

The proposed dormers would be to the side facing roof slopes and therefore have the potential to overlook neighbouring dwellings and gardens. With regard to the two dormers proposed on the north facing roof slope, these would serve bathrooms and as such would be obscurely glazed. This could be conditioned.

The 4 dormers proposed on the south facing roof slope would serve bedrooms, however the nearest dwelling on this side, no. 34 New North Road, is separated by the driveway of no. 38 and an access road serving no. 36 and other residential properties to the rear. As such there is approximately 10m to this property, therefore the impact on the residential amenity of the occupiers of this adjacent dwelling would be limited and is considered to be acceptable.

Given the above, it is considered that there would be no harmful adverse impact resulting from the proposals with regard to residential amenity and as such in accordance with policy LP 24 of the KLP and national policy in Chapter 12 of the NPPF.

4 – Impact on highway safety:

The proposals would result in a 4 bedroom detached dwelling and as such there is likely to be an increased demand for off street parking. It is noted that there are no proposals to alter the existing parking arrangements which can provide for up to 3 vehicles parking off-street which is considered sufficient for this size of dwelling.

Based on the above, in terms of highway safety the proposals are in accordance with policies LP 21, LP22 and LP24 of the KLP and chapter 14 of the NPPF.

5 – 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.

It is noted that the neighbouring property to the north, no 40 New North Road, has solar photovoltaic panels installed on the south facing roof slope; this is in close proximity to no. 40, being around 3.8m between the two dwellings.

Paragraph 153, subparagraph b) of the NPPF suggests that:

“In determining planning applications, local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”.

The proposed development, due to a combination of the increase in the ridge height and massing, the steepened roof pitch and the two dormer windows is likely to result in an increase in overshadowing of the solar panels, particularly during the winter months which may result in a decrease in the production of renewable energy. This would weigh against the proposals.

In other respects the proposals is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

None received.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

RECOMMENDATION

Refuse

Decision Authorisation - Delegated Powers

Application Number: 2020/91000

Officer Recommendation: Refuse

Reasons

1. The proposed extensions and alterations, by virtue of a combination of the design and scale, would result in an inharmonious development which would be out of character with the surrounding development and appear as an incongruous development within the street scene. The proposal would therefore be harmful to the visual amenity of the area contrary to Policy LP 24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specification schedule:-

Plan Type	Reference	Version	Date Received
Location plan and Existing and proposed site plan.	1	1	30/03/2020
Existing and proposed floor and roof plans.	2	1	30/03/2020
Existing and proposed elevations.	3	1	30/03/2020
Existing and proposed elevations.	4	1	30/03/2020

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter and otherwise actively engaged with the applicant in dealing with the application.

No discussions took place with the agent during the course of the application regarding the submission of amended plans as it was considered that there were no amendments possible within the scope of the proposals which would result in an acceptable development.

The recommendation and decision is based on the submitted information.

Report Dated 06/07/2020

