Kirklees COUNCIL

Originator: Sam Jackman

Tel: 01484 221000

Report of the Head of Planning and Development

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 10-Mar-2021

Subject: Planning Application 2020/93691 Erection of two storey rear extension, front dormer and external alterations 84A, Crosland Road, Oakes, Huddersfield, HD3 3PL

APPLICANT
B S Sokhal

DATE VALID	TARGET DATE	EXTENSION EXPIRY DATE
10-Nov-2020	05-Jan-2021	02-Apr-2021

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.
http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Lindley

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained in this report.

1.0 INTRODUCTION:

1.1 This application has been brought to Sub-Committee as the applicant is related to an elected Member. This is in accordance with the Council's Scheme of Delegation set out in the Constitution.

2.0 SITE AND SURROUNDINGS:

2.1 84a Crosland Road, Oakes is a detached stone constructed dormer bungalow with a concrete pantile roof located within a predominantly residential area. Crosland Road itself slopes gently upwards from the south-east to north-west. Properties within the immediate vicinity of the application site are mainly semi-detached and detached and constructed from brick.

2.2 84a Crosland Road has two small front gables at right angles to the main property. The gable on the left-hand side projects forward of the property in order to provide an integral garage. The gable on the right is more for decorative purposes. The property also benefits from 2 small roof lights in the front roof slope and three small rear dormers with no other extensions to the property.

2.3 There are small garden areas to the front and rear of the property. The rear garden slopes down towards the rear boundary, resulting in a raised patio along the rear elevation of the property. Boundary screening consists of fencing along the north western side boundary and a mature hedge along the rear and the south eastern side boundary.

3.0 PROPOSAL:

3.1 Permission is sought to extend the property at first floor to create an additional bedroom space so that all bedrooms are within the first floor and at ground floor to create a larger dining room and kitchen and omitting a downstairs bedroom. This would be by replacing the small front gable with a new dormer window and a two-storey rear extension.

3.2 The front dormer would be located on the right hand side of the front elevation above the current kitchen window, replacing the existing gable feature. It would extend 2.8 metres in width with an overall height of 2.5 metres having a dual pitched roof. It would be set in from the gable wall by 0.8 metres, set back from the gutter and set down from the ridge by 0.73 metres.

3.3 A two storey extension is proposed on the rear elevation of the property, located on the south east corner. This would replace two of the existing small dormers. The new rear extension would project 2.3 metres from the rear elevation and extend across the rear elevation by 6.5 metres. The extension would be set in from the south-east facing gable by 0.5 metres. The overall height would be 6.5m, including under-build due to the difference in levels between the garden and internal floor level. The roof would have a shallower pitch than the existing main roof, to reduce its overall height, and the eaves would be 1.5 metres higher than that of the main property at 5.2 metres. The ridge over the extension would be set below the main roof ridge by 0.65 metres. The resultant form would be a two-storey gable extension.

3.4 The proposal also includes internal alterations to create a larger kitchen and dining room at ground floor and a new first floor window in the south eastern gable wall of the existing dwelling to serve the new en-suite.

3.5 The proposed construction materials would be stone for the walls, upvc cladding and matching roof tiles as indicated on the application form

4.0 RELEVANT PLANNING HISTORY:

4.1 96/93601 – detached dormer bungalow – Conditional Full Permission

- Condition 4 removes permitted development rights for the erection of any buildings or extension in order to protect nearby residents.
- Condition 9 restricts the conversion of the garage in order to provide adequate parking within the site.

2019/93045 - Erection of two storey front extension, first floor rear extension and exterior alterations – refused on the grounds that it would result in an unacceptable loss of amenity to the residents of no. 84 Crosland Road and would be harmful to visual amenity, failing to respect the character and appearance of the host dwelling and wider street scene. The plans can be viewed in the link below.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2F93045

5.0 HISTORY OF NEGOTIATIONS:

5.1 Following concerns raised, with regards to the extensions, amended plans have been received lowering the ridge and eaves line of the rear extension and relocating the front dormer.

6.0 PLANNING POLICY:

6.1 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.

6.2 The site is without notation within the Kirklees Local Plan.

6.3 Kirklees Local Plan

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – Design

6.4 Supplementary Planning Guidance / Documents:

None relevant

6.5 National Planning Guidance:

- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding & coastal change.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter.

As such, we have publicised this application via neighbour notification letters. The publicity period expired 16.12.2020.

7.2 Representations in opposition were made by one local resident

7.3 A summary of their concerns and comments made to the original plans are given below:

Grounds of objection and concerns

- Overlooking from new first floor window in the gable and first floor windows in the rear elevation
- Loss of natural light and overshadowing caused to north facing garden from the rear extension and to a side facing bedroom windows from the front dormer extension
- Overbearing and intrusive element, in particular due to the elevated position of the applicant dwelling. The rear extension, due to its height and proximity to the boundary, would be intrusive and result in a material loss of amenity

7.4 The amended plans were considered to have a reduced impact on neighbours than the original submission and as such have not been re-publicised.

8.0 CONSULTATION RESPONSES:

8.1 None required

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway safety
- Other matters
- Representations
- Conclusion

10.0 APPRAISAL

Principle of development

10.1 The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"

10.2 Chapter 2 of the NPPF goes onto further state that objectives should:

"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…"

10.3 In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."

10.4 LP1 goes further and states:

"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

10.5 In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

Urban Design issues

10.6 In terms of design, the first part of the proposal is to replace a small front gable with a dormer to a modern detached bungalow. The existing gable is small in scale and clearly secondary to the host property and, albeit gives some balance to the property facade, it would not be detrimental to the character of the property if lost.

10.7 The front new dormer is small in scale, in comparison to the scale of the front elevation of the dwelling and the front slope of the roof. It would be located in a similar position to that of the feature gable being removed. It would have a dual pitched roof, would be set below the ridge line of the property by 0.7 metres and set back from the gutter line to provide space for a row of roof tiles to remain. As amended, it is set further off the side elevation of the property.

10.8 Dormers windows are regular features in the surrounding area, with several of the neighbouring bungalows having dormers windows. The roof forms of these differ with other dormers in the area having flat roof or 'catslide' roof forms. Nevertheless, given the presence of a feature gable in the existing bungalow, its replacement with the gable roof dormer would not appear incongruous.

10.9 The materials of the proposed dormer would be roof tiles to match with upvc cladding. The use of matching roof tiles would be acceptable, but it is considered that the use of tile hanging should be incorporated for the front and side elevations of the dormer. This would help to harmonise this feature within the wider roofscape of the dwelling. This can be imposed by condition in the interests of visual amenity.

10.10 The two-storey rear extension would be in a discreet location that would not impact on the character and appearance of Crosland Road. Notwithstanding this, the eaves would be significantly above that of the existing bungalow resulting in a shallow pitched roof which would clearly appear at odds with the current roof profile; the walls of the first floor would extend well above the eaves line of the rear elevation. However, as amended, the bulk of the rear extension has been set in from the gable of the property by 0.5 metres. The overall width of the extension is just over half of the existing dwelling which means that the form of the original dwelling would remain the prominent element when viewed from the rear, acknowledging the wall height in this assessment. Furthermore, the shallow roof pitch reduces the mass of the extension and allows the ridge height of the host property to remain the dominant feature. The projection of the rear extension is a modest 2.3m which is clearly subservient to the width and depth of the existing bungalow.

10.11 For the reasons above, Officers consider that the proposed extension would, on balance, be an acceptable addition to the existing dwelling, be subservient to the host dwelling and not cause undue detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Residential Amenity

10.12 The potential impact of the proposal on neighbouring property takes into account the revised plans submitted during the course of this application. One of the principal reasons for seeking amendments was to overcome the impact of the development on the amenities of surrounding residents.

10.13 The closest property to the proposed extensions is a bungalow, with accommodation in the roofspace, to the south east of the application site. This is no. 82a Crosland Road. This property is set at a lower ground level, has a north-easterly facing garden and has two small bedroom windows in the north west gable elevation facing the application property. It was considered that the original submission for both the dormer and rear extension, being an extension off the existing gable and the dormer close to the gable of the property, would have had an unduly harmful impact on this property. The extensions in their original form would have resulted in overbearing extensions with an unacceptable loss of outlook from the bedroom windows and from rear windows in the property.
The proposal as amended has set in the rear extension by 0.5m and has also reduced the overall height of the rear extension. The front dormer window has been set slightly further back into the roof and set off the gable wall by 0.5m.

10.14 The gable windows in the side wall of no. 82a facing the application site already experience reduced sunlight, given the orientation and proximity of the property to its neighbour at No 84a. The new front dormer will be visible from these windows as no. 82a is set forward of the application property. However, as the dormer is set low within the roof slope, is now set in from the gable, and has a pitched roof form it is considered this would not have an undue impact on light to or outlook from these windows. In terms of the rear extension, as this has now been set away from the gable and is lower in overall height, it would not be immediately apparent from the rear windows of no. 82a. The rear of no. 82a is set back from the rear elevation of no. 84a such that the impact on these windows would principally be from the existing dwelling. The mass of the rear extension would have some shading effect on the rear garden of no. 82a but, given the orientation of the garden and extension this would not materially reduce sunlight to the rear garden.

10.15 The proposal also includes a new first floor window in the gable of the host property to create a new en-suite which will be close to the facing windows opposite in the gable of No. 82a. In order to prevent overlooking this should be conditioned to be both obscurely glazed and a top opener, in case the first floor is redesigned in the future.

10.16 Most planning approvals are likely to interfere to some extent, with an adjoining occupier's enjoyment of their property. However, the test is whether this is proportionate. In the case of this application, given the orientation of the rear of the two dwellings already facing north east, the host property will already reduce some direct afternoon and evening sun. It is accepted that No. 84a is set further back into the plot than its neighbour, however the extension would project 2.3 metres set in from the gable and with the ridge line lowered. It is considered that the proposed extension would not cause undue overshadowing or overbearing of the neighbour's rear garden.

10.17 With regards to the neighbour at No.84, the separation distance between the extension and boundary of No. 84, and the orientation of the properties to one another, is sufficient to avoid adverse impact through overlooking, overshadowing or overbearing impact.

10.18 With regards overlooking from the first-floor front windows, these are over 30m away from the properties on the opposite side of Crosland Road. With regards the rear extension, the property at the rear, no 3 Low Hills Lane, is at an angle with no direct overlooking, again with a separation distance of approximately 20m between the extension and this dwelling. It is considered that the properties to the front and rear are at an adequate distance from the extensions so as to maintain a good level of amenity.

10.19 It is therefore considered, on balance, that given the above, that the proposed development complies with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Highway safety

10.20 As the development would be contained within the roof slope of the dwelling, there would be no alterations to current parking provision albeit it would appear that the existing garage has been converted to provide a store and utility at some point in time, contrary to condition 9 of the original planning permission.

10.21 The development would increase the amount of liveable space in the property, but as the property does benefit from 2 off-street parking spaces, it is considered unnecessary to require additional off-street parking to be provided as part of this development. The application therefore accords with Policy LP22 of the Kirklees Local Plan and advice in the National Planning Policy Framework.

Other matters

10.22 ***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.

10.23 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. The extensions would be built to modern Building Regulations and may help to improve the insulation envelope of the existing building.

Representations

10.24 As a result of publicity, one letter of objection has been received.

10.25 A summary of the concerns and comments made to the original plans are given below:

- Overlooking from new first floor window in the gable and first floor windows in the rear elevation
- loss of natural light and overshadowing caused to north facing garden from the rear extension and to a side facing bedroom windows from the front dormer extension
- Overbearing and intrusive element, in particular due to the elevated position of the applicant dwelling. The rear extension, due to its height and proximity to the boundary, would be intrusive and result in a material loss of amenity

These factors have been addressed through the submission of amended plans and through assessment in the report above.

11.0 CONCLUSION

11.1 The NPPF has introduced a presumption in favor 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.

11.2 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Standard three-year time frame

2. Development to be completed in accordance with approved plans and specifications

3. The external walls and roofing materials hereby approved shall in all respect match those use in the construction of the existing building

4. The dormer cheeks and front elevation to be tile hung not upvc cladding

5. The first-floor gable window to be obscurely glazed and top opener.

Background Papers:

Application and history files

Available at: https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f93691

2019/93045 - Erection of two storey front extension, first floor rear extension and exterior alterations – refused

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2F93045

Certificate of Ownership

Certificate A signed on 2nd November 2020