

**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: 2021/62/90103/E

Site Address: 5, Goose Hill, Heckmondwike, WF16 9EE

Description: Erection of extension to roof and erection of side dormers to form first floor accommodation

Recommending Officer: Katie Wilson

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.

Paul Dowd

AUTHORISED OFFICER

Date: 27-Jul-2021

Officer Report – 2021/90103

Site Description

5 Goose Hill, Heckmondwike is a detached bungalow, appearing to date from the 1930s. The walls are constructed from red brick and the roof is ridged and hipped to both sides. There is a more recently built single storey extension, which projects almost to the rear boundary, which is approximately half the width of the existing bungalow. It has a dual-pitched roof, with ridge height below the existing and all the extension is adjacent to the boundary with 7, Goose Hill.

The house is set back from the road frontage, with garden space and parking to the front. There is also a driveway to the side, leading to a detached single garage in the northern corner and a paved yard, together with long extension, to the rear.

The land is relatively level and the wider area is residential in character, with terraced properties to the rear, with more recently built semi-detached bungalows further along Goose Hill and a day nursery opposite. There are more recently built detached single and two-storey detached houses fronting onto Cemetery Road, which have stone or artificial stone walls.

Description of Proposal

Planning permission is sought to extend the existing roof and erect dormers to form first floor accommodation.

Alterations to roof of existing rear extension:

- Increase the ridge height approximately 1.25m,
- Form enlarged gable end to north facing end and form new gable end on south facing end elevation and valley gutter to main part of bungalow.

Two new flat roof dormers formed within enlarged roof:

- One in east facing roof slope, approximately 4.5m wide (approximately half the depth of the extension),
- Overall height to match ridge height and lowest part around 0.3m above eaves level,
- One window in the east facing elevation to a stairwell,
- The other dormer in the west facing roof slope, approximately 9.0m long (full length of the extension).
- Overall height to match the ridge height of the enlarged roof, and base of front wall around 0.4 above eaves level.
- Three windows in the west facing elevation to two bedrooms and a landing

The proposed materials would be as follows:

Walls to match existing brickwork.
Roof finish to match existing.
Dormer cheeks in grey cladding.
Dormer roof in felt.

History of negotiations/amendments received

No negotiations took place, as it was considered not possible to amend the scheme under this application, to provide the space required.

Relevant Planning History

17/92419 – erection of single storey rear extension. Refused – due to overbearing and overshadowing impact upon neighbouring property & disproportionately large in relation to the host dwelling.
<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2F92419>

17/93248 – HHPD single storey rear extension – refused
[Planning application details | Kirklees Council](#)

17/93618 – HHPD single storey rear extension – Prior approval not required
<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2F93618>

Representations

Final publicity date expires: 15th March 2021. No representations received.

Parish/Town Council comments: not applicable.

Consultation Responses

No consultations took place during assessment of the application.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 notation on the Kirklees Local Plan proposals maps.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP21** – Highway safety and access

- **LP 24 – Design**

House extensions Supplementary Planning Guidance

Kirklees Council has recently adopted its supplementary planning guidance on house extensions. Although the period for a potential judicial review has not yet expired, it is now being considered in the assessment of householder planning applications, with some weight attached. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPG will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the NPPF published 20th July 2021, 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 – Conservation and enhancement of the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The site is without notation on the KLP, policy LP1 of which 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 LP24 of the KLP is relevant and states that “*good design should be at the core of all proposals in the district*”.

In this case, the principle of extending the existing dwelling is considered acceptable and shall be assessed against other material planning considerations below.

2 – Impact on visual amenity:

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.130 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring *‘extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details’*.

In this instance, the original part of the building appears to be as it stands, without the existing rear extension, but with a small flat roof element to the rear, which was demolished to erect the existing rear extension.

The footprint of the extended part of the house would be approximately $\frac{3}{4}$ that of the original part of the house and the ridge height would be around 0.4m that of the original part of the house. As such, it is considered that the proposed extension would not be subservient to the original building.

In terms of materials and details, whilst the external wall and roof materials are considered to be appropriate, the roof design is not. The original part of the bungalow has a roof with relatively shallow pitches to front and rear, and hips to either side. The current proposal would have a much more steeply pitched roof and gable ends, which would form an awkward junction, with the original part of the house, akin to a separate building attached to the rear. Parts of the south-facing gable and dormer cheeks would also be visible from the main road, behind the hipped roof and lower ridge height of the bungalow. In officers' opinion this would have a negative impact upon the street-scene and surrounding area.

Overall, it is considered that the scale and character of the proposed enlarged roof and dormers would be at odds with the design and character of the original part of the house and this would not promote good design

3 – Impact on residential amenity:

KLP Policy LP24, part c, goes on to stipulate that extensions should *minimise the impact on residential amenity of future and neighbouring occupiers*.

In this instance, there would be four households potentially affected by the proposals; these are addressed below:

7, *Goose Hill* – This is a semi-detached bungalow, located to the east of the application site and its side elevation is adjacent and parallel with that at the application site. The proposed alterations to the existing roof extension would

increase the ridge height by approximately 1.25m. This would be immediately adjacent to the mutual boundary, likely to cast more shade and have an overbearing impact. In terms of overlooking, a dormer with one small window serving a stairwell would overlook the boundary. In these circumstances, provided the window was obscurely glazed and top opening only, it would minimise impact upon residential amenity of this element of the design.

42, Cemetery Road – This is a relatively modern detached dormer bungalow, located to the west of the application site. Its rear elevation faces onto the side of the application site. In terms of overshadowing and overbearing impact, the proposed development would be around 7.0m from the mutual boundary, with approximately a further 6.5m to the rear of this neighbouring property. As such, it is considered that the proposed additional height and massing would have limited impact upon this neighbouring property. With regard to overlooking, the proposed dormer on the west facing roof slope would have two bedroom windows and one bathroom window. These would directly face the dormer windows in the rear of 42, Cemetery Road, with a separation distance of around 17.5m. This is considered acceptable.

9 & 11, Laurel Mount – These are traditional two-storey mid-terraced houses, located to the north of the application site. Their front elevations face onto the rear of the application site at a slight angle. There would be a separation distance of around 18.5m between the front of these neighbouring properties and the nearest part of the proposed extension, and no openings in the facing gable end or side cheeks to dormer windows. As such, in these circumstances, it is considered that there would be very limited overshadowing, overbearing or overlooking impact.

No other properties would be significantly affected.

4 – Impact on highway safety:

The property is accessed from Goose Hill, an adopted, but unclassified cul-de-sac, serving numerous other houses. The proposal would create space for two further bedrooms and, so, would be an intensification of use. However, there are two parking spaces within the front garden and at least three more cars could park on the driveway.

Therefore, it is considered that there would be no harm caused to highway safety by the proposed development, and it conforms with policy LP21 of the KLP.

5 – Other matters:

Carbon Budget

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.

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures are 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 and which will require compliance with national standards.

6 – Representations:

No representations 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. 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 NPPF and other material considerations.

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number: 2021/90103

Officer Recommendation: REFUSE

Reason for refusal

1. The design of the proposed roof enlargement, with a steeply pitched roof, gable ends, dormers to either side and ridge height, which would be higher than host dwellinghouse, would be disproportionately large in relation to the existing ground floor extension and at odds with the design of the original part of the house. It would also form an awkward attachment to the host dwellinghouse, which would be an incongruous feature within the street-scene. This would not promote good design and is contrary to policy LP24 of the Kirklees Local Plan, the aims of chapter 12 of the National Planning Policy Framework, and the recently adopted House extensions Supplementary Planning Guidance.

2. The height and massing of the proposed roof extension and dormers would have an overshadowing and overbearing impact upon the residential amenities of the occupants of the neighbouring property to the east, at 7 Goose Hill. This would not promote good design and is contrary to policy LP24 of the Kirklees Local Plan, the aims of chapter 12 of the National Planning Policy Framework and the recently adopted House extensions Supplementary Planning Guidance.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	Dwg no. 2dio-GA00		12.01.2021
Site plan as existing and as proposed	Dwg no. 2dio-GA00		12.01.2021
Ground floor plan as existing and as proposed, and eaves plan as proposed	Dwg no. 2dio-GA00		12.01.2021
Elevations as existing and as proposed	Dwg no. 2dio-GA03	Rev A0	12.01.2021

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 has, 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.

For the reasons set out in the reason for refusal, the development would not improve the environmental conditions of the area.

Report Dated:

27.07.2021