

**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: 2021/62/93523/W

Site Address: 14, Warwick Avenue, Golcar, Huddersfield, HD7 4BX

Description: Erection of front dormer, alteration to front window and chalk white render to external side and rear walls and creation of raised platform to serve rear patio door.

Recommending Officer: Tom Hunt

DECISION - CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 02-Nov-2021

Officer Report

Site Description

2021/93523 14, Warwick Avenue, Golcar, Huddersfield, HD7 4BX

The site relates to a semi-detached, one storey bungalow with an original dormer to the rear, faced with red brick and gable roofed with concrete tile. A roof light is within the front roof slope.

To the front, a driveway and lawned outdoor amenity space. To side, the driveway providing access to the rear amenity space.

The ground level of the site is gently sloping falling from southwest to northeast.

The site is within a residential area with similarly designed dwellings. Of note is that within the street scene there are a number of properties which have large, white boarded, front dormers which are generally considered to not be of a sympathetic design or subservient to the dwellings they are upon.

Permitted Development Rights are retained.

Description of Proposal

Erection of front dormer, alteration to front window and chalk white render to external walls.

The proposal is for a front dormer 6m in width, 2.3m to flat roof eaves and projecting 3.25m from the plane of the roof. The dormer would be set in 0.9m from eaves, set down 1.4m from the roof ridge height and set away from the paired neighbour roof boundary by 1.35m. The primary elevation of the front dormer would be set back 0.5m from the primary elevation wall of the host property.

It would be faced in horizontal cladding described as coastline composite in moonlight grey to cheeks and face.

It would have openings to front elevation only. This would add a bedroom to a two bedroom property.

Alterations include to front elevation window raising cill level and chalk white render to side and rear elevations as well as a raised platform to serve the rear patio door.

Whilst the raised platform was not included in the description as advertised, and subsequently added, it is considered the description as advertised adequately alerted the public to the nature of the proposal and further advertisement of the updated description was not necessary in this case.

History of negotiations/amendments received

The case officer considered the application on review after assessing the streetscene and sought to have a greater set back from eaves to match the existing dormers within the streetscene. Following discussion with the agent regarding the need to cover up mismatching brickwork, it was assessed on site visit that the rear elevation would be mismatch and it was agreed to avoid white render to the primary elevation to reduce the visual impact of such a finish upon the streetscene while allowing the applicant to harmonise the rear finish of their brickwork satisfactorily.

Relevant Planning History

No previous planning applications for this site.

Representations

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 which expired on: 18/10/2021

No representations have been received.

Consultation Responses

No technical consultees required.

Policy

The site is unallocated on the Kirklees Local Plan. It does not lie within a Coal Risk Area or a Bat Alert Layer. The following policies are therefore considered applicable to the consideration of this application:-

Kirklees Local Plan (LP):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping

- LP21 – Highways and access
- LP 22 – Parking
- LP 24 – Design

Kirklees Council has adopted its supplementary planning guidance on house extensions which now carries full weight in decision making. 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 SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Supplementary Planning Documents

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (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 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places

Legislation

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).

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 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 National Planning Policy Framework. LP1 goes on further to stating that:

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

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. 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, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan, the 'House Extension and Alterations SPD' and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

LP24 of the Kirklees Local Plan requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

In addition, Principle 1 – Local character and street scene, Principle 2 – Impact on the original house, Principle 7 – Outdoor space of the 'House Extension and Alterations SPD' are relevant.

Also of relevance to the consideration of the application are paragraphs 5.24, 5.25 and 5.26 of the House Extensions & Alterations SPD, which specifically state the following:-

- 5.24 - Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical.
- 5.25 - The design of dormer windows and roof extensions should reflect the character of the area, the surrounding buildings and the age, appearance and materials of the existing house. Ideally, dormers

should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained.

- 5.26 - To assess whether a dormer window is appropriate on the front elevation, consideration should be given to the surrounding buildings in the street. Traditional vertical dormer windows usually complement the character and roof pitch of the existing house and will normally be acceptable. Modern flat roof dormers may be considered acceptable if they are well-designed, small in scale and appearance and are characteristic of the street scene.

The proposed dormer would be sizable however the streetscene is characterised by many front dormers of unsympathetic design, i.e. large, mismatching colours to the roof and various roof designs. This is taken into account light of paragraph 5.26 which refers to modern flat roof dormers and whether they are a characteristic of the street scene.

The dormer is set back to a similar as existing front dormers to neighbouring properties, it is also set down from the roof ridge and with its similarly coloured cladding materials to the roof would have a reduced impact upon the street scene than that of the existing structures to neighbouring properties.

Whilst taken in isolation, within a street scene of unaltered front roof slopes, it is considered the proposal would not meet the requirements of the aforementioned policy. Weight is afforded the existing character of the street scene. The design of the proposal from materials more in keeping with the host property than the materials of other dormers in the street, and set back / down and away from the edge of the roof slope is such that the impact of the proposal upon the character of the locality is not considered to be such that it would warrant refusal in this case.

The raising of the window cill to the front would be considered a small alteration and providing the brickwork infill and fenestration detail is to match, this element of the proposal would be small scale and acceptable without detrimental impact on visual amenity. Examples on the street scene show this to be in keeping with the streetscene.

The use of render is resisted on dwellinghouses in particular where there are no examples on the streetscene and on semi detached properties. Initially all of the dwelling was proposed to be rendered and the proposal has been amended such that render is solely to the side elevation and the rear elevation and is intended to cover mismatched brickwork to the rear. The host dwelling maintains its original materials of construction to the primary elevation. The use of render to the rear and side is therefore concluded to be acceptable in this case.

The proposal would also retain sufficient garden space to ensure that the scheme does not represent an overdevelopment of the site.

The proposal is therefore regarded acceptable in this regard and to not significantly harm the visual amenity of the area in accordance with Policy LP24 of the Local Plan and the 'House Extensions and Alterations SPD'.

3 – Impact on residential amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*”

In addition, the 'House Extension and Alterations SPD' is relevant concerning Principle 3 – Privacy, Principle 4 – Habitable rooms and side windows, Principle 5 – Overshadowing/loss of light and Principle 6 – Preventing overbearing impact.

The proposed extension and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities. The closest properties to be affected by the development are No. 9 and 11 Stratford Close (northwest), No. 16 (southwest), No. 12 (northeast) and No. 17 and 19 (southeast).

No. 9 and 11 Stratford Close

There is a pre-existing 2m timber fence with screening by hedges and trees to the rear hedge at the shared garden boundary between the properties and additionally a small outbuilding of No. 14 all of which provide screening. There would be no material changes in massing or bulk or windows and the proposal is concluded to have an acceptable impact on overshadowing, overlooking or overbearing. The front dormer would be blocked from view by the host building's mass and bulk and is concluded to have no significant impact to these neighbours in this regard.

No. 16

This property has a small skylight mirroring No. 14's position and the proposed dormer would be set away from the shared boundary by 1.35m approximately, positioned to the northwest of the property with a flat roof dormer, reducing impact on massing and bulk and no side elevation windows. The proposal is therefore concluded to have no detrimental impact on this property as a result of overlooking, overbearing or overshadowing.

No. 12

This property has a large, white boarded clad, flat roofed, front dormer with no facing side elevation windows to either the dormer and the host. The proposal would have no side elevation windows, be separated by approx. 5.7m and sited to the southwest of the property. Its bulk and massing would not be regarded as overly large in contrast to No. 12 and overall the scheme would not introduce additional overlooking, overbearing or overshadowing to a detrimental degree.

No. 17 and 19

The proposal would have a separation distance of 21m to the habitable windows of the two properties and would be considered acceptable under Principle 3's guidance on minimum distances recommended. The front dormer would be to the northwest of the properties so its bulk and massing would be of little impact aided by the separation distance and therefore is not considered to have any significant overbearing, overshadowing or overlooking impact. The reduced window would restrict views outwards to the neighbours and aid privacy.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The proposed development would not adversely affect the existing parking spaces within the site which has enough off street parking spaces on its driveway to meet the intensified use an additional bedroom potentially brings and is therefore concluded not to have a detrimental impact upon highway safety.

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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

6 – Representations:

No representations had been 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 would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2021/93523

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5 and 6 of the Council's House Extensions and Alterations Supplementary Planning Document and Policies within Chapters 2 and 12 of the National Planning Policy Framework.

3. The external brick used in the construction of the alteration to front window hereby approved shall in all respects match those used in the construction of the existing building. The materials used in the construction of the alteration to front window shall be retained thereafter.

Reason: In the interests of visual amenity of the host dwelling and of the streetscene and to accord with Policy LP24 c) of the Kirklees Local Plan, Principle 1 of the House Extensions and Alterations Supplementary Planning Document and Policies within Chapter 12 of the National Planning Policy Framework.

4. The external materials of construction used in the construction of the dormer to front hereby approved shall be of a dark grey colour finish. The colour finish shall be retained thereafter.

Reason: In the interests of visual amenity of the host dwelling and of the streetscene and to accord with Policy LP24 c) of the Kirklees Local Plan, Principle 1 of the House Extensions and Alterations Supplementary Planning Document and Policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Location Plan	Location Plan. Dwg. No. 20/588/01.	-	09/09/2021
Plans – Block Plan	Existing Block Plan. Dwg. No. 20/588/02.	-	09/09/2021
Plans - Grouped Plans and Elevations	Existing Plans and Elevations. Dwg. No. 20/588/03a. Revision: -.	-	09/09/2021
Plans - Grouped Plans and Elevations	Proposed Plans and Elevations. Dwg. No. 20/588/04b.	-	19/10/2021

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 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 case officer undertook negotiations with the agent to secure amended plans to ensure the scheme minimised the impact on the streetscene and visual amenity.

Report Dated: 27/10/2021