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Planning Development

By Email Only 2nd March 2023

Kirklees Council
Planning – Development Control

FAO Nicole Helliwell

OBJECTION TO PLANNING APPLICATION FOR ERECTION OF TWO STOREY SIDE EXTENSION AT 8 SOUTHFIELD COURT, HIGHBURTON, HUDDERSFIELD, HD8 0RG

LPA REF: 2023/90219

Dear Madam,

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit an objection letter to Kirklees Council on behalf of the adjacent dwelling.

Our client is concerned that the proposed two storey side extension would detrimentally affect visual and residential amenity. The relevant issues connected with amenity policies and guidance will therefore form the basis of this objection.

Impact on Visual Amenity

Southfield Court comprises of small detached, semi-detached bungalows and two-storey dwellings. The properties are closely spaced and are characterised by small front gardens with driveways located at the side of each dwelling. Our client's property is a detached bungalow located directly adjacent to the applicant's two-storey semi-detached house, and directly adjacent to the siting of the proposed two-storey extension.

Whilst it is acknowledged that planning permission for a two-storey side extension has been granted at the applicant's property previously (LPA ref: 2018/90257), that decision pre-dates the adoption of the Local Plan and the Council's House Extensions and Alterations Supplementary Planning Document.

Policy LP24 (Design) in the Local Plan states that,

'Proposals should promote good design by ensuring: c. extensions are subservient to the original building, and are in keeping with the existing buildings in terms of scale, materials and details and minimise.'

As stated in paragraph 1.5 in the SPD, *'Supplemental Planning Documents are a material consideration in planning decisions, adding further detail to the Local Plan…'* As such, whilst providing more detailed guidance, the content and standards set out within the SPD represent *guidance* which needs to be appropriately balanced against the Local Plan and other relevant planning considerations.

The Guidance sets out the criteria upon which two-storey side extensions will be considered by the Council, based on their impact on the character of the original house and the street. Having looked at the guidance, the proposed extension does not appear to comply for the following reasons:

- The proposed extension would project out from the side elevation by 2.4 metres. As a result, the extension would take up most, if not all, of the space to the side of the house.

- The plans appear to show that the proposed extension would be built right up to the shared boundary with No. 6 Southfield Court. As such, a 1 metre gap between the property and the boundary would not be maintained. As our client's bungalow is only 0.9 metres away from the shared boundary, it is even more important that a gap of 1 metre is maintained in order to provide a suitable separation between the two properties.

- Although the plans show the proposed extension being set back from the front wall of the house, this appears to be by less than 500mm.

The proposed two-storey side extension therefore does not comply with the guidance. As a result, the development would not be in keeping with the existing character and appearance of the buildings within the street scene. The proposals would therefore be of detriment to visual amenity.

<u>Impact on Residential Amenity</u>

Loss of Outlook

Policy LP24 (Design) in the Local Plan states that,

'Proposals should promote good design by ensuring: c. extensions are subservient to the original building … and minimise impact on residential amenity of future and neighbouring occupiers.'

Paragraph 130 in the NPPF also states that, *'Planning policies and decisions should ensure that developments: e) create places with a high standard of amenity for existing and future users.'*

More specifically, Key design principle 6 in the House Extensions and Alterations SPD states that, *'Extensions and alterations should not unduly reduce the outlook from a neighbouring property.'*

Paragraph 4.19 in the SPD goes on to state that, *'Dominance and outlook relate to how an extension will change the character of the neighbouring house and garden and affect the outlook from a neighbour's window. Proposals which would result in a poor or reduced outlook from neighbouring properties are unlikely to be acceptable.'*

As mentioned above, the properties along Southfield Court are already closely spaced. The proposed two-storey extension would be built right up to the shared boundary of our client's property. The two-storey extension would result in a dominant building that has a significant overbearing impact on our client's single storey bungalow and garden. Our client's bungalow has been only 0.9 metres from the shared property boundary. The extension, being built so close to our client's property would reduce

the outlook and enjoyment of their rear garden to an unacceptable degree. The feeling of openness that they currently experience in their garden would be replaced by a feeling of being 'hemmed in.' [1]

Loss of Privacy

Key design principle 3 in the SPD states that, *'Extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.'*

Key design principle 4 also states that, *'Extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.'*

The existing side elevation of the applicant's dwelling contains a first floor window belonging to a non-habitable room, a landing. However, the proposed two-storey side extension contains a first floor habitable bedroom window on the side elevation. The close proximity of the extension to our client's property and the fact that a habitable room window is proposed on the side elevation, would result in a significant increase in the levels of overlooking that would occur. This would lead to an undue loss of privacy for our client from their rear garden.

In light of the above, our client strongly objects to the proposals, and we therefore respectfully request that the application is refused.

Yours faithfully,

Robert Halstead Chartered Surveyors & Town Planners

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[1] SPD Paragraph 4.20