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Planning Development

Planning Statement: 18 Saint Francis Gardens, Fixby, Huddersfield, HD2 2EU

Site Description

The property comprises of a two-storey detached L-shaped stone-built dwelling, located at the north-eastern corner of a small cul-de-sac of ten similar properties (built in the late 80's / early 90's). The dwelling sits on a triangular-shaped plot, with amenity space and gardens to the rear, and parking / turning and formal gardens to the front.



Front view of 18 St. Francis Gardens (No. 20 just visible to the left and no. 16 to the right)

Relevant Planning History

89/03985 - Revision of house types Plot 7 and 10 – approved

2006/93878 - Erection of ground and first floor extension – approved

Policy Designation

The property is located within an area 'without notation' on the Kirklees Local Plan Policies Map.

The Proposals

As a result of apparent confusion regarding available permitted development rights ¹, this application seeks retrospective planning permission for the erection of a raised terraced area to the northern and eastern elevations of the dwelling, and the erection of a side glazed extension positioned on part of the raised terrace area at the eastern end of the dwelling. The raised terrace was constructed approximately three years ago, while the glazed extension was built relatively recently.

The raised patio area measures 2.46m wide x 6.57m long and as a result of various stepped elements, the raised terrace area varies in height between 0.27m and 1.03 m above ground level. It is constructed of off-white porcelain tiles with raised planters and glazed screening to the rear of the highest part of the terraced area adjacent to the house. The area of raised terrace forming the base of the glazed extension is constructed of natural stone and off-white painted render.

The glazed extension is constructed of charcoal-coloured aluminium framed glazing, and has a mono pitch sloping roof. The dimensions of the glazed extension are 2.3m wide x 5.01m deep (with a chamfered south-eastern corner) and 3.47m / 4.18m high to the eaves and ridge respectively (measured from ground level). Internally, the extension forms part of an extended kitchen/dining area.

Finally, although not currently present within the glazed extension, the scheme proposes to incorporate obscure glazing up to 1.7m above internal floor levels on the southern and eastern elevations, in order to prevent overlooking of the garden areas belonging to number 16 St. Francis Gardens adjacent.



View of glazed extension and raised terraced area

¹ The extension being a fraction outside the height limit of 4 metres under Class A of the GPDO (4.18m).

Assessment of the Proposals

Design and Visual Amenity

Local Plan Policy LP24 states:

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

NPPF paragraph 130 sets out various design objectives, including the need to ensure that developments are visually attractive, sympathetic to local character, and establish/maintain a strong sense of place.

The Kirklees House Extensions and Alterations Supplemental Planning Document (SPD) also sets out what the Council considers to be good, high-quality residential design of extensions and alterations through a number of principles. The relevant principles in relation to this application in terms of visual amenity are as follows:

Key Design Principle 1 – Local character and the street scene

Key Design Principle 2 – Impact on the original house

Key Design Principle 9 – Construction materials

The detailed guidance at Section 5 of the SPD for various types of extensions is also taken into account in the assessment below.

The design of the raised terrace area and glazed extension is considered to be acceptable in relation to design and visual amenity for the following reasons:

- LP24 (c) and SPD Principle 2 - The proposed extension and raised terrace area are subservient to the original building (and see Principle 9 below regarding materials).
- Principle 1 – As per the above point, and to note that because the glazed extension is located to the rear side of the property on what is a corner plot with boundary major screening, the extension is consequently not visible from the street scene.
- Principle 9 - The use of aluminium glazing for the extension is considered to be a good quality contemporary addition to the property. The incorporation of natural stone and off-white render into the base of the extension is considered to be acceptable, and the limited amount of render would not in any case be visible from the wider street scene.
- The use of off-white porcelain tiles for the raised terrace area is also considered to be appropriate and in keeping with other (permitted development) hard landscaping undertaken at the rear of the property over the years.

In terms of addressing the relevant parts of Section 5 of the SPD, this glazed extension and raised terrace area are located and designed to minimise the impact on the local character of the area. The extension would extend slightly more than two thirds the width of the original house, however given it's position and relationship with the adjacent property, together with the fact that the corner nearest no. 16 has a chamfered design, it is considered to be justified in this case with respect to visual amenity.

The extension would also be set back significantly in excess of the recommended 500 mm from the original building line.

In terms of height, whilst the extension marginally exceeds the recommended 4 metre height by 0.18m, given the degree of setback from the boundary and the 90 degree angle between the two neighbouring plots, it is considered that the proposed height is acceptable with regard to residential amenity, particularly given that the design is a lean-to type roof, so the nearest parts of the extension to the neighbouring property are 3.47 m to eaves height (as per the recommendation at Paragraph 5.18 of the SPD). As such, the extension would not be judged to over-dominate the neighbouring property.

The proposals are therefore considered to comply with Local Plan Policy LP24, Principles 1, 2 and 9 in the House Extensions and Alterations SPD, and the relevant aims of Paragraph 130 of the NPPF.

Residential Amenity

Local Plan Policy LP24 states that,

‘Proposals should promote good design by ensuring: c. extensions minimise impact on residential amenity of future and neighbouring occupiers.’

NPPF paragraph 130 sets out various design objectives, including the need to maintain a high standard of amenity for existing and future users.

The following principles in the House Extensions and Alterations SPD are also considered to be relevant in relation to residential amenity.

Key Design Principle 3 – Privacy

Key Design Principle 4 – Habitable rooms and side windows

Key Design Principle 5 – Overshadowing/loss of light

Key Design Principle 6 – Preventing overbearing impact

Key Design Principle 7 – Outdoor space

The proposals are considered to be acceptable with regard to residential amenity matters in connection with the relevant policies and principles for the following reasons:

- LP24 (c) and SPD Principle 3 – An evergreen hedgerow exists along the property boundary south of the glazed extension. Although no windows exist on the side of no. 16, this hedgerow would prevent overlooking of the dwellinghouse generally. In addition, whilst a close boarded fence exists along the property boundary, given the raised nature of the extension (at 1.2m above ground level) it would not prevent overlooking from the glazed extension into the northern end of the garden of number 16.
- As such, obscure glazing is proposed along the entire southern and eastern elevations of the glazed extension up to 1.7 m above internal floor levels in order to prevent any overlooking from occupiers either sat down or stood up. As a result, any potential impacts relating to overlooking from the extension would be eliminated. This can be secured through a suitably worded planning condition, to be installed say within two months of the decision.
- In terms of the raised terrace area, as a result of its position to the rear of the house, any potential for overlooking the only potentially affected neighbouring property (no. 16) is limited

to the very bottom corner of the property garden only, which is not considered to be a sufficiently strong or valid reason for refusal. Moreover, when using the raised patio area, it is more likely than not that the applicants and their family would be sat facing their rear garden, which again would reduce the potential for any, albeit limited, overlooking of the neighbour's garden.

- Principle 4 – As detailed above, the extension would serve an extended kitchen and dining area for the applicants and their family. It would contain a mix of habitable and non-habitable space, and with the obscure glazing proposals, the extension would eliminate any conflict between neighbouring properties with regard to privacy and outlook.
- Principle 5 - The proposal would not have any impact on light levels currently enjoyed by the neighbouring property.
- Principle 6 - Given the juxtaposition and 90 degree angle between nos. 16 and 18, the extension and patio area would be located some distance from the northern side elevation of number 16. The side elevation of this neighbouring property does not contain any windows, and as a result, there would be no undue reduction in the outlook from this neighbouring property.
- Principle 7 - The proposals relate to a property set within relatively sizeable grounds. The proportionate increase in built footprint as a result of the proposals would not have any significant detrimental effect on the area of usable private outdoor space currently enjoyed, and more than half of the garden area would still remain.

In terms of addressing the relevant parts of Section 5 of the SPD, this side extension (when mitigated with obscure glazing) would not impact on the privacy, outlook, or light of neighbouring properties.

It is therefore considered that the proposed development is acceptable with regard to residential amenity and accords with Local Plan Policy LP24, the relevant principles in the House Extensions and Alterations SPD, and the relevant aims of Paragraph 130 in the NPPF.

Fallback position

Although it is accepted that because the extension was built above an already (likely) unauthorised raised terrace area, it means that the extension itself is unlikely to have represented permitted development in the event it had been built with a maximum height of 4 metres. Nonetheless, a fallback position of a similar extension at a ridge height of only 18 centimetres less, could be built in this location, if the existing extension and raised terrace were to be replaced.

These proposals submitted for planning permission offer a degree of betterment in that obscure glazing, which would not be required under permitted development rights, is being offered in order to mitigate any concerns the LPA may have with regard to overlooking of the neighbouring property garden.

Other matters

Although biodiversity net gain has been considered in line with the House Extensions SPD Principle 12, unfortunately because this is a glass structure, no practical opportunities exist to incorporate habitat boxes in this case (noting that the Kirklees validation requirements refers to situations “where opportunities exist”).

Conclusion

This application seeks planning permission for the retrospective erection of a raised terraced area and glazed side extension. As discussed in the preceding paragraphs of this report, and subject to a condition regarding the installation of the proposed obscure glazing within a reasonable timeframe of the decision, it is considered that the proposals are acceptable with regard to visual and residential amenities.

It is therefore respectfully requested that planning permission is granted accordingly.

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