

# Robert Halstead

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Planning    Development

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**By Email Only**

10<sup>th</sup> October 2024

Kirklees Council  
Planning – Development Control

FAO Jennifer Booth

**OBJECTION TO PLANNING APPLICATION FOR ERECTION OF EXTENSIONS AND ALTERATIONS AT 9 HOLLYBANK AVENUE, UPPER BATLEY, BATLEY, WF17 0AQ**

**LPA REF: 2024/92465**

Dear Madam,

Robert Halstead Chartered Surveyors and Town Planners have been instructed to submit an objection letter to Kirklees Council on behalf of the occupants of No. 10 Hollybank Avenue.

Our client is concerned that the proposed extensions and alterations would detrimentally affect visual amenity and the character of the street scene. In addition, the proposals would cause undue harm to the residential amenity of adjacent dwellings and highway safety due to the lack of off-street parking provision. The relevant issues connected with visual and residential amenity policies and guidance will therefore form the basis of this objection.

**Relevant Policy and Guidance**

Local Plan Policy LP24 (Design) states that,

*‘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 and minimise impact on residential amenity of future and neighbouring occupiers.’*

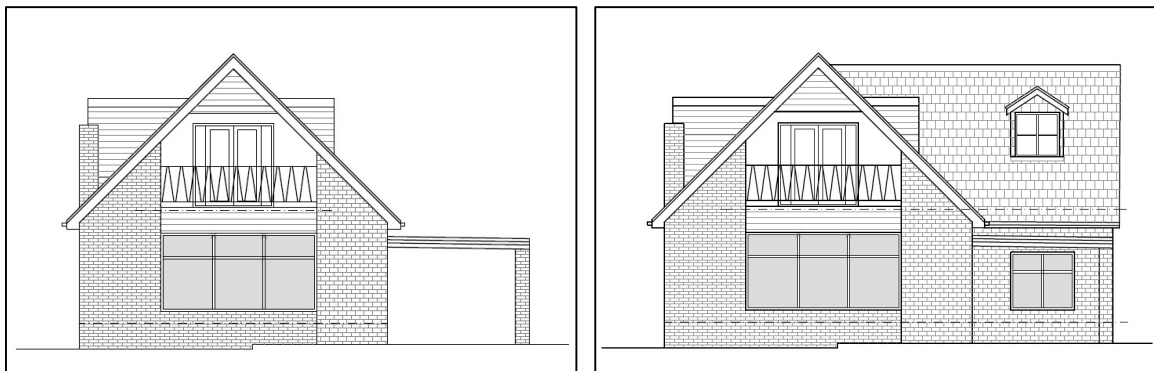
The Kirklees House Extensions and Alterations Supplementary Planning Document (SPD) was introduced in 2021 and at Paragraph 1.5 it states, that “Supplemental Planning Documents are a material consideration in planning decisions, adding further detail to the Local Plan...” As such, whilst providing more 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.

## Visual Amenity and the Character of the Street Scene

Key Design Principle 1 in the SPD states: *'Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene.'*

Hollybank Avenue is a small cul-de-sac comprising of 13 detached dwellings. Although the dwellings are not uniform in design, the design and scale of the applicant's dwelling is replicated several times within the street. The style of the applicant's property is quite unique, and these properties provide an attractive element to the overall character and appearance of the street scene.

The proposed first floor side extension would significantly alter the original character and appearance of the dwelling when viewed from the street, as demonstrated in the images below. The dwelling would lose part of its original charm which is found within its distinctive style and design. The first floor side extension would increase the form and massing of the property from a visual perspective, and it is therefore considered that the resulting property would be out of keeping with the other similarly designed properties on Hollybank Avenue.



**Front Elevation – Existing (left) vs Proposed (right)**

Key Design Principle 2 in the SPD states: *'Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.'*

The original house is a modest two-bed dwelling. However, the proposals would result in a large six-bed property. The two-storey rear extension would project out by 4 metres and would extend across the entire width of the original property. In addition, the first floor side extension would extend over the existing garage and part of the existing car port. Both the footprint and the volume of extensions proposed would increase the size of the property significantly. As a result, it is considered that the cumulative amount of extensions proposed would dominate the original dwelling, which in turn would have a detrimental impact on the character and appearance of the original dwelling and street scene.

Key Design Principle 7 in the SPD also states: *'Extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.'*

The size of the extensions proposed would reduce the size of the rear garden. This would result in a disproportionately small garden for such a large property, and presumably a family home. The property does have a good sized front garden. However, if this area of garden was overly domesticated e.g. the introduction of garden furniture, children's play equipment etc, due to the lack of space in the rear garden following the extensions, this would potentially cause undue harm to the visual amenity of the street (and would also likely cause additional noise and disturbance).

The SPD guidance also sets out specific criteria upon which two-storey rear extensions (paragraph 5.8) and first floor side extensions (paragraph 5.22) will be considered by the Council, based on their impact on the residential environment and neighbouring buildings. It is considered that the proposed extensions do not appear to comply with all of the guidance for the following reasons:

- The proposed extensions would be disproportionate to the size of the original house and garden (as discussed above).
- The proposed two-storey rear extension would not be separated from the property boundary by at least 1.5 metres. The separation distances between the extensions and the shared boundaries are 1.2 metres and 1.4 metres respectively. As a result, it is considered likely that the two-storey extension would have an overbearing and overshadowing impact on the rear garden of No. 7 Hollybank Avenue (not our client's property).
- The proposed extensions would not be visually smaller in relation to the original house (as discussed above).
- The proposed first floor extension would not have a roof design that follows the form of the existing roof. The first floor extension would result in an incongruous feature at the side of the dwelling that would detrimentally alter the existing roof form and increase the scale and massing of the dwelling to an unacceptable degree.

### **Residential Amenity Impact**

Key Design Principle 5 in the SPD states:

*'Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.'*

Paragraph 4.16 in the SPD goes on to state: *'Any house extensions or alterations are expected to not materially affect the amount of natural light presently enjoyed by a neighbouring property. Therefore, extensions will not be permitted if they unreasonably overshadow neighbouring habitable rooms and private gardens.'*

The properties along the western side of Hollybank Avenue are set back from one another. As a result, the applicant's southern elevation already extends out along the shared boundary with No. 7, causing overshadowing and a loss of light to their garden. The proposed two-storey rear extension would add another 4 metres of blank wall along the shared boundary, increasing overshadowing and reducing light to an even greater degree.

Key Design Principle 6 in the SPD also states:

*'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 applicant's house has been built along the shared boundary with No. 7. As a result, the occupants of No. 7 already face a large blank wall when they are out in their garden. The

proposed two-storey extension would significantly increase the expanse of blank wall facing No. 7's garden, which is likely to result in an increased overbearing impact and feeling of being 'hemmed in' by the applicant's dwelling to the detriment of No. 7's residential amenity.

### **Highway Safety – Parking**

Key Design Principle 15 in the SPD states:

*'Extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking.'*

Paragraph 4.42 in the SPD goes on to state that, *'An initial point of reference for residential development is as follows: 4+ bedroom dwellings to provide 3 off-street parking spaces.'*

The proposed plans show 3 parking spaces to be retained at the front of the dwelling. However, it is disputed that there is actually enough room to accommodate 3 spaces in reality due to the width of the driveway and the siting of the property boundary (see Google Street View below). If only 2 off-street spaces can be achieved, it is likely that additional cars will end up parking on Hollybank Avenue, possibly within the turning head, to the detriment of highway safety.

Furthermore, the proposals include 6 bedrooms, which is substantially more than 4 bedrooms where 3 car parking spaces are recommended. It is therefore highly likely that more than 3 spaces will be required for such a large property.

### **Summary**

Given the above, it is considered that the proposed development does not comply with Local Plan Policy LP24, Key Design Principles 1, 2, 5, 6, 7 and 15 the criteria regarding two-storey rear extensions and first floor side extensions in the House Extensions and Alterations SPD. Allowing the proposals would also set a precedent for other properties on Hollybank Avenue to apply for large extensions, which would negatively impact visual and residential amenity for other residents.

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**