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:	2018/62/90482/W
Site Address:	14, Dingley Road, Edgerton, Huddersfield, HD3 3AY
Description:	Erection of single storey rear extension and dormer to front
Recommending Officer:	Josh Kwok

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 19-Apr-2018

Officer Report

Site Description

The site to which this application relates is no.14 Dingley Road in Edgerton. It consists of a detached bungalow with basement, a small amenity area to the front, a driveway and a single garage to the side and a relatively large garden to the rear. The house at the application site is constructed in red bricks and grey concrete tiles. The houses in immediate vicinity are built in various materials including bricks, stones, colour render and pebble dash render. The boundary treatment of the site comprises red brick boundary walls and garden fences.

The site and its surrounding area are wholly residential characterised by detached bungalows and two storey semi-detached properties. There is a moderate change in land level with the house being set at a higher level than its back garden.

Description of Proposal

The proposal is for erection of single storey rear extension and dormer to front. The details of the proposal is listed below:

Single storey rear extension

- 2.7m deep x 7.8m wide x 3.1m high
- Aluminium sliding doors to be installed in the rear elevation
- External walls to be built in bricks
- Flat roof to be constructed in flat roof membrane
- Two rooflights to be presented on the roof plane of the extension

Front dormer

- 2.8m wide x 1.6m deep x 1.9m high
- Lean to roof to be made of grey concrete interlocking tiles
- Dormer front and cheeks to be clad externally in grey tiles

History of negotiations/amendments received

No amendments to the proposal have been requested.

Relevant Planning History

No record of any planning applications is found at the site. However, there are applications of similar scale and nature presented at other sites on Dingley Road e.g.

2008/91359 – Erection of extensions (13, Dingley Road) – Approved

2007/93752 – Erection of dormer windows, porch and detached garage (15, Dingley Road) – Approved

2004/90054 – Erection of 2 storey, bay window and dormer extension (8, Dingley Road) – Approved

99/92310 – Erection of ground floor bedroom extension and extension to form attic playroom (9, Dingley Road) – Approved

Representations

The application was advertised by site notices and neighbour letters, which expired on 18-Apr-2018. As a result of the above publicity, no representations have been received.

Consultation Responses

No consultations are required for this application.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is unallocated on the UDP Proposals Map and on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land

- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **BE15** – Dormer windows in the front/ principal elevation
- **T10** – Highway safety
- **T19** – Parking

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP21** – Highway safety
- **PLP22** – Parking
- **PLP 24** – Design

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 7 – Requiring good design
- Chapter 11 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1 – Principle of development:

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development … of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.

2 –Impact on visual amenity:

Policy BE1 and BE2 requires that any development shall be of high quality design and it shall be in keeping with the surrounding development in respect

of design, materials, scale, density, layout, building height and mass. In this case, UDP policies BE13, BE14 and BE15 are also relevant as they set out the criteria against which house extensions and dormer extensions shall be assessed. The emerging local plan policies and the guidance in chapter 7 of the NPPF shall be afforded due consideration in the determination of this application.

With regard to the single storey rear extension, it is considered that the scale of which would be acceptable from a visual amenity perspective as it would be single storey and; it would only project from the rear elevation of the host property by 2.7m consistent with the recommended distance in policy BE14 of the UDP. The extension would remain subservient when looked together with the existing house. The proposed materials of construction would appear largely the same as those of the host dwelling. As such, there are considered to be no adverse effect on local amenity. Although it is acknowledged that the design of the extension would be considerably different from that of the host property, it would be of negligible impact on the character and the appearance of the host property and those of the surrounding development. There would also be minimal impact on the street scene because of the siting of the extension.

The proposed dormer would be positioned at the centre of the roof plane. It would appear small in scale relative to the roof of the existing house. Although the separation distance between the ridge of the dwelling and the junction of the dormer would be in short of the requirement in policy BE15 of the UDP, it would not result in any significant detrimental impact on the appearance of the existing house and the roofscape of the surrounding area. For the reasons set out above, it is not taken to be in conflict with the aim of policy BE15 of the UDP. The design and the materials of the front dormer as proposed would be sympathetic to the host property and the neighbouring properties. They would help preserving the character of the surrounding area and minimising any adverse impact on the street scene.

In summary, it is concluded that the proposal as a whole would be of satisfactory quality from a visual amenity point of view. It would be visually attractive and be sympathetic to the surrounding area, thus complying with policies D2, BE1, BE2, BE13, BE14 and BE15 of the UDP and policy PLP24 of the PDLP and chapter 7 of the NPPF.

3 – Impact on residential amenity:

There are a number of properties in immediate vicinity that might be potentially affected by the proposed development. The impact this proposal might have on the amenity of these neighbouring occupants shall be addressed in turn.

In relation to no.12 Dingley Road

The proposed extension would roughly aligned with the external back wall of this neighbouring property. It would not have any windows in the south-east

(side) elevation facing this property. Therefore, there would be no undue impact on the amenity of these neighbours by reason of overlooking and overshadowing. Should there be any window openings created in the side elevation of the single storey rear extension in the future, the view from these windows would be obstructed by the existing boundary treatment at the shared boundary and the external side wall of this neighbouring property. Accordingly, it is not considered necessary to remove the permitted development rights of new window openings in the side elevation of the rear extension. The dormer would be situated on the opposite side of the house at the application site. It would have no effect on these neighbouring occupiers.

In relation to no.16 Dingley Road

The rear extension would have a habitable room window in the north-west (side) elevation facing toward this property and its associated curtilage. However, the view from this window would be obstructed by the existing detached single garage and the garden fences at the shared boundary. Accordingly, the extension would not prejudice the privacy of these neighbours. The dormer window would have no adverse impact on their amenity.

In relation to no.13 and 15 Dingley Road

The extension would be situated at the back of the host property, thus not causing any harm to the amenity of the occupants of these neighbouring properties. With regard to the front dormer, it would have a habitable room window facing toward these properties and their associated curtilage. However, it would not impact on the privacy of these neighbours over and above the existing situation because the neighbouring property on no.15 Dingley Road already has two front dormers in a similar relationship with the surrounding development. Furthermore, there would be a reasonable distance between the dormer and the neighbouring properties. This would be helpful in mitigating any major overlooking impact upon these neighbours.

In relation to no.25 and 27 Talbot Avenue

These neighbouring properties are set at an angle relative to the application site and they are situated in a reasonable distance from it. Taking these factors into account, there are considered to be no effect on the amenity of these neighbours by reason of overlooking and overshadowing. The remainder of the proposal too would not give rise to any residential amenity issues.

In summary, the proposed development would establish an appropriate relationship with the surrounding development. It would not cause any material harm to the amenity of any neighbouring occupiers when taking into account the context of the site and its surrounding area including the physical separation distance between the proposed development and the neighbouring properties, the boundary treatment at the application site and the sites in immediate vicinity and the planning precedence established in this area. The

proposal would accord with the aim of policies D2, BE1 and BE2 of the UDP and policy PLP24 of the PDLP.

4 – Impact on highway safety:

The proposal would intensify the residential use by creating an additional bedroom to the dwelling, but it would not affect the existing parking arrangement. There would remain sufficient parking provision within the site to meet the need to the occupants in accordance with policies D2, T10 and T19 of the UDP and policies PLP21 and PLP22 of the PDLP. There would be no issues from a highway safety perspective.

5 – Other matters:

There are no planning matters considered relevant to the determination of this application.

6 – Representations:

No representations have been received for this application.

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: 2018/90482
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 D2, BE1, BE2, BE13, BE14 and BE15 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 of the National Planning Policy Framework.

3. The external walls of the single storey rear extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

4. The roofing materials of the front dormer hereby approved shall in all respect harmonise with those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			19-Feb-2018
Elevations and floor plans as existing	2017/033/01		19-Feb-2018
Elevations and floor plans as proposed	2017/033/05		19-Feb-2018

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. In this instance, no amendments have been requested because the proposal is considered acceptable in its original form

19-04-2018

Report Dated: dsfffsdf