

**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: 2020/62/91711/W

Site Address: 56, Holly Road, Thornton Lodge, Huddersfield, HD1
3SE

Description: Erection of single storey and first floor rear extensions
and front and rear dormers

Recommending Officer: Stuart Howden

DECISION – Full Conditional 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.**

Neil Bearcroft

AUTHORISED OFFICER

Date: 21-Oct-2020

Officer Report

Site Description

56 Holly Road, Thornton Lodge, Huddersfield, HD1 3SE

56 Holly Road is a two storey, mid-terrace property. The 4 bedroom dwelling, with living space in the roof, is constructed from red brick under a tile roof. The dwelling has a single storey extension to the rear. The dwelling is set back slightly from the highway of Holly Road, with an area of hardstanding to the front of the dwelling, but this area does not serve on-site vehicular parking.

The site is located within a residential area with the properties comprising predominantly of terraced dwellings constructed from brick and stone. The dwellings on Holly Road follow a strong building line. The next door neighbouring dwellings to the site have been extended with No.58 to the South West having a single storey rear extension to a similar depth as the one at No.56, and with No.54 having a two storey extension at a similar depth to the rear extension at No.56.

There is an access lane to the rear of the site which serves the rear of properties on Holly Road and Thorne Road.

The site is not within a conservation area, nor are there any listed buildings within close proximity to the site.

Description of Proposal

Planning permission is sought for the erection of a first floor and single storey extension, as well as the installation of front and rear dormers.

The first floor rear extension would be sited above the existing single storey rear extension and would cover the entire footprint of this existing single storey extension and the full width of the rear wall of the dwelling. The extension would be a gable projection, with the eaves of the first floor extension sitting below the eaves of the dwelling, whilst the ridge would be set below the ridge of the dwelling.

The proposed single storey extension would protrude beyond the rear wall of the dwelling (beyond the existing single storey extension) at a depth of approximately 3 metres and would cover the full width of the rear wall of the dwelling. The single storey extension is proposed to have a lean to roof and have a maximum height of approximately 3.5 metres and an eaves height of approximately 2.7 metres.

In addition, a gable dormer is proposed on the front roof slope of the dwelling, whilst a box dormer is proposed on the rear roof slope of the dwelling.

The additions to the dwelling are proposed to be constructed in materials to match those on the existing dwelling. No additional bedrooms are proposed as a result of the proposal.

History of negotiations/amendments received

Slight concerns were raised with the applicant's agent about the lack of on-site vehicular parking therefore the applicant's agent amended the plans so that no additional bedrooms were proposed. These plans were received on 14th October 2020 and addressed the initial concerns raised.

Relevant Planning History

At the site:

98/90955 – Erection of two storey extension – Approved.

99/91228 – Erection of single storey extension (modified proposal) – Approved.

2020/90566 – Prior Notification for single storey rear extension (6 metres beyond the rear wall of the dwelling) – Prior Approval Not Required.

At No.54 Holly Road:

2007/90768 – Erection of detached garage – Withdrawn.

2007/91803 – Erection of detached garage – Approved.

2010/90407 – Erection of detached garage (modified proposal) – Approval.

2012/90285 – Erection of single and two storey rear extension – Approval.

At No.58 Holly Road:

90/01647 – Erection of 2 storey extension to form car port and bedroom – Approval.

Representations

Neighbour letters expired on 24th July 2020.

No representation have been received.

Consultation Responses

N/A

Policy

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).

The site is unallocated on the Kirklees Local Plan Proposals Map.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 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 19th February 2019, 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 9** – Promoting Sustainable Transport
- **Chapter 12** – Achieving Well-Designed places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding

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 – 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. Chapter 2 of the NPPF states that:

“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”

Chapter 2 of the NPPF goes onto further state that objectives should:

“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”

LP1 goes further and states:

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

In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

2 – Impact on visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

‘c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...’

The extensions to the dwelling would, cumulatively, would result in a relatively large addition to the existing dwelling. That said, the first floor and single storey rear extensions would not be visible from Holly Road given that existing development would screen them from this highway. Whilst the first floor and single storey rear extensions would be visible to from the access lane to the rear of the dwelling, the overall extension beyond the main body of the dwelling is not considered to over-dominate this building, and there are a number of extensions to the rear of dwellings on Holly Road, notably additions next door at No.54 which extend to the very rear of the garden. It is worth noting that consent has been granted for a single storey rear extension at 6 metres in depth at the site under prior notification application 2020/90566 earlier this year, and the single storey extension proposed under this application would have a similar building line to this approved extension.

Regarding the box dormer proposed to the rear of the dwelling, this is considered to be a feature that is a disproportionate addition to the roof of the dwelling and would appear as an unattractive feature. However, the proposed dormer could be installed under permitted development (under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)) and permitted development rights have not been removed at the property. Given this, the rear dormer is considered an acceptable feature.

Dormers to the front roof slopes are uncommon features within Holly Road, and I hold the view that the gable dormer to the front of the dwelling would be an unfortunate feature given that the linear front roof slopes along Holly Road tend to be unbroken. However, dormers have been approved on front roof slopes within the vicinity of the site notably, recently, at No.35 Holly Road across the road at the site, as well as at No.66 Holly Road, and this precedent makes it more difficult to resist the principle of a front dormer on visual amenity grounds. It should also be noted that the site is not within a conservation area. In terms of the details of the proposed dormer, this would be relatively wide and would be set quite high in the roof slope, but it is not considered that this element would overwhelm the existing dwelling. Details on the materials of the dormers are limited thereby a condition shall be attached stating that the materials of the works proposed match those of the existing dwelling.

Overall, on balance, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The properties most likely to be affected by the proposed development are those which directly neighbour the site, these being No's 54 and 58 Holly Road, as well as No's 81, 83 and 85 Thorne Road to the rear of the site. It is considered that the proposed extension would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

No's. 81, 83 and 85 Thorne Road

In relation to these dwellings to the rear of the site on Thorne Road, their rear elevations face towards the site. As a result of the proposal, the separation distance between the first floor element and the rear wall of the terrace building on Thorne Road would be approximately 19 metres. Whilst this distance is quite close, the back to back relationship between dwellings in the locality tends to be close and this relationship would be relatively similar to the one between the next door dwelling at No.54 and the dwellings on Thorne Road given the recent extension to the rear of No.54. The first floor extension would be approximately 10 metres away from the rear boundary of these dwellings, whereas the single storey extension would be approximately 7 metres away from these rear boundaries. Overall, given the above factors, it is considered that the proposal would not cause undue harm to these dwellings to the rear in terms of loss of light, overlooking or loss or privacy, loss of outlook or the creation of an overbearing effect.

No.54 Holly Road

The dwelling at No.54 Holly Road is attached to the dwelling at No.56. The rear wall of the proposed first floor extension would follow a similar line to the rear wall of the dwelling at No.54. The proposed single storey extension element would protrude approximately 3 metres beyond the rear wall of No.54 and because of the single storey outbuildings in the rear garden of No.54, it is considered that the proposed extension would have some impact on No.54 in terms of loss of light and overbearing due to a tunnelling effect. However, the extension would protrude from the north and it is pertinent to note that there is consent for a single storey extension (under the householder prior notification route – 2020/90566) with a similar depth to the single storey extension proposed under this application. Given the above, it is considered that the

proposal would not cause harm to No.54 in terms of loss of light, loss of outlook or the creation of an overbearing effect.

In terms of overlooking and loss of privacy, the windows in the rear of the first floor extension and rear box dormer would gain relatively similar views to those already achieved from the rear facing windows within the dwelling, these being oblique views of this neighbouring garden. It is therefore considered that the proposal would not cause undue harm to No.54 in terms of loss of privacy or overlooking.

No.58 Holly Road

The dwelling at No.58 Holly Road is attached to the dwelling at No.56.

The rear wall of the proposed first floor extension would be in a similar line to the rear wall of the ground floor of No.58, but would be set beyond the rear wall at first floor level by approximately 3 metres. It is considered that there would be some impact upon the nearest rear facing first floor window to the site as a result of the proposed first floor extension. That said, the first floor extension would protrude to the north and the relationship would be similar to that between the existing first floor element of No.54 and No.56 given No.54 is set beyond the first floor rear facing windows of No.56 by approximately 3 metres (this extension at No.54 was approved at under 2012/90285 in 2012). This proposed relationship is considered to be acceptable and it is considered that the first floor extension would not cause undue harm to No.54 in terms of loss of light, loss of outlook or the creation of an overbearing effect.

Regarding the proposed single storey extension, this would protrude approximately 3 metres beyond the rear wall of No.54 at ground floor level. Given the extension would protrude to the north, and the modest depth of this extension beyond the rear wall of No.54, it is considered that this relationship would be acceptable. It is therefore considered that the single storey rear extension would not cause undue harm to No.54 in terms of loss of light, loss of outlook or the creation of an overbearing effect. It is also relevant again to note that there is consent for a single storey extension (under the householder prior notification route – 2020/90566) with a similar depth to the extension proposed under this application.

In terms of overlooking and loss of privacy, the windows in the rear of the first floor extension and rear box dormer would gain relatively similar views to those already achieved from the rear facing windows within the dwelling, these being oblique views of this neighbouring garden. It is therefore considered that the proposal would not cause undue harm to No.58 in terms of loss of privacy or overlooking.

It is considered that the proposed development would not cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

No parking is provided on site, but the proposal would not result in the creation of another bedroom. Whilst it is noted that the bedroom in the roof space could be divided into two bedrooms, these bedrooms would be relatively modest and it is questionable as to whether this would result in additional pressure on parking in the locality. Further to this, the site is considered to be located within a sustainable location close to services and facilities, bus routes and Lockwood railway station, thereby reducing the need to travel by private car.

Given the above, the impact upon highway safety is therefore considered to be acceptable. The proposed development is therefore considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

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 predates 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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6 – Representations:

No representation have 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, the

proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers**Application Number:** 2020/91711**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 Policies LP21, LP22 and LP24 of the Kirklees Local Plan and Chapters 9, 12 and 14 of the National Planning Policy Framework.

3. The external walls and roofing materials of the 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 LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. The hereby approved dormer windows shall be either vertically tile hung with tiles that in all respects match those used on the existing roof or be clad in dark grey cladding.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form			16 th June 2020
Location Plan	2005.1		16 th June 2020
Existing and Proposed Ground Floor	2005.2		16 th June 2020
Existing First and Second Floor	2005.4		16 th June 2020
Proposed First and Second Floor	2005.5	A	14 th October 2020
Existing Front and Rear Elevations	2005.6		16 th June 2020
Proposed Front and Rear Elevations	2005.7		16 th June 2020
Proposed Side Elevations	2005.8		16 th June 2020

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. Slight concerns were raised with the applicant's agent about the lack of on-site vehicular parking therefore the applicant's agent amended the plans so that no additional bedrooms were proposed. These revised plans were received on 14th October 2020 and addressed the initial concerns raised.

Report Dated: 19.10.2020