# KIRKLEES METROPOLITAN COUNCIL
# INVESTMENT & REGENERATION SERVICE

## DEVELOPMENT MANAGEMENT

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

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|---|---|
| **Reference No:** | 2020/62/91811/W |
| **Site Address:** | 17, Dingley Road, Edgerton, Huddersfield, HD3 3AY |
| **Description:** | Erection of extensions and external alterations |
| **Recommending Officer:** | Tom Hunt |

**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: 13-Oct-2020**

**Officer Report**

**Site Description**

17, Dingley Road, Edgerton, Huddersfield, HD3 3AY

17 Dingley Road is a two-storey, detached dwelling with the neighbouring dwellings differing in character and form. Materials in construction consist of red brick for the base and render for the rest. The roof has concrete tiles and a hipped roof for the main. A front extension had expanded the original (since 1955) to form a large ground floor extension with a gable end roof facing to the road. An upward extension was formed to create a first floor in the roof for another bedroom to the rear of the host dwelling. This has changed the original hipped roof form to the rear to include a large flat dormer with triple windows. There is white uPVC windows and an uPVC door.

The property is set back from the road with a low wood picket fence as a partial boundary treatment for the east side lawn and a tarmacked driveway with a four car capacity to the west.

**Description of Proposal**

Permission is sought for the erection of extensions and external alterations, specifically to add a front extension which will extend past the existing front elevation, to add a Velux window in the front elevation roof and a rear extension.

Front extension

It is proposed to install a centred porch measuring approximately 2.9 metres in width extending 1.5 metres in depth from the current front extension and 4.7 metres depth from the living room front elevation. This porch will be roofed gable end to Dingley Road with a roof ridge height of approximately 4 metres and eaves height of 2.6 metres. An uPVC door will face north out to the road. There would be a window to the west of the door and a window to the western elevation, both to match the vertical proportions of the door and another standard size window to the western elevation. The new windows on the western elevation of the porch would be closer to the boundary of the 17a Dingley Road. The purpose of the front extension is to create a porch and extend the kitchen westwards. It is intended that the front extension will be

matching the external proportions of the red brick base and render of the host dwelling.

Velux roof window

This is proposed to be centred to the northern elevation of the hipped roof and the proposed gable introduce some asymmetry to the overall northern elevation as a result. The intent is to create natural day lighting as a light shaft for the dining room.

Rear extension

The proposed rear extension will extend 1.5 metres from the original host dwelling walls from the south eastern corner and extend approximately 7 metres in width. For the roof form, it is proposed to introduce a flat roof form echoing the flat roofed dormer and reach 2.7 metres eaves height. This roof would be of single ply grey fibreglass construction. No side windows will be introduced at the west and east elevations. Towards the west of the south elevation, a standard sized, obscured glazed window will be installed serving the extended bathroom. To the east of the south elevation, a vertical floor to ceiling, double glazed double doors with a proportionately matching vertical window on either side of the doors. This is proposed to serve the extended bedroom. It is intended that the rear extension would be matching the proportions of the red brick base and render of the host dwelling.

**History of negotiations/amendments received**

An amendment to Plans – Proposed Elevations (reference: Dwg no. 01) was required to include the missing rear dormer in the West Elevation and plans resubmitted to be scaled. This was promptly actioned with updated plans.

**Relevant Planning History**

87/04897 – First floor extension to form bedroom. **Decision:** GC - GRANTED CONDITIONALLY. **Decision date:** 20/11/1987

**Representations**

Final publicity date Expires: 7th August 2020

No representations have been received to date.

**Consultation Responses**

No technical consultees required.

**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 not allocated on the Kirklees Local Plan.

**Kirklees Local Plan (LP):**

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP21 – Highways and access**
- **LP 24 – Design**
- **LP30 – Biodiversity & Geodiversity**

**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 12 – Achieving well-designed places
- Chapter 15 – 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

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

"The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible,

and to secure development that improves the economic, social and environmental conditions in the area."

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 – Impact on visual amenity:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

The front extension would create a defined front entrance with its centred gable end roof. It would extend 1.5 metres beyond the front elevation of the existing front extension increasing the visual prominence of the property to the road. This proposal would introduce a decreasing shift in the relationship between the front elevation character of the properties facing north onto the road. The front elevations of properties on Dingley Road facing south are considerably closer to the road with no driveways. It is thought that the prominent entrance coupled with a wide variation of architectural styles and extensions on the street would not appear incongruous for the road as a whole.

The size, scale and height of the one storey gable end would introduce a vertical emphasis to the north elevation but the roof ridge height with the matching roof eaves is still subservient to the host property.

The rear extension is one storey, flat roof and a modest addition to the south elevation and also reads as subservient to the property.

The proposed construction materials for both extensions are specified as brick and render to match the elevations and proportions of the host dwelling. Concrete tile (for the front extension) and uPVC windows will also match the host dwelling. The rear extension roof would be single ply grey fibreglass and blend with the concrete tile, due to being in keeping this proposal would be considered to be acceptable.

Taking into account all the above, the proposal is acceptable in terms of its impact on visual amenity and would accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to "*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*"

*Overlooking* – The front extension's western windows may introduce potential for overlooking to No17a's front elevation as the separation distance is reduced; however only minor harm is considered to occur due to the public nature of the highway and would increase natural surveillance. To the rear, windows are facing south and would not be overlooking unnecessarily due to the large garden amenity space separating bordering properties to the south.

*Overshadowing/overbearing* – The porch would introduce a more visually prominent primary elevation facing the road and it is considered, due to its scale and size, that it would not have significant harm resulting from overshadowing or overbearing onto neighbouring property No.17a.

The rear extension is relatively modest in depth from the host dwelling and being situated to the south east corner of the southern elevation could increase minor shadowing for neighbouring property No.15. This is considered acceptable considering the separation distance between the properties and remaining access to day light for the gardens.

It is therefore considered that the proposal is acceptable in terms of residential amenity and would accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4 – Impact on highway safety:

The proposed front extension to the north would not adversely affect the existing parking spaces within the site and therefore would not cause additional harm to highway safety. The proposal would therefore accord with Policy LP21.

5 – Other matters:

Biodiversity

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and therefore it is considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

*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 pre-dates 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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

6) Representations

No representations have been made.

**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**: 2020/91811

**Officer Recommendation**: Approve

**Conditions and Reasons/Reason for Refusal**

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 Policy LP24 of the Kirklees Local Plan.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the host dwelling.
**Reason**: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

**NOTE:** Due to its 'Bat Alert' location, a bat roost may be present on site. Bats are a European protected species under section 43 of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Plans – Grouped Plans and Elevations | Existing Elevations & Floor Plan - 1 | | 06/10/2020 |
| Plans – Grouped Plans and Elevations | Location Plan and Proposed Elevations & Floor Plan - 2 | | 06/10/2020 |

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. Amendments were secured to clarify the scheme proposed.

**Report Dated:** 6/10/20