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:	2020/62/93647/W
Site Address:	1, Dingley Road, Edgerton, Huddersfield, HD3 3AY
Description:	Single storey extensions to side and rear and extension to garage to form garage/office space. Off-white render to external walls.
Recommending Officer:	Laura Yeadon

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: 20-Jan-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f93647

Site Description

1 Dingley Road is a detached bungalow located within an area without notation on the Kirklees Local Plan with the south-east boundary of the site forming the boundary with the Edgerton Conservation Area. The property is set up from the roadside with lawned garden areas to the front, side and rear elevations. To the side of the site facing No. 3 Dingley Road is a driveway which leads to a detached single storey detached garage. The property is constructed from brickwork with cream render with a tiled roof. To the rear is a conservatory. The surrounding area is comprised of mainly residential properties which are predominantly detached and of varying style and design.

Description of Proposal

Permission is sought for the erection of substantial extensions to the side and rear and an extension to the garage to form garage/office space. It is also proposed that off-white render would be applied to the walls of the property and garage.

Extension to the sides and rear

It is proposed that the property would be extended to the side and rear to form bedroom 2 with en-suite, bedroom 1 and a kitchen and living room; together with a canopy to the entrance area. Bedroom 2 would be set back from the road facing (street elevation) of the property by 0.8 metres projecting to the side by 3 metres being a depth of 5.2 metres. To the rear of bedroom 2, the extension would then increase in width to 5 metres and would extend the full length of the property projecting off the rear by 4.6 metres. Bedroom 1 would have an eaves height similar to the existing with a roof pitch which would be set down from the existing by 1.2 metres. The larger part of the extension would tie into the ridge of the existing roof with the rear of the property having a roof ridge which would also be set down from the existing by 1.2 metres. The canopy would run alongside the entrance area to the other side of the property adjacent the driveway. It would be simply a supported roof.

The conservatory would be removed as part of the renovation of the property.

The proposed construction materials would be grey paint for the dwarf walls to coat the existing brick with an off-white render applied to the walls with a slate tile roof.

Extension to garage

The existing garage sits to the rear of the property and has a length of 7.2 metres and width of 3.3 metres. It is proposed that the width of the garage would be extended to 4.4 metres and length of 12.2 metres. The internal arrangement would be split being part garage and part home office. The eaves height would be 2.6 metres with the overall height being 4 metres to the ridge of the pitched roof.

It is proposed that the north-east and south-east elevations would be off-white render with the rear (south west) elevation and side (north west) elevations being constructed from artificial stone. The roof would be a slate tiled roof.

History of negotiations/amendments received

No negotiations have taken place and no amended plans submitted.

Relevant Planning History

None

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters, site notice and newspaper advertisement.

Final publicity date expired: 14th December 2020 – no representations received

Parish/Town Council comments – not applicable

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

K.C. Conservation and Design – no harm to the setting of the Edgerton Conservation Area and no concerns on heritage grounds

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 without notation on the Kirklees Local Plan however the south-east boundary forms the boundary with the Edgerton Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 35** – Historic environment

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 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity and the Conservation Area
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 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.

The site is adjacent to Edgerton Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Chapter 16 of the National Planning Policy Framework and also LP35 of the Kirklees Local Plan.

2 –Impact on visual amenity:

The proposed development would result in significant single storey side and rear extensions, a garage redevelopment and extension and also the re-rendering of the property. It is also proposed that the internal accommodation would be reconfigured. The cumulative impact of the extensions would not be subservient to the host property, but have been designed to lessen their overall mass by breaking up the extensions which different roof forms and maintaining the existing roadside elevation. The re-rendering of the whole property would assist in tying the original linear form of the bungalow with the extensions and alterations. The garage would also be redevelopment into a significantly larger structure. Whilst the extensions and alterations would alter the character and appearance of the dwelling, due to the mix of property types, styles and designs within the immediate area, it is considered that the resulting appearance of the building is acceptable. Indeed, the resultant dwelling in terms of its size would appear more in keeping with the wider streetscape. In this isolated case it is considered the scheme is acceptable although the quantum of development is not subservient.

To the site frontage is a proposed timber sliding gate at a maximum height of 1.2 metres which is also considered acceptable. The window openings would be reconfigured and altered with dark grey aluminium frames which would aid the modern appearance of the resultant property.

The overall impact of the extensions would result in significant built form on the plot, but would not, on balance, amount to the overdevelopment of the site. There would remain a good level of amenity space around the dwelling.

With specific regard to the impact on the adjacent Conservation Area, the Conservation and Design Officer was formally consulted as part of the application process. No concerns have been raised and the comments cite that there would be no impact on the setting of the Edgerton Conservation Area and therefore the application would comply with Policy LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

The proposal is considered to be acceptable and would comply with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of residential amenity, there are no openings within the side elevation facing the rear elevation of the outbuilding to No. 1A Dingley Road other than an additional roof light in the existing property and also rooflights within the extension and therefore there are minimal concerns with regard to this neighbouring property. It is acknowledged there have been previous permissions to redevelopment this adjacent coach house building into habitable accommodation, as an annexe to no. 1A. Although this permission (from 2016) appears to have expired, the development approved would not be adversely affected by the proposed scheme – or vice versa. The large areas of glazing in the rear extensions would have an oblique relationship with the windows in the front elevation of no. 1A – which is also on a lower ground level. Given the existing boundary treatment, the angle of the windows to one another it is considered there would not be undue overlooking as a result. The garden area for no. 1A wraps around the rear of no. 1. Whilst the rear extensions would significantly lessen the gap to this garden, boundary treatment would be retained and the development is still only 1 storey. The 2016 permission to alter and extend no. 1A have been considered. This development would not adversely impact the occupiers of that extended property (should an application be re-submitted)

Larger openings are proposed within the roadside elevation however there would be no decrease in separation distance between the openings and the facing properties and therefore acceptable. The entrance elevation of the property would also have reconfigured and replacement windows. These openings would face No. 3 Dingley Road. The openings proposed would be to non-habitable room openings or secondary openings with no decrease in separation distance. As such, there are considered to be acceptable. With regard to the openings within the rear elevation, these elevations would be entirely glazed with sliding doors. These would face into the garden area of the property and therefore considered acceptable. The openings within the office/garage would also face into the garden area of the property and are therefore considered to be acceptable.

With regards to overshadowing or being overbearing, the extensions to the dwelling would be single storey in height and would be set down from the existing ridge of the property. Due to the location of the outbuilding/coach house to 1A it is not anticipated that the extensions would cause undue harm to occupiers of that property or the coachouse if converted. In terms of the impact of the garage on No. 3 the extended/replacement garage would be a larger structure and would be located to the south east of the neighbour, adjacent to the shared boundary. Whilst the structure would be close to the shared boundary, the roof slopes away from the neighbouring dwelling and there is established screening which would assist in the mitigation of harm from the proposed development.

It is therefore considered that the proposal is acceptable in terms of residential amenity and is not considered to cause undue harm to residential amenity.

4 – Impact on highway safety:

The proposed garage is of insufficient depth to meet the standards required with the Highways Supplementary Planning Document. As such, the garage would not be capable of being utilised for the parking of vehicles. Notwithstanding this, a parking area is proposed to the front of the site and there is also a driveway to the property which can accommodate further vehicles. As such, there are minimal concerns.

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 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. The development will result in a thermal efficient property which will be extended and re-rendered. This is considered to assist in the mitigation of climate change.

6 – Representations:

None

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: 2020/93647

Officer Recommendation: Approve

Conditions

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 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 LP1, LP2, LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing site plan, floor plan, roof plan and elevations	EX0002		27th October 2020
Proposed site plan, roof plan and dwelling elevations and proposed garage elevations	AL0002 Rev: A		27th October 2020
3D Images as Proposed			27th October 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. No negotiations have taken place as it was considered that the proposal was acceptable as submitted.

Report Dated: 19th January 2021

Coal - low