

**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: 2020/62/94148/W

Site Address: 29, Daleside Avenue, New Mill, Holmfirth, HD9 1LT

Description: Erection of single storey rear extension and rear dormer

Recommending Officer: Lucy Taylor

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.

Emma Thompson

AUTHORISED OFFICER

Date: 18-Jan-2021

Officer Report.

Reference: 2020/94148

Location: 29 Daleside Avenue, New Mill, Holmfirth, HD9 1LT

Proposal: Erection of single storey rear extension and rear dormer.

Site Description.

29 Daleside is a two-storey semi-detached property located in New Mill, Holmfirth. The property is constructed from brown/buff brickwork and has a gable roof infilled with concrete pantiles.

The property is located in a residential area where there is, to some degree, a sense of similarity within the streetscene. All of the houses in the immediate vicinity are semi-detached in their style of construction and have gable roofs infilled with concrete pantiles. However, the exterior materials on the facings of the dwellings is varying, although some are constructed from brown/buff brickwork like the application site, others have been constructed using a different type of brick and with the use of render on the front elevation of some properties.

Description of Proposal.

Permission is sought for the erection of a single storey rear extension and box dormer to the rear.

Single Storey Rear Extension:

The proposed rear extension at 29 Daleside Avenue will project 2.95 metres from the rear elevation of the dwelling, have a width of 5 metres close to the existing dwelling and a width of 3.9 metres at the rear elevation and have a maximum height of 3.45 metres. The change in width from the dwelling towards the rear wall of the extension is due to the construction of a diagonal exterior wall to the eastern side elevation. The extension will have a lean-to roof projecting from the rear wall of the dwelling. Brickwork will be used on the exterior walls of the extension and the lean-to roof will be infilled with concrete pantiles to match those on the roof of the dominant dwellinghouse.

With regard to fenestration details, the extension proposes glazing on the rear elevation. This is in the form of glazed bi-folding doors to allow access between the extension and rear garden. In addition, roof lighting is proposed through the erection of two velux windows within the lean-to roof. This glazing will be constructed from UPVC to match the existing windows on the dominant dwellinghouse.

Within the interior of the dwelling, the amenity space created by the rear extension will function as extra kitchen space and family living space.

Erection of Rear Box Dormer:

A rear dormer is proposed to be erected on the rear elevation of the gable roof erected above the dominant dwellinghouse. The dormer will have a depth of 4.25 metres, a height of 2.5 metres and a width of 4.75 metres.

Dormer = 2.5m (height) x 4.75 (width) x 4.25 (depth) = 25.23 cubic metres

The dormer will be constructed using dark grey cladding that will be placed in a horizontal style and will have a flat roof.

Within the dormer 2 windows will be erected, these are of a regular window size with regard to size and scale, one been of a square shape and one been rectangular. Both windows will be constructed from UPVC and will match the existing windows on the dwelling. One of the windows will be obscurely glazed as it aligns with an en-suite bathroom within the interior of the dwellinghouse.

Within the interior of the dwelling, the installation of a rear box dormer will facilitate a lost conversion. The amenity space within the loft conversion will be used for a bedroom and an en-suite bathroom.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

No relevant planning history.

Representations.

We are currently undertaking 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 which expired on 15th January 2021 – no representations were received.

Consultation Responses.

KC, Lead Local Flood Authority – application should be subject to standing advice.

Policy/Legislation.

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.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP24** – 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 February 2019, 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 12** – Achieving Well-Designed Places

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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 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 NPPF.

Policy LP1 goes on further to state that “the council will always work proactively 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 terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

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.

29 Daleside Avenue is located in a residential area where there is, to some degree, a sense of similarity within the streetscene. All of the houses in the immediate vicinity are semi-detached in their style of construction and have gable roofs infilled with concrete pantiles. However, the exterior materials on the facings of the dwellings is varying, although some are constructed from brown/buff brickwork like the application site, others have been constructed using a different type of brick and with the use of render on the front elevation of some properties.

The two proposed developments at 29 Daleside Avenue will be assessed separately with regard to their potential impacts on visual amenity.

The proposed rear extension at 29 Daleside Avenue will be single-storey in height and therefore, will not be an obtrusive addition to the rear of the dwelling and will be subservient in height when viewed in conjunction with the two-storey dwellinghouse. Due to the small size and scale of the proposed extension it will neutralise with the existing dwelling and will not lead to the overdevelopment of the rear of the property. The extension is proposed to be constructed from brickwork to match the existing exterior appearance of the dwelling, allowing it to neutralise with the host property aesthetically. Above the extension, a lean-to roof is to be erected, the roof will be infilled with concrete pantiles and therefore, will match the appearance of the main roof erected above the dominant dwellinghouse.

It has been acknowledged that the shape of the extension is not a regular square or rectangular shape, with the width decreasing as the extension projects from the rear wall of the dwelling. However, this shape is deemed appropriate, facilitating the continued use of the driveway to the rear of the property. Additionally, it does not look irregular in conjunction with the host dwelling, with the design of the diagonally constructed side elevation and adjoining roof, deemed appropriate from a visual amenity perspective.

With regard to fenestration, the rear extension proposes glazing on only the rear elevation, facing the rear boundary of curtilage of the property. This glazing is in the form of glazed bi-folding doors and roof lighting. The glazed-bi folding doors will facilitate access to and from the extension and rear garden and are perceived to be a contemporary addition to the dwelling. The roof lighting will be erected in the form of two velux windows, allowing an increased extent of natural light to the amenity space within the extension and

again, considered to be a modern addition to the appearance of the dwelling. The fenestration detailing will be constructed from UPVC and will match the appearance of the fenestration detailing present on the host dwelling.

The proposed box dormer will be erected on the rear of the existing gable roof at 29 Daleside Avenue and therefore, will not be erected on the principle elevation of the dwelling. As such, from a visual amenity perspective the dormer is considered to be acceptable, particularly as it will not be visible within the streetscene of Daleside Avenue nor from the connecting highway. The dormer, although relatively large in size and scale, will not be obtrusive given the height of the two-storey dwelling, the dimensions of the existing gable roof and relationship to existing development. It will be tucked within the buildings reducing any impact. It is acknowledged that the dimensions of the dormer are permitted under permitted development and permitted development rights have not been removed from this property adding further weight to consideration of the development.

With regard to the exterior appearance of the dormer, horizontal cladding will be used on the side elevations as well as on the front elevation. This is a common material to be used in the construction of dormers and therefore, is deemed acceptable from a visual amenity perspective. Furthermore, the proposed cladding will be dark grey and will therefore, blend with the appearance of the existing roof over the dominant dwellinghouse which is infilled with grey coloured concrete pantiles. In addition, the two windows are relatively small in size and scale and are to be constructed using UPVC that matches the other fenestration detailing on the property, therefore, they are considered to be visually appropriate. Additionally, one of the windows will be obscurely glazed; this is considered to be an appropriate and necessary feature given its alignment with an en-suite bathroom within the interior of the dwelling.

Taking into account all of the above, it is considered that the proposed extension and alterations would comply with local, national and emerging policies in relation to design.

2. 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.”*

The site shares its boundary with properties to the north and south. Therefore, development at 29 Daleside Avenue has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *31 Daleside Avenue* – this property is located to the north and adjoins the application site. The proposed rear extension is single-storey in

height and as a result, will not cause any undue overbearing or overshadowing with regard to this neighbouring property. In addition, the proposed glazing will not result in any negative impacts in terms of overlooking and neighbouring privacy as no glazing is proposed on the side elevation facing this property. It has also been acknowledged that boundary treatment, in the form of a tall wooden fence, is erected on the boundary between these properties. In turn, this will work to further mitigate any potential negative impacts posed by the erection of the proposed rear extension at 29 Daleside Avenue.

- The erection of the proposed rear box dormer will also not cause any undue overbearing or overshadowing for the occupiers of 31 Daleside Avenue. This is because, the dormer will not be visible from the interior of the neighbouring property and due to the depth of the proposed projection will have no negative impacts upon the neighbouring rear garden amenity space. Whilst there are windows within the rear of the dormer these are not considered to result in any material loss of privacy when taking into account the existing relationship of room windows in the rear. The potential of overshadowing on the neighbouring garden has been analysed using a sunlight calculator and the dormer only presents a threat of overshadowing between 8:00am-9:00am in the winter and in the summer, there is no potential of the dormer causing overshadowing. Furthermore, no roof lighting is present on the neighbouring property of 31 Daleside Avenue, in turn, further reducing any potential overshadowing or overbearing from the box dormer. Finally, no glazing is proposed on the side elevations of the dormer and therefore, it poses no negative impacts with regard to overlooking or neighbouring privacy.
- *27 Daleside Avenue* – this property is located to the south of the application site. It should first be acknowledged that due to the location of the driveway at the application site and the neighbouring property, some separation distance is present between these neighbouring properties and the driveway at 29 Daleside Avenue will remain undeveloped following the erection a rear extension. Due to the single-storey nature of the proposed extension and this separation distance, no undue overbearing or overshadowing will be caused for the occupiers of 27 Daleside Avenue. Additionally, in conjunction with the proposed length of the extension, a wooden fence erected at the neighbouring property, will partially work to further mitigate any potential negative impacts caused by the erection of the rear extension. There will no impact with regard to overlooking or neighbouring privacy as no glazing is proposed on the side elevation facing this neighbouring property. The proposed rear box dormer will also cause no undue overbearing or overshadowing for the occupiers of 27 Daleside Avenue. This is because the dormer will not be visible from within the interior of the neighbouring property and due to the depth of the proposed projection will have no negative impacts upon the neighbouring rear garden amenity space. A sunlight calculator was used to confirm that there would be no impact upon the neighbouring rear garden in both the summer and winter months. Furthermore, no

roof lighting is present on the neighbouring property of 31 Daleside Avenue, in turn, further reducing any potential overshadowing or overbearing from the box dormer. An ensuite and bedroom window is proposed in the rear which have been considered in respect of their relationship to the neighbouring property. Taking into account the position of these in addition to the existing relationship of windows to adjoining properties it is not considered that there will be any loss to privacy. Finally, no glazing is proposed on the side elevations of the dormer and therefore, it poses no negative impacts with regard to overlooking or neighbouring privacy.

3. Impact on Highway Safety

The erection of the proposed rear extension and rear box dormer will not impact the existing driveway at the property nor will their erection alter existing access to and from the property with regard to the connecting highway. Although, it has been acknowledged that through the erection of the proposed rear box dormer, the domestic use of the property has the potential to increase due to the presence of a loft conversion, used as an additional bedroom, it was determined that asking the applicant to facilitate another parking space at the property was not required. Following a discussion with K.C highways, it was concluded that, although under normal circumstances an additional parking space, to ensure three off road, would have been requested, the proposed dormer falls within permitted development and weight should be afforded to this. As such, on balance, the development is acceptable.

4. Other Matters

Bats

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential.

In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

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. In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures.

5. Representations

No representations were received.

6. Conclusions

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: 2020/94148

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 Policy LP24 of the Kirklees Local Plan.

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.

Note: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to 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.

Note: The application site is located in a low risk coal area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Existing Floor Plans	2025-D-20-003-First and Loft Floors	1	3.12.20
Plans – Grouped Plans and Elevations	2032-D-20-006-Existing and Proposed Elevations	1	3.12.20
Plans – Grouped Plans and Elevations	2025-D-20-002	1	3.12.20
Plans – Grouped Plans and Elevations	2025-D-20-004-Proposed site and Ground Floor Plans	1	3.12.20
Plans – Location Plan	2025-D-20-001	1	3.12.20
Plans – Proposed Floor Plans	2025-D-20-005 – First and Loft Floors	1	3.12.20

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 amendments were sought.

Report Dated: