

**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: 2021/62/90168/W

Site Address: 72, Wood Lane, Newsome, Huddersfield, HD4 6PT

Description: Raising of roof height, erection of extensions and alterations to roof and erection of front and rear dormers to create first floor accommodation and erection of rear extension

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.

Emma Thompson

AUTHORISED OFFICER

Date: 28-Apr-2021

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f90168>

Site Description

The application site is a detached bungalow located on Wood Lane in Newsome. The property is set up and back from the roadside, separated by a front garden and driveway. A large elongated garden is located to the rear which hosts outbuildings. The property is constructed from a brick plinth with a cream coloured render above with the roof being tiled. The main entrance to the property is via a chamfered entrance to the front of the property which sits between the kitchen and living room. To the rear is a conservatory. The surrounding area is comprised of residential properties to the east, north and west with a large area of Council owned woodland to the south.

Description of Proposal

Permission is sought for the raising of the roof height, extension and alterations to the roof, the erection of front and rear dormer and a rear extension.

Raising, extensions and alterations to the roof:

It is proposed that the roof of the main body of the dwelling would be raised. This would not include the entrance or the front projecting living room and part of the kitchen area. The roof would be altered from being a hip to a gable with the overall height being raised from 6 metres to 6.6 metres. The eaves height would be retained as existing.

Front dormer extension

It is proposed that a dormer extension would be located within the front elevation roof slope of the property. The dormer would be set up from the gutter line of the property by 0.9 metres and would have a hipped roof ridge to match the proposed, extended roof. The width of the dormer would be 3.5 metres with the projection from the roof slope being 1.9 metres. It is proposed that the dormer face and cheeks would be clad with boarding with the roof tiled.

Rear dormer extension

The proposed rear elevation dormer would be flat roofed. The dormer would be set up from the gutter line by 0.3 metres and would be set down from the ridge of the roof of the property by 1 metre. The total width of the dormer would be 7.1 metres with an overall height of 1.9 metres. The projection from

the roof slope would be 2.7 metres. It is proposed that the dormer face and cheeks would be boarded.

Rear extension

It is proposed that the existing conservatory would be removed from the rear elevation of the property and that a single storey rear extension would be constructed which would be a continuation of the existing side and rear elevation creating an in-fill extension to the rear corner of the property. The extension would have an eaves height to match the existing with the roofline also matching, as extended.

History of negotiations/amendments received

The site is within a Bat Alert layer on the Council's GIS system. The Council's Ecologist was formally consulted and a request was made for a Bat Survey to be undertaken. As such, a Bat Surveyor was commissioned and a Bat Survey submitted on 15th April 2021. In addition, it was requested that an amendment was made to improve the design of the front elevation dormer extension given that there are no other dormers within the front elevation roof slopes within the street scene. An amended plan was received on 7th April 2021 which altered the design of the front dormer from being a flat roofed dormer to being a hipped roof dormer. The amended plan was not re-advertised as it was not considered that the proposed alteration would increase the harm to any neighbouring properties.

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: 5th March 2021 – 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. Ecology – Bat Survey required – following the submission of the Survey, the findings are acceptable subject to a condition relating to the measures advised within the report being carried out.

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.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 30** – Biodiversity and 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 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

House Extensions and Alterations Supplementary Planning Guidance

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

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 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:

The proposal seeks permission to raise the roof of the main body of the dwelling, amend the roof design from a hip to a gable arrangement, dormer extensions with the front and rear roof slopes and also an infill extension to the rear to replace the existing conservatory.

The alterations to the roof would alter the visual shape of the dwelling however, the dwellings within the street scene have varying roof forms and therefore the alterations to the roof slopes would not be out of keeping within the street scene. The raising of the roof would still retain the property as a bungalow and the addition of dormer extensions would enable accommodation within the roof slope.

Throughout the course of the application, amended plans were sought to improve the design of the front dormer in terms of the visual amenity of the street scene and the previous flat roof designed dormer would now have a hipped roof which is considered to be acceptable.

The proposed construction materials would match the existing building with the exception of the boarded dormers and are therefore considered acceptable.

Taking into account all the above, it is considered that the proposed development is acceptable in terms of visual amenity and would accord with Policy LP24 of the Kirklees Local Plan.

3 – Impact on residential amenity:

In terms of overlooking, other than the openings within the dormer extensions, there are no other proposed openings within the property over and above those as existing. The dormer opening within the front elevation would be set back from the front elevation of the main body of the property and therefore, no established separation distance would be reduced. As such, the impact from the front elevation is considered acceptable. With regards to the rear elevation dormer extension this would introduce living accommodation in the upper floor. Due to the scale of development and existing relationships of development it is considered that there will be no significant additional overlooking as a consequence. Existing properties are well spaced with some screening to mitigate as such, there are minimal concerns.

In terms of overshadowing and/or being overbearing, whilst the roof form would be altered and raised by 0.6 metres, as the property is detached and the alterations modest, it is not considered that the alterations would cause significant harm to residential amenity. In addition, no representations have been received.

It is therefore considered that the proposal is acceptable in terms of residential amenity and would accord with both local and national policy.

4 – Impact on highway safety:

There are no proposed alterations to the existing parking arrangements.

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 proposals is relatively small and it is therefore not considered that specific mitigation measures are required.

Bats – As there appears to be a number of missing/slipped roof tiles, there is a potential for bats to be located within the building. In addition, given the close proximity of the property to the Kirklees Wildlife Habitat Network, records of bat roosts within 150 metres of the site, it was considered that there would be a reasonable likelihood of roosting bats and the Agent was advised that a Bat Survey was required. A Bat Survey has been received which concluded that there were no visible signs of bat occupation either

inside or outside the building. The Survey recommended that a bat box should be installed on the property and subject to an appropriate condition, this is considered acceptable.

6 – Representations:

None 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 202/90168

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 LP30 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions 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 advice within the National Planning Policy Framework.

4. All ecological measures cited as recommendations in Section 6.3 of the Bat Survey Report (MBE/BAT/2021/24) dated 15th April 2021, as already submitted with the planning application and agreed in principle with the local planning authority prior to determination, shall be implemented in full and all features created will be retained, as approved, thereafter.

Reason: to prevent offences under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) and to ensure a biodiversity net gain in accordance with policy LP30 and Section 15 of the national Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing and proposed elevations and floor plans	204801 – Rev: A		7 th April 2021
Bat Survey Report	MBE/BAT/2021/24		15 th April 2021

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. The Council's Ecologist was formally consulted and a request was made for a Bat Survey to be undertaken. As such, a Bat Surveyor was commissioned and a Bat Survey submitted on 15th April 2021. In addition, it was requested that an amendment was made to improve the design of the front elevation dormer extension given that there are no other dormers within the front elevation roof slopes within the street scene. An amended plan was received on 7th April 2021 which altered the design of the front dormer from being a flat roofed dormer to being a hipped roof dormer.

Report Dated:

27th April 2021

Coal - high

