

INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

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

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2021/62/94082/W
Site Address:	26, Stratford Close, Golcar, Huddersfield, HD7 4BU
Description:	Erection of front dormer extensions with side single storey and first floor extensions and new porch enclosure
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: 11-Apr-2022

Officer Report

Site Description

2021/94082 – 26, Stratford Close, Golcar, Huddersfield, HD7 4BU

The application site relates to a semi-detached dwellinghouse, which presents as a bungalow to the highway and a two-storey building to the rear aided by a partial first floor feature. It is faced in brick with side gable concrete tiled roof. It benefits from a wraparound single storey extension which is set back 2m from the primary elevation. Under the eaves of the primary roof elevation is an original bay window mirroring the paired neighbour's bay window design.

There is a driveway and amenity space to the front and to the rear is a hard surfaced garden. Houses in the vicinity are of similar design, some notably have large front dormers of varying designs set back from the eaves and otherwise have a variety of extensions. The property is set on sloping ground falling from southwest to northeast

It is not within a Conservation Area, not a Listed Building or affecting the setting of, and not adjacent to a PROW. Permitted Development Rights are removed under condition 4 on new windows and door openings to the side walls of the extensions.

Description of Proposal

Erection of front dormer extensions with side single storey and first floor extensions and new porch enclosure

Front Dormer

The proposed flat roofed dormer extension would have the dimensions of:
4m projection from the front roof elevation x 5.798m width x 2.5m height with a set back from eaves at 1.25m approximately. It would, at the front elevation, have a recess wherein windows would be placed. This would be clad in standing seam zinc cladding with PVC windows of which only face to the highway and not to the side elevations walls. There would be two rooflights within the dormer roof.

This would serve to add a double bedroom to the property to newly make it a three bed property.

Front Porch Extension

Underneath the front eaves of the host, this would be a single storey alteration to the primary elevation.

The dimensions would be:

0.7m projection from the primary elevation x 2.25m width x 1.9m height approximately.

It would be set back from eaves 0.4m.

This would serve to extend the lounge and add a small porch area. It would extend the existing bay window modestly to cover the existing doorway and be 5.35m width with predominately PVC glazed sections with a solid grey door and to the base, red brick to match the host.

Ground Floor Side Extension

This is to extend the existing ground floor side extension.

The dimensions would be:

2.432m projection from the side elevation x 1.5m depth x 2.3m height.

This would serve an office and have a window to the primary elevation only. It would be finished in white/cream render with a two coursed brick base detail to match existing and to have a EVCP to the primary elevation.

First Floor Side Extension

This would be set back 0.5 from the primary elevation of the host. It would have a roof profile to its primary elevation and to its rear, present as a flat roofed first floor extension. The roof ridge height would be 5.78m approximately and be set down from the host by 0.5m, the eaves height would have an increased height of 2.3m to the host eaves of 2.2m to the primary elevation. There would be a vertically orientated double window close to the roof ridge height at the front to be obscurely glazed. This would serve an ensuite (non-habitable room).

This would be faced in concrete grey tile to the primary elevation roof, rendered in white/cream to the side elevation matching the ground floor with a coursed brick base detail.

At the rear, the flat roof would be stepped down 0.4m at a sharp angle to meet a flat roof height of 5.4m from ground level. This would project 1.65m from the roof plane and be 2.432m width adjoining the host's first floor extension's elevation at the rear. This would have a window to the rear serving a wardrobe room (non-habitable room).

To the rear, the first-floor side extension would be faced in brick to match the host, have grey concrete tile and a flat roof membrane material. The window would be finished with PVC and concrete lintel to match.

This would leave a 1m garden access path.

Other alterations

It is proposed to have a 1.1m high PPC aluminium vehicular and pedestrian gates and posts finished in dark grey with a middle section of 1.1m height natural stone wall to the front boundary. The proposed street view plans indicate sections of white render to the flanks which will be reviewed in the assessment.

Bins and Parking

Bins are to be stored to the rear facilitated by the retained 1m access path to be gated.

Two parking spaces will serve (one new) the property with its increased bedroomming but would retain a small section of soft landscaping to the front.

History of negotiations/amendments received

The case officer considered the application on review and requested that a proposed front dormer be removed to reduce impact on the host, the dormer to be set back from eaves more to be more in keeping with the streetscene and to have the side extension to be set back from the host's primary elevation and to add an additional off-street parking space. Ongoing communication had a white rendered boundary wall to the front plot boundary with gates at 1.5m height which was subsequently reduced in size and material to more closely meet LP policies on visual and residential amenity.

Relevant Planning History

2015/92942 – Erection of single storey side and rear extensions. Approved.

“4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external side walls of the extensions at any time.

Reason: *So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Unitary Development Plan.”*

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: 10/12/2021

No representations have been received.

The scheme was not re-advertised as it had reduced the bulk and massing from what was originally proposed and had no additional material changes on overlooking, overshadowing and overbearing as a result.

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 unallocated on the Kirklees Local Plan. It is not within a Bat Alert Layer or a Coal Risk Area,

Kirklees Local Plan (LP):

- **LP 1 – Presumption in favour of sustainable development**
- **LP 2 – Place shaping**
- **LP 21 – Highways and access**
- **LP 22 – Parking**
- **LP 24 – Design**

Supplementary Planning Documents:

- House Extension and Alterations SPD
- Highways Design Guide SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity (including any heritage considerations)
- 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. 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, the 'House Extension and Alterations SPD' 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.

LP24 of the Kirklees Local Plan requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

In addition, Principle 1 – Local character and street scene, Principle 2 – Impact on the original house, Principle 7 – Outdoor space, Principle 8 – Energy efficiency, and Principle 13 – Vegetation and tree planting of the adopted 'House Extension and Alterations SPD' is relevant.

Front porch extension

The adopted 'House Extension and Alterations SPD' sets out that front extensions should be set well back from the pavement or is well screened; be small, subservient to the original building, well-designed, not harm the character of the original house or the area and match the materials and design of the existing features of the original house.

The front porch extension would be underneath the eaves of the existing host dwelling and be of minimal projection set back from the eaves and the pavement. The materials would introduce more glazing than current however this would be harmonised with the brick base detailing integrating the minor and small scale addition to the host.

Dormer extension

The adopted 'House Extension and Alterations SPD' sets out that dormers should:

- relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the ridge of the house;
- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.
- Specifically with regard to front dormers the SPD advises:

To assess whether a dormer window is appropriate on the front elevation, consideration should be given to the surrounding buildings in the street. Traditional vertical dormer windows usually complement the

character and roof pitch of the existing house and will normally be acceptable. Modern flat roof dormers may be considered acceptable if they are well-designed, small in scale and appearance and are characteristic of the street scene.

The front dormer's size and scale is considered in relation to the existing dormers within the streetscene; it is acknowledged that the present dormers found are large and dominate the front roof elevations of their hosts which would not be compliant with the adopted 'House Extension and Alterations SPD' however in this specific context, Officers regard that the proposal would sufficiently harmonised with the streetscene with modern, standing seam metal cladding blending in with the grey concrete roof, being set back considerably from the eaves of the host, set down from the roof ridge height and to have a flat roof aiding in the dormer being in keeping with the street scene's current large front dormers.

Side Extensions

The adopted 'House Extension and Alterations SPD' sets out that two-storey and first floor side extensions should:

- ideally be visually smaller in relation to the original house;
- be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;
- have a roof design that follows the form of the existing roof; and
- retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens.

The side extensions would be set down from the host roof ridge height and to have most of its bulk and massing restricted to the rear. The design of the roof to the front would harmonise well with the existing roof. The originally proposed front dormer would have added too much massing overall in conjunction with the main front dormer and it is considered that the rooflights would serve to be a minor alteration to the roof and to the street scene rendering it to be acceptable. The first-floor extension to the rear would harmonise with the rear first floor extensions and be mainly screened from the streetscene by its roof at the primary elevation and additionally screened by the bulk and massing of its neighbour to the southwest. The materials would be to mostly match the host building with use of concrete tile, dark PVC framing and red brick. The use of white or cream render to the small scale side extension at the primary elevation would match the current side extension being a small scale change in the streetscene's palette of materials and be acceptable.

The proposed boundary wall constructed of natural coursed stone with the grey gates is marginally above the permitted heights of walls or fences at an excess of 10cm. The flank ends marked out in white render appearance in the Proposed Street View plans would be conditioned as natural stone as well as the middle stone section to aid the proposal, and to satisfy officers, to ensure it would be in keeping with the street scene.

On balance considering the impact of the various alterations, existing examples of similar schemes demonstrate that the proposed would have an acceptable visual impact on the streetscene.

The proposal would also retain sufficient garden space to ensure that the scheme does not represent an overdevelopment of the site. In addition, the retention of a landscaped area to the front would aid in softening the impact of the additional parking space.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area and be acceptable and accord with Policy LP24 of the Local Plan and the 'House Extensions and Alterations SPD'.

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.”*

In addition, the adopted 'House Extension and Alterations SPD' is relevant concerning Principle 3 – Privacy, Principle 4 – Habitable rooms and side windows, Principle 5 – Overshadowing/loss of light, Principle 6 – Preventing overbearing impact, and Principle 17 – Access for all users.

The proposed extension and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities. The closest properties to be affected by the development are No.s 25 and 27 (southeast), No. 42 Arthur Street (northwest), No. 24 (northeast) and No. 40 Arthur Street (southwest).

No.s 25 and 27

Of the alterations, the side extensions, the front porch extension and the front dormers would be most likely to have some impact due to directly facing the properties. The front dormers would be to the northwest of the properties and have windows facing the dwellinghouse's own front dormers. The porch extension would be set under the eaves and therefore some limited outlook would result. The side extensions would add a ground floor window and a double roof light facing the properties; the double rooflight would serve the new bathroom and the base of the windows would be 1.25m from the ground level and be angled upwards which would aid some screening sufficiently enough for privacy of the occupants to have the window unobscured. In addition, all of those window openings would be separated by a minimum of 22.5m to habitable windows which would comply with recommended 21m separation distances from habitable windows to habitable windows as set out in the adopted 'House Extension and Alterations SPD's Principle 3 on Privacy and Overlooking. The additional alterations to the host would add some bulk however being to the northwest and aided by the separation distances, those would not have any additional detrimental impact on overshadowing, overbearing or indeed overlooking.

No. 42 Arthur Street

The two front extensions would be blocked off from No. 42 being screened by the host dwelling and would not contribute to detrimental overbearing, overshadowing or overlooking impact.

The proposal would add a window to first floor which serves a non-habitable room and would be 19m southeast of the property which would comply with Principle 3's advice that there be 12m distance between habitable windows and non-habitable windows. Whilst it is noted that the additional bulk and massing of the side extensions would increase, aided by the separation distance and the existing first floor storey extensions, the impact would still be in-keeping visually and would not have any additional detrimental impact on overshadowing, overbearing or indeed overlooking.

No. 24

The property does not have any rooflights to the primary roof elevation and has a similar front bay window projection to No. 26. The proposed under eaves front porch extension would have the same projection as the current existing bay window but would add increased bulk set closer to the current. The impact of this would be considered small scale and modest as this would not contribute significantly to overshadowing being set under the eaves, it would have a thin glazed section facing the side of the bay window which offers very restricted views and would not be considered to contribute toward detrimental impact on loss of privacy or overlooking given the current relationship of the bay windows. The front dormers would be to the southwest of the property's roof elevation and while it would add some bulk and massing, this would be mitigated by set back position of the dormer to eaves, the absence of a window to the roof elevation in which the impacts of overbearing, overshadowing and overlooking are avoided. The side extensions would be blocked off from No. 24 being screened by the host dwelling and would not contribute to detrimental overbearing, overshadowing or overlooking impact. On balance, while the scheme adds some bulk and massing to the front, Officers regard that there would be no detrimental overbearing, overshadowing or overlooking impact.

No. 40 Arthur Street

This property has a small scale, obscured side window set just under its eaves facing northeast currently overlooking the roof of the old single storey side extension which Officers consider to retain a mostly open outlook aided by the reduced massing of the roof aided by its angled incline and otherwise facing part of the blank side elevation of the new side extension. Considering the orientation of the window, serving a secondary side window which is obscurely screened, the proposal would not add detrimental impact to the window on overshadowing, overlooking or overbearing as a consequence of the development. In addition, the property has no rooflights that may be affected by the proposed development, is on higher ground to No. 26 and would not have any detrimental impact on overshadowing or overbearing resulting from No. 26's additional bulk provided by the front dormer and the side extensions.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan and Principle 15 – Provision for parking and Principle 16 – Provision for waste storage of the adopted 'House Extension and Alterations SPD' have been considered along with the KC Highway Design guide.

The Highways Design Guide advises that new dwellings should have sufficient off street parking spaces to meet need and to ensure on street parking impact is limited. For a 2-3 bedroom dwelling it should have a minimum of 2 off street parking spaces.

The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. Whilst the proposed development would intensify use with the addition of a bedroom, it would improve the current off street parking provision within the site adding one more off street parking space and comply with the Highways Design Guide to avoid additional harm to highway safety. The scheme also includes the provision of gates to ensure that these do not obstruct the highway they will be conditioned to open inwards only.

A note informing the applicant should the kerb require further dropping, they should contact the Design Engineer under s.184 of the Highways Act 1980 to ensure pipes within the pavement are adequately protected for public and highway safety.

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.

In addition, Principle 8 – Energy efficiency, Principle 9 – Construction materials, Principle 10 – Renewable energy, Principle 11 – Water retention, Principle 14 – Drainage and flood risk of the adopted 'House Extension and Alterations SPD' is relevant.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development. The additional glazing facing southeast would provide for increased daylighting which may reduce lighting bills which would be of benefit. In addition, considering the potential impacts of drainage, it is considered necessary to condition the additional parking space to be drained

appropriately to reduce stormwater and surface water run-off to comply with the Highways Design Guide SPD and Principle 14 of the adopted 'House Extension and Alterations SPD' paragraph 4.37.

6 – Representations:

No representations had 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2021/94082

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 to accord with Policies LP01, LP02, LP21, LP22 and LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, and Policies within Chapters 2, 12 and 14 of the National Planning Policy Framework

3. Prior to the hereby approved extension being first brought into use, the two parking spaces outlined in red on the hereby approved plan entitled 'Proposed GF and FF Plans. Project No. 2021-1497. Drawing No. P202. Revision: A' shall be provided, and shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the parking of vehicles.

Reason: To ensure that sufficient parking is provided for the site and to accord with Policies LP21 and LP22 of the Kirklees Local Plan and to accord with Principle 14 of the adopted 'House Extension and Alterations SPD'.

4. Notwithstanding hereby approved plan entitled 'Proposed Street View. Project No. 2021-1497. Drawing No. P301. Revision: -.', the southeast front

boundary wall to the site and its flank sections shall not exceed 1.1 metre high and be constructed of materials to match that used in the host dwelling as extended or natural coursed stone.

Reason: To ensure visual amenity and to be in keeping with the street scene's natural coursed stone boundary walls to accord with Policy LP24 of the Kirklees Local Plan.

5. Notwithstanding hereby approved plans, the hereby approved gates shall be hung/operate to only open within the site and shall not swing out into the footway or adjacent highway at any time.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and to accord with Highways Design Guide SPD.

FOOTNOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges).

You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

FOOTNOTE: Whilst the grant of planning permission is given, the applicant should be aware that Planning Permission does not override legal covenants on properties or Private Rights of Way as these private matters fall outside the remit of the Local Planning Authority. Applicants are reminded that they ensure that the relevant land ownership should be respected and that that the works carried out is lawful.

FOOTNOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Location Plan	Location Plan. Project No. 2021-1497. Drawing No. PL0C. Revision: -.	-	25/10/2021
Plans – Existing Site/Block Layout	Existing Site Plans & Location Plan. Project No. 2021-	-	25/10/2021

Plan Type	Reference	Version	Date Received
	1497. Drawing No. P100. Revision: -.		
Plans - Grouped Plans and Elevations	Existing Plans & Elevations. Project No. 2021-1497. Drawing No. P101. Revision: -.	-	25/10/2021
Plans – Proposed Site/Block Layout	Proposed Site Plan & Location Plan. Project No. 2021-1497. Drawing No. P200. Revision: A.	A	15/12/2021
Plans – Proposed Elevations	Proposed Elevations. Project No. 2021-1497. Drawing No. P300. Revision: B.	B	29/03/2022
Plans – Proposed Floor Plans	Proposed GF & FF Plans. Project No. 2021-1497. Drawing No. P202. Revision: C.	C	05/04/2022
Plans - General	Proposed GF and FF Plans. Project No. 2021-1497. Drawing No. P202. Revision: A.	A	15/12/2021
Plans – Proposed Elevations	Proposed 3D Visual. Project No. 2021-1497. Drawing No. P800. Revision: B.	B	05/04/2022
Supp Info – General	Proposed Street View. Project No. 2021-1497. Drawing No. P301. Revision: -.	-	05/04/2022

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 case officer undertook negotiations with the applicant to secure amended plans to request that a proposed front dormer be removed to reduce impact on the host, the dormer to be set back from eaves more to be more in keeping with the streetscene and to have the side extension to be set back from the host's primary elevation and to add an additional off-street parking space amongst other

alterations to more closely meet LP policies on visual and residential amenity and the adopted 'House Extension and Alterations SPD'.

Report Dated:

06/04/2022