

**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:	<b>2022/62/90767/E</b>
Site Address:	27, Sycamore Croft, Skelmanthorpe, Huddersfield, HD8 9UX
Description:	Erection of single storey rear extension, front porch and rear dormer window
Recommending Officer:	Jennifer Booth

**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: 31-May-2022**

## **OFFICER REPORT**

### **Site Description**

27 Sycamore Croft is a newly built, detached dwelling of stone construction with an open garden and drive to the front and an enclosed garden to the rear.

The property backs onto a wooded area which has a tree preservation order on it and has similar properties to the front, side and rear.

### **Description of Proposal**

The applicant is seeking permission for a porch to the front, a single storey rear extension and a rear dormer.

The porch is proposed to project 1.7m from the front wall with a width of 2.9m. The roof form would be pitched.

The single storey rear extension would project 3.2m from the original rear wall of the dwelling, extending across the width of the dwelling with the flat roof form forming an overhang of 0.7m to the side.

The walls of the porch would be constructed using stone with tiles for the porch roof covering. The rear extension would be constructed using render and timber cladding and a flat roof with lanterns.

The rear dormer would have a width of 6m and a height of 2.9m with a flat roof form. The dormer would be clad with vertical tiles on the face and zinc on the cheeks.

### **Relevant Planning History**

2014/91628 – residential development – approved with pd removed for garage conversion

2016/91897 – variation of condition – approved with pd rights removed for garage conversion

### **Representations**

The application was advertised by site notices and neighbour letters, which expired on 11/05/2022

As a result of the above publicity, one representation has been received. The concerns raised include the following material considerations:

- The front porch would not be in keeping with the other properties,

- The rear dormer could result in overlooking of the neighbouring properties,
- Disruption during construction in terms of noise, parking.

Denby Dale Parish Council has been consulted and have responded with no objections per se, however a concern expressed about potential overlooking.

### **Consultation Responses**

None

### **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 27<sup>th</sup> February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

On 12<sup>th</sup> 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.

### **Kirklees Local Plan Policies**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29<sup>th</sup> June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

## **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20<sup>th</sup> July 2021, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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**

### Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extension SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

### Impact on visual amenity:

The property is sited within a recently completed development with similarly sized dwellings. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the HESPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

The proposal under consideration consists of three distinct elements which shall be addressed below.

### *Front porch*

Paragraph 5.13 of the House Extension SPD states that front extensions are highly prominent in the street scene. As per paragraph 5.14 of the SPD, careful consideration needs to be given to ensure that they are carefully

designed to limit the potential for them to erode the character, they should be small and subservient to the main house and constructed using appropriate materials.

Whilst porches are not a common feature within this street, the modest scale of the porch proposed along with the use of appropriate materials is such that the proposed porch would be acceptable in terms of visual amenity.

#### *Single storey rear extension*

Paragraphs 5.1 and 5.2 go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The proposed rear extension would be limited in terms of its projection. Whilst flat roofs are not generally considered to represent good design, in this instance, the design of the extension would be for a modern addition to the dwelling with lanterns. With the property being part of a newer development, the modern styling of the rear extension can be considered to form an appropriate addition. The walls of the rear extension would be constructed using render and timber cladding furthering the contemporary nature of the design. On balance, although the proposal does not quite meet with 5.2 of the House Extension SPD, given the scale of the extension proposed, its position to the rear of the dwelling and the modern nature of the larger development, the rear extension is considered to be in line with 4.4 and therefore would be acceptable in terms of visual amenity.

#### *Rear dormer*

In point 5.25 of the House Extension SPD, it does suggest that rear dormers can be considered to be appropriate dependent upon design and size. The rear dormer would be a box like structure built out of the roof plane. This does not appear particularly organic in terms of the appearance of the dwelling. However, these works could likely be carried out under permitted development as the volume of space created is less than 40 cubic metres.

The proposed rear dormer would be a significantly sized feature within the rear roof plane and with the zinc panelling on the cheeks, would form a modern addition to the property. Views of the rear of the dwelling would be limited with the mature trees to the rear. As the property does enjoy permitted development rights for class B, a dormer of a similar size could be constructed under permitted development. The agent was approached to amend the design to increase the distance between the base of the dormer and the eaves of the dwelling, but amendments were not submitted. The application has been assessed as received and it is not considered justifiable to refuse. It is appreciated that the materials would be a little different to the host building, however, given the overall modern and contemporary design of the extensions to the rear of the dwelling, the dormer would not be out of character with the property and can be considered to be acceptable in terms of visual amenity.

## *Conclusion*

Having taken the above into account, the proposed porch, extension and dormer would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 of the National Planning Policy Framework.

### Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The property backs onto a woodland and as such there are no neighbours to the rear which could be affected by the works proposed.

### *Impact on 25 Sycamore Croft*

The very modest proportions of the porch together with the spatial relationship between the host property and the adjacent neighbour to the northwest is such that there would be no detrimental impact on the amenities of the occupiers of the adjacent dwelling.

The angling and 11m separation between the host property and the neighbour to the northwest together with the garages between the properties is such that the single storey rear extension and the rear dormer would not have any significant impact on the amenities of the occupiers of the adjacent dwelling. Furthermore, the windows proposed in the dormer would have no further opportunity for overlooking than existing at present with the existing first floor windows already in a similar position and having a similar relationship to adjoining land.

With regards to the impact on the adjacent 25 Sycamore Croft, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 130 of the NPPF and the proposals are considered to be acceptable.

### *Impact on 29 Sycamore Croft*

There is a vehicle turning space between the host property and the adjacent neighbour to the south, given the separation together with the limited dimensions of the porch, there would be no harm caused to the amenities of the occupiers of the adjacent dwelling.

The angling and 10m separation with the parking area between the host property and the adjacent neighbour to the south also limits the potential for the single storey rear extension and the rear dormer from having any further impact on the adjacent neighbour in terms of overshadowing or overbearing. Furthermore, the windows proposed in the dormer would have no further opportunity for overlooking than existing at present with the existing first floor windows.

With regards to the impact on the adjacent 29 Sycamore Croft, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 130 of the NPPF and the proposals are considered to be acceptable.

#### *Impact on 11 Sycamore Croft*

The property on the opposite side of the road occupies a position some 13m from the host property. The very limited scale of the porch together with the lack of direct alignment with the neighbour opposite is such that there would be no significant impact on the amenities of the occupiers of the neighbouring property opposite.

With regards to the impact on the neighbouring 11 Sycamore Croft, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 130 of the NPPF and the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

#### Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the property has a parking area to the front of the garage for two vehicles and further space within the garage which would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional harm in terms of highway safety

and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extension SPD.

Other matters:

*Carbon Budget*

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Representations:

One representation has been received. The concerns raised include the following material considerations:

- The front porch would not be in keeping with the other properties – *This is a material consideration which has been addressed under the visual amenity section;*
- The rear dormer could result in overlooking of the neighbouring properties – *This is a material consideration which has been addressed under the residential amenity section;*
- Disruption during construction in terms of noise, parking - *although this is a material consideration relating to residential amenity, there is an expectation that there will be such effects as part of the activities associated with construction and such effects would be transient. This would not therefore form a reason for refusal. A note would be added to any subsequent approval reminding the applicant of the appropriate hours of work in line with Environmental Legislation.*

Negotiations:

The agent was approached to increase the space between the eaves of the host dwelling and the base of the dormer, however the applicants wished for determination based on the original details.

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Whilst a colour has not been specified for the render, an off white colour should be conditioned to harmonise with the host property as using an inappropriate colour would look out of place within the street scene.

Conclusion:

This application to erect a porch to the front, single storey rear extension and a rear dormer for 27 Sycamore Croft has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extension SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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.

As set out above, 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:** 2022/90767

**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 with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD and the aims of the National Planning Policy Framework.

3. The render for the single storey rear extension hereby approved shall be finished with an off white colour and retained thereafter.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD and the aims of chapter 12 of the National Planning Policy Framework.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Web ID</b>	<b>Date Received</b>
Location plan	001a	923476	01/04/2022
Existing plans	002	920524	01/04/2022
Proposed plans	003	920525	01/04/2022

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 Planning 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.

As the submitted plans were considered to be acceptable, no changes were sought.

**Report Dated**

27/05/2022