

**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:	2022/62/91725/W
Site Address:	3, Holly Road, Thornton Lodge, Huddersfield, HD1 3SE
Description:	Erection of two storey rear extension and front dormer
Recommending Officer:	John Holmes

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: 22-Mar-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2022/91725
Location	3, Holly Road, Thornton Lodge, Huddersfield, HD1 3SE
Proposal	Erection of two storey rear extension and front dormer
Publicity end date	1 st July 2022
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	Yes EoT Date: 21 st March 2023
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	Amendments requested to reduce the scale of the proposal to be in keeping with the locality. Given the reduced the size and scale from that initially advertised, further publicity was not considered necessary in this case.
Parish/Town Council comments sought	N/A	
Planning History	Yes	2020/90275 – Dormer to Front, granted permission 1 st May 2020 2020/90276 – Prior notification for single storey rear extension, prior approval not required (notified 16 th March 2020)
Consultations required	No	

Assessment

The Kirklees SPD sets out that Two Storey Rear extensions and Dormers to roofslopes should comply with certain parameters set out at paragraphs 5.8 – 5.10 & 5.24 – 5.27 on pages 25, 31 and 32 (and listed below) and if they do not, they need to be justified:

<u>Two Storey Rear Extensions should:</u>	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be proportionate to the size of the original house and garden;		The extension is to the rear and although sizeable it is in keeping with the style, scale and design of an extension to the adjoining property (no.1) which is of an identical design.
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	The extension would not cover more than 50% of the amenity space serving the dwelling.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;		The extension does exceed this at the ground floor level, although it is in keeping with the style, scale and design of an extension to the adjoining property.
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;		The extension does exceed this although it is in keeping with the style, scale and design of an extension to the adjoining property.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre;		The extension does not achieve this although it is in keeping with the style, scale and design of an extension to the adjoining property.
not adversely affect habitable room windows where they adjoin a neighbour's boundary.	The extension is considered to meet this requirement.	
<u>Dormer windows should:</u>		
relate to the appearance of the house and existing roof	The dormer is set in from the sides, back from the eaves and below the	

	ridge of the host property. It is considered to acceptably relate to the appearance of the dwelling / roofslope.	
be designed in style and materials similar to the appearance of the existing house and roof	The dormer would be finished in a similar colour	
not dominate the roof or project above the ridge of the house	The dormer is considered to meet this requirement.	
be set below the ridgeline of the existing roof and within the roof plane	The dormer is considered to meet this requirement.	
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant	The scale of the dormer and its siting in the roof slope is similar to that of an extant consent for the adjoining property which could still be implemented.	

Design and Visual Amenity: Are the considerations in the following table acceptable?

The locality is characterised by terraced properties, the host property is one of a pair of brick built properties although the majority in the locality are stone. This pair of dwellings is an anomaly in the wider street scene. One dormer window (flat roof and filling most of the front roof slope) is within the front of a terraced dwelling to the north east (28m in distance from the front of the host property). Notwithstanding this, the prevailing character is that of terraced street with no additions or roof lights to the roof slopes.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	- KDP1 of the SPD - Policy LP24 Design (a) and (c) of the KLP	The two storey rear extension is visible from the highway to the east of the site, although will be in keeping given the adjoining property's extension to rear	✓

	Chapter 12 NPPF	(no.1) which the proposal would be of a similar design. The dormer to front would be of a similar design to that of an extant consent in place at the host property and adjoining property. The impact is concluded to be acceptable.	
Impact on original house	- KDP2 of the SPD - Policy LP24 Design (c) and (d) of the KLP - Chapter 12 of the NPPF	The proposal would not significantly erode the character of the original dwelling and is considered acceptable in this regard. This takes into account the quantum of development to no. 1	✓
Height, scale and massing	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	The height, scale and massing of the development is considered to be in keeping to the host dwelling taking account of previously implemented development to the adjoining dwelling at no. 1 of which the host property forms a pair	✓
Facing materials and detailing	- KDP 9 of the SPD - Policy LP24 Design (d) (iii) of the KLP - Chapter 12 of the NPPF	The materials would harmonise with the materials palette of the original dwelling. This would be brick and tile to match the existing and dark cladding to the dormer	
Roof style	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	This is considered to be in keeping with that of the adjoining dwelling and as such is considered to be acceptable in this case. The dormer would harmonise with that at no. 1	✓
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	These are considered to be in keeping with the locality and host property.	✓
Accessibility for all users	KDP 17 of the SPD	The proposal would be suitably accessible.	✓

	• Policy LP24 Design (f) • Chapter 12 of the NPPF		
--	--	--	--

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 1 & 5 Holly Road (adjoining properties)
- 4, 6, 12, 14 – 16 Holly Road (properties opposite front)
- 42, 44 & 50 Yew Hill Road (properties opposite rear)

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	No openings in the side that would face 1 & 5 Holly Road. Openings to the rear would be nearer 42, 44 & 50 Yew Hill Road maintaining a distance of 19.5m at ground floor and 20.5m at first floor. This is in keeping with the existing arrangements in the locality and considered acceptable. The dormer to front is set back from the front elevation of the host property and is not considered to significantly increase overlooking over and above that which exists already in relation to properties opposite (4, 6, 12, 14 – 16 Holly Road)	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	No significant impact given distance from neighbours and fact no.s 1 & 5 Holly Road have large additions (ground floor only for no.5) and also the location of the window at first floor level to the rear of no.5.	✓

Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	An adequate amount of amenity space would remain for use by the occupiers of the proposed development.	✓
--	--	--	---

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	No significant impact given the provision of areas to park within the curtilage of the site.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As above	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	It is considered the proposal would not have a significant impact upon the existing arrangements.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
--	---	-------------------------	--------------------

Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF		N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF		N/A
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The proposal would not significantly increase surface run off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2022/91725

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 & LP24 of the Kirklees Local Plan, Principles 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the rear extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies within Chapter 12 of the National Planning Policy Framework.

4. The cladding to the dormer hereby approved shall be dark grey. The cladding shall be applied to the dormer before the accommodation it serves is first brought into use. The cladding shall be retained as such thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Document / Plan Type	Reference	Version	Date Received
Existing and Proposed Plans	690-01RevF	RevF	21 st March 2023
Site / Block Plan	690-02RevC	RevC	9 th February 2023
Location Plan	690-00		26 th May 2022
Application Form			26 th May 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. Amendments were requested / received which reduced the size and scale of the proposal.

Report Dated:

21st March 2023

