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:	**2023/62/90443/W**
Site Address:	4, Century View, Golcar, Huddersfield, HD7 4FB
Description:	Erection of hip to gable loft conversion and rear dormer
Recommending Officer:	Lucy Taylor

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.

John Holmes

AUTHORISED OFFICER

Date: 09-May-2023

Officer Report

Reference: 2023/90443

Location: 4, Century View, Golcar, Huddersfield, HD7 4FB

Proposal: Erection of hip to gable loft conversion and rear dormer

Site Description

4 Century View is a two-storey detached property located in Golcar, Huddersfield. The external walls of the property are faced in stone and render. A hipped roofing form is erected above, with forward projecting gables, both infilled with grey slate effect concrete tiles. Within the wider curtilage, the site benefits from landscaping and on-site parking amenity space to the front elevation, with private outdoor amenity space located to the rear.

The property is located in a residential area, part of a relatively new housing development scheme. Therefore, the property shares a strong sense of similarity to neighbouring dwellings, specifically with regard to matching external facings.

Description of Proposal

Planning permission is sought for the erection of a hip to gable loft conversion and rear dormer.

Hip to Gable Extension with Rear Dormer:

Hip to gable roof enlargement = 13.5m^3.

Proposed rear dormer = 15.10m^3.

Cubic volume created = 28.6m^3.

The gable roof will be infilled with grey slate effect tiles to match existing, and the new gable wall will be matching stone.

The application form states that the dormer walls will match the existing roof tiles. The dormer will have two windows installed, framed in grey upvc.

Within the interior of the dwelling, the roof conversion and dormer will create space for two bedrooms and a bathroom.

History of Negotiations/Amendments Received

The case officer sought amended plans in accordance with the Council's Adopted House Extensions and Alterations SPD, requesting that the originally proposed dormer be reduced in size and set down from the pitch of the host roof.

The applicant submitted amended plans, with the overall determination of this application based on the latest set of plans (Rev D) received 3rd May 2023.

Relevant Planning History

2017/93459 – Erection of 19 dwellings – Approved 29th June 2018

2018/92700 – Variation of condition 2 of permission 2017/93459 – Approved 22nd August 2022

It is noted permitted development rights were removed for the dwelling by the above consents.

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.

Final publicity date – 30th March 2023.

In response to the above publicity, one representation was received. The representation is summarised below:

- Proposed extension is out of character with Century View.
- Result in inconsistencies with other properties.
- Set a precedent which would ultimately be detrimental to the wider estate.
- Extension would create further bedrooms and a further bathroom. Is it necessary, there is potential to redesign to a reduced level of development.
- Developer imposed restrictions on alterations to the original design for a set period of time.

Consultations

None.

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 application site is within a housing allocation in the Kirklees Local Plan.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:
The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, 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 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 9 – Promoting Sustainable Transport

- 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

Assessment

The following matters will be considered as part of the assessment of the proposal:

1) Principle of development
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively 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."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district".*

The site is within a housing land allocation in the local plan, as the proposal relates to a dwelling constructed on this land it is considered the proposal is in accordance with the allocation of the site.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) **Impact on Visual Amenity**

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-
- 'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'
- 'c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
- 'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…'
- 'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

- Key Design Principle 1 – 'Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and streetscene'.

- Key Design Principle 2 - '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 detail'.

Section 5 of this SPD provides guidance on specific extensions and alterations.

Section 5.4 refers to dormer windows and states that:

"Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical."

"Dormer windows 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*
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant."*

The proposed hip to gable conversion above the dwelling and rear dormer have been calculated to have a cumulative volume of approximately 28.6m^3.

With regard to the proposed hip to gable conversion, the materials used to complete this development will be in keeping with the host dwelling, with the roof to be infilled with grey slate effect concrete tiles and the new gable wall infilled in matching stone.

The erection of a gable roof will be in keeping with the forward projecting gables already established to other properties within Century View that have gable roofs, including No. 3 Century View opposite to the principal elevation and No. 6 Century View to the rear. Whilst the proposal would see a gable roof property adjacent to a hipped roof designed dwelling, this would not be out of character with the design principles set by the permission granted for the overall housing estate which the dwelling is within, with such a relationship established elsewhere.

The rear dormer will not dominate the gable roof, with a large expanse of the rear roof slope left visible. It will be set down below the ridgeline of the gable roof and will be set up from the eaves, with the proposed flat roofing form naturally working to reduce any visual bulking/massing. With regard to the exterior materials, these will be in keeping with the appearance of the host dwelling and newly formed gable roof, including facings and window frames, which will be coloured grey and this would be secured by inclusion of an appropriately worded condition.

Although officers note that this proposal would introduce the first dormer within Century View, it is considered that the style and materials would relate to the appearance of the house and roof, therefore, appearing subservient and sympathetic within the wider streetscene.

For all the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the host dwelling or wider locality. The proposed development is therefore considered to comply with

Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 1 and 2 of the House Extensions and Alterations SPD.

2) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *"…maintain appropriate distances between buildings"* and *"…minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

The proposal would not see a reduction in the extent of rear garden amenity space at 4 Century View, in accordance with Key Design Principle 7 of the SPD.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the site, these being No.'s 2, 3 and 6 Century View. It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

With regard to the proposed alterations to the roof and the rear dormer, these would be contained broadly within the envelope of the existing building and would not breach any line of 45-degrees from neighbouring windows. In addition, no glazing would be directly opposite facing habitable room windows or private amenity space.

For these reasons, the proposed development at 4 Century View is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek

to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposal would create a six-bedroom dwelling. The House Extensions and Alterations SPD sets out that 4+ bedroom dwellings should provide 3 off-street parking spaces.

The existing parking arrangements at 4 Century View would remain unchanged as a result of the developments proposed within this application, with a hard-surfaced driveway present to the front elevation and an attached garage. It is considered that these arrangements would provide sufficient parking provisions for the property as three spaces are already in place.

In turn, erecting the proposed developments at 4 Century View would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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.

A climate change statement was submitted as part of this application, raising the following points:

- The construction works will be completed to maximum efficiency possible to prevent the loss of heat from the property reducing energy use.

- Use materials from local merchants/suppliers in order to reduce travel emissions and re use existing materials where possible.

- The design has kept glazing to a minimum in order to prevent heat loss from the property, the dormer is also to be constructed with the most thermally efficient insulation able to source in order to optimise energy efficiency.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

5) Representations

In response to publicity, one representation was received. The representation is summarised below, accompanied with an officer response:

- Proposed extension is out of character with Century View.

- Result in inconsistencies with other properties.

- Set a precedent which would ultimately be detrimental to the wider estate.

Response: The application has been concluded acceptable from a visual amenity perspective. Further details of this are set out within Assessment section 2 of this report – 'Impact on Visual Amenity'.

- Extension would create further bedrooms and a further bathroom.

Response: The creation of additional bedrooms at the property is concluded to be acceptable in relation to parking requirements (detailed in section 4 of this report). The application is considered on the basis of its own merits in respect of the proposal for which consent is sought.

- Developer imposed restrictions on alterations to the original design for a set period of time.

Response: This relates to a legal issue which is considered to have little weight as a consideration which is material to the determination of this application. An informative note would be included upon any grant of permission which advises the applicant that any grant of planning permission does not over-ride any other restrictions which may not allow for the consent to be completed.

6) 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: 2022/90443
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 Policies LP1, LP2, LP21, LP22, LP24 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 14 & 15 of the NPPF.

3. The external materials used in the works to form the gable roof shall in all respects match those used in the construction of the host dwelling and retained thereafter
   Reason: In the interests of visual amenity and to accord with policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and advice within the National Planning Policy Framework.

4. The external materials used in the construction of the walls and flat roof of the dormer to the rear hereby approved shall be of a colour finish to match roof of the host property and retained thereafter.
   Reason: In the interests of visual amenity and to accord with policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and advice within the National Planning Policy Framework.

Note: The application site is not located in a coal risk area.

Note: The granting of planning permission does not over-ride any legal restrictions / covenants which may be in place.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Site Layout and Location	01	-	16/02/23
Existing Floor Plans	02	-	16/02/23
Existing Elevations	03	-	16/02/23
Proposed Floor Plans	04	D	03/05/23
Proposed Elevations	05	D	03/05/23
Climate Change Statement	-	-	21/02/23
Planning Statement	-	-	09/02/23

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 preapplication 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 requested amendments in accordance with the House Extensions and Alterations SPD and to improve the overall design of the proposal. The applicant provided amended plans to reflect the officer recommendations.

Report Dated: 4.5.23