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:	**2023/62/90482/W**
Site Address:	88, Bradley Road, Bradley, Huddersfield, HD2 1QY
Description:	Raising of roof height to create first floor accommodation, erection of extensions and alterations
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: 2023/90482

Location: 88, Bradley Road, Bradley, Huddersfield, HD2 1QY

Proposal: Raising roof height to create first floor accommodation, erection of extensions and alterations

Site Description.

88 Bradley Road is a bungalow located in Bradley, Huddersfield. The property is faced in brick and render with a tiled gable roofing form above. To the rear, several additions appear to have made, including extensions and a conservatory. In addition, within the wider curtilage, a detached garage has been erected to the back of the rear garden amenity space. The property benefits from outdoor amenity space to the front and rear, with a significant extent of hard standing to the front, side, and rear to facilitate on-site parking.

Within the wider streetscene, No. 88 forms part of the row of bungalow style properties to the west along the highway of Bradley Road. These bungalows share a sense of similarity with regard to their style of construction and design, including been of a similar form and faced in matching exterior construction materials. To the east is a 2-storey property but, due to the gradient of land, this is on a lower ground level and has a comparable height to the existing bungalow at no. 88.

Description of Proposal.

Planning permission is sought to raise roof height to create first floor accommodation and the erection of extensions and alterations.

The ridge height of the host dwellings roof would be increased from 5.5 metres to 7.3 metres. The attached garage to the side elevation of the host dwelling will also be increased to this same height and converted to serve as habitable accommodation.

Four dormers would be installed in the front elevation of the raised gable roof. These dormers will have a projection of 2.3 metres, a width of 2 metres and a height of 2.4 metres. Dwg No. 2213-02 shows the dormers to be faced in white cladding to the front and side elevations, with tiled gable roofs above.

The existing single storey flat roofed extension to the rear of the host dwelling would be replaced with a gable roofed extension with rooms in the roof space and the existing single storey conservatory would be replaced with a single storey flat roofed extension. The existing single storey lean-to extension would be retained.

The two-storey gable extension would have a projection of 4.55 metres from the host dwelling, a width of 8.2 metres and would be set down from the pitch of the host properties roof by 0.5 metres.

The flat roofed extension to replace the existing conservatory will have a projection of 4.55 metres from the rear elevation of the host dwelling, with a width of 3 metres and a maximum height of 3.45 metres.

A front porch extension is proposed to the front of the property. This would have a total projection of 3 metres from the front elevation of the host property, with a width of 2.9 metres and a height of 4 metres with a gable roof above. The porch features an open sided frontage with the enclosed porch being 2m projection from the front elevation.

Brick and render would be used to face the walls of the property in conjunction with raising the roof hight and also to face the walls of the extensions. New gable roofing forms will be infilled with tiles to match the existing.

All new windows and will be framed in UPVC, and any access doors proposed will be constructed from UPVC.

History of Negotiations/Amendments Received.

The case officer sought the following amendments to the original scheme in accordance with LP24 of the Kirklees Local Plan and the Council's adopted House Extensions and Alterations SPD:

- Set the proposed pitched roof to the rear down from the height of the host roof pitch by 0.5 metres.

- Omit the side window at 1st floor level.

The applicant provided an amended plan that showed the rear roof lowered by 0.5 metres. In addition, the applicant provided confirmation that the window to 1st floor side elevation already exists. In turn, the overall determination of this application is on the basis of the amended proposed plans submitted 11th April 2023.

The case officer sought an amended version of the submitted existing plans, to rectify issues with regard to the scale. An amended version with a correct scale was submitted by the applicant on 14th April 2023.

The case officer sought a street scene plan from the applicant, to show the proposed raised height of No. 88 Bradley Road in the context of the neighbouring properties. The applicant submitted a streetscene plan on 28th April 2023.

Relevant Planning History.

- **2003/92523** – Erection of conservatory. *Granted Conditional Full Permission.*

- **2010/92589** – Erection of first floor rear extension and alterations to roof to form part 2 storey dwelling. *Refused.*

- **2010/93163** – Erection of attic bedrooms and alterations to roof. *Granted Conditional Full Permission.*

- **2022/92993** – Raising of roof height to create first floor accommodation, erection of extensions and alterations. Refused for the following reason:

  1.The proposed extensions by reason of their design, scale and massing would fail to be subservient to the original dwelling, and would appear as incongruous and discordant additions to the host dwelling, which would, in turn, harm the character and appearance of the dwelling and the character of the wider street scene. The proposal would therefore be contrary to Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Kirklees House Extensions and Alterations Supplementary Planning Document and National Policy set out in Chapter 12 of the National Planning Policy Framework.

  2.The proposed extensions, by virtue of their scale, design and siting in relation to shared boundaries, would lead to a detrimental overshadowing and overbearing impact to the occupiers of No.'s 86 and 90 Bradley Road. Furthermore, the east facing window to the Master bedroom would overlook the private amenity space of no. 86 Bradley Road at close quarters. Therefore, the proposal would fail to retain a high standard of amenity for existing occupiers of these neighbouring dwellings contrary to Policy LP24(b) of the Kirklees Local Plan, Design Principles 3, 4, 5 and 6 of the Kirklees House Extensions and Alterations Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

The 'Assessment' section of this report addresses the planning history of the site where relevant and in particular whether this application overcomes the reasons for refusal of application 2022/92993.

Representations.

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired 5th April 2023 – one representation was received.

The representation raised the following concerns:

- The proposed increase in pitch of the main roof, (and the resultant increase in the height of the ridge and the apex of the gable-end wall

on the NW side elevation), due to its proximity will result in increased overshadowing of neighbouring properties.

- The proposed height of the pitched roof/ridge of the NW side elevation facing neighbouring properties would be more than twice the height of the existing roof structures. This would result in significant overshadowing of the side elevation and the rear garden of neighbouring properties.

- The proposed window on the rearmost gable end at first floor level would result in overlooking of the rear garden space of neighbouring properties at close proximity, resulting in a loss of privacy.

Consultation Responses.

No consultations were deemed necessary.

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 located within an area identified by the Coal Authority as being at high risk of ground movement as a result of former mining activity.

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 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 are considered in the assessment below:-

1) Principle of development
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Others 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".*

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."*

In terms of design, the proposal is to raise the roof height and construct a rear extension, as well as the erection of four dormers in the revised principal roof slope. In addition, a porch forms part of the proposal.

Raising Roof Height and Dormer Extensions:

Specific guidance for bungalows in the House Extensions and Alterations SPD outlines that: *"Increasing the height of the property by amending the roof pitch or eaves height will significantly affect the character and properties of the building and will impact on the surrounding street scene and is usually unacceptable where the roof pitches and heights in the street scene are consistent."*

The proposed increase in height to 88 Bradley Road is considered to be acceptable in principle, as it would not disrupt the existing setting or character of the streetscene, with the presence of two-storey properties directly east of the site. Therefore, given the context of the site and two-storey design of neighbouring properties, it is concluded that increasing the height of 88 Bradley Road would appropriately comply with the requirements as set out in the House Extensions and Alterations SPD.

In addition, whilst it is noted that the overall height of the dwelling is to be increased by 1.8 metres, the eaves height is to remain the same as existing. This further works to promote the overall subservience of the proposed developments to 88 Bradley Road. Moreover, the street scene plan submitted by the applicant, shows that the raised height of No. 88 Bradley Road would not exceed the height of the neighbouring bungalow to the west.

Section 5.4 of the House Extensions and Alterations SPD sets out guidance with regard to the erection of dormer windows, with paragraph 5.26 providing specific guidance for front dormers: *"To assess whether a dormer window is appropriate to 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."*

The proposed dormers to be installed in the revised principal roof slope are considered to be acceptable visually with regard to their size/scale, design and siting. The dormers would not dominate the roof and would be set up from the eaves and down from the roof pitch, with an appropriate area of the host roof slope retained and visible. For these reasons, it is not considered that the dormers would appear top-heavy, cluttered, or asymmetrical. Officers also note the existing presence of front dormers to properties west of the application site, including to No.'s 106, 108 and 112 Bradley Road.

With regard to the appearance of the dormers, the submitted plans suggest that the front and side elevations of the dormers would be faced in white cladding. However, it is recommended that in the event of any grant of permission, a condition be imposed to ensure that the walls of the dormers are faced in materials which are of a colour finish to match the roof and that

the dormer roof & gables are infilled with matching tiles to those of the existing roof. This is to ensure that the dormers appropriately relate to the appearance of the house and existing roof and to attain appropriate levels of visual amenity.

Rear Extensions:

Paragraphs 5.8 of the House Extensions and Alterations SPD sets out that two-storey rear extensions will be considered based on the extent of overshadowing, loss of privacy and outlook and that, generally, two-storey rear extensions should:

- be proportionate to the size of the original house and garden
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The proposed rear extension to 88 Bradley Road would extend 4.55 metres from the rear elevation of the host bungalow and host rooms in the roof space. Whilst this projection exceeds the limitations as set out within the House Extensions and Alterations SPD, based on the individual merits of the existing dwelling and application site, it is considered that this projection would be acceptable visually. This is specifically because the proposed two-storey rear extension will replace existing single storey extensions to the rear of 88 Bradley Road, to then adjoin to a retained lean-to roofed extension to its rear.

The proposed rear extension is considered to be of an acceptable scale, relative to the host property and would maintain an adequate sense of space within the plot. In addition, the extension would also be set lower than the ridge line of the host property, considered to promote a subservient form in relation to the dominant dwellinghouse. The exterior walls and roof of the two-storey rear enlargement would be faced in materials to match the appearance of the host property.

Officers also note that the existing extensions to the rear of 88 Bradley Road appear complicated and unsympathetic, therefore, the erection of the proposed gable extension is considered to improve the overall design of the property.

Therefore, it is considered that the proposed development would respect and the character of the dwellinghouse and surrounding area.

The Council's House Extensions and Alterations SPD states that single storey rear extensions should:

• be in keeping with the scale and style of the original house
• not normally cover more than half the total area around the original house (including previous extensions and outbuildings)
• not exceed 4 metres in height
• not project out more than 3 metres from the rear wall of the original house for semi-detached and terrace houses or by 4 metres for detached properties
• retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed single storey rear extension to 88 Bradley Road is considered to be of a subservient design, that will enhance the appearance of the host property, appearing more in keeping with the architectural form of the dwellinghouse in comparison to the existing conservatory which it will replace. In addition, the erection of a flat roof, by form, naturally reduces the potential for undue bulking and massing from the overall appearance of the extension. The extension will be faced in brick and render, in-keeping with the materials which will face the rest of the property.

In turn, it can be concluded that the single storey extension will not be an obtrusive addition to the host dwelling and will sympathetically complement the existing architectural style of the dwellinghouse.

Front Extension:

Section 5.2 of the House Extensions and Alterations SPD focuses on front extensions, setting out that they are usually unacceptable due to the impact on the character of the area and visual amenity and will not normally be permitted unless:

- the house is well set back from the pavement or is well screened
- the extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area
- the materials and design match the existing features of the original house
- the extension would not unreasonably affect the neighbouring properties.

The design of the proposal is such that a single storey extension is proposed to the front of 88 Bradley Road. The size/scale of the proposal is such that, following the erection of the front extension, the original principal elevation would remain to be clearly read as such. The external walls of the front extension would be faced in materials to match the host property and the lean-to roof would be infilled with matching tiles. In addition, the front elevation of the proposed porch extension will be of an open design, with oak framing, which works to reduce any potential visual detriment from undue levels of

bulking or massing. For these reasons, the proposed front extension would appear as subservient.

The host property is set back from the fronting highway of Bradley Road, meaning that the proposed front extension would also be set back. In addition, visibility of the proposed front extension would be partly screened from public vantage points as a result of the forms of boundary treatment in place along the frontage of the site.

For all of the reasons outlined above, it is considered that the proposal at 88 Bradley Road would not cause detrimental harm to the visual amenities of the host property or locality. The proposed development is therefore considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Key Design Principles 1 & 2 of the House Extension 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.

It is considered that the proposed developments to 88 Bradley Road would retain an adequate extent of private outdoor amenity space in accordance with Key Design Principle 7 of the House Extensions and Alterations SPD.

The impact of the development on each of the neighbouring properties will be accessed in turn.

No. 86 Bradley Road:

This property is located to the east of the application site.

Although the height of No. 88 would exceed the height of No. 86 following the proposed works, the extensions to the rear would retain a seperation distance of approximately 5 metres from the shared boundary. In addition, although officers note one window in the western side elevation of No. 86 Bradley Road, it is concluded that the proposal is of a sufficient distance / design to ensure the impact is not significant in this case. In turn, it is concluded that the

proposal to 88 Bradley Road would not result in undue levels of overbearing or overshadowing for the occupiers of No. 86.

The scheme proposes no glazing to the eastern side elevation at 1st floor level, proposing only a set of glazed bi-fold doors to the ground floor. In turn, it is concluded that the proposal retains appropriate levels of residential privacy, with boundary treatment in place along the shared boundary to further mitigate any potential impacts of overlooking.

The revised scheme (from that of the previous refusal) is such that there is no building up of the eaves and whilst there is some increased level of works in proximity to no.86, it is concluded these are of a scale which is reduced, from that as previously applied for in the previously refused scheme, to such a degree that is considered to be acceptable in this case. It is therefore considered the previous reason for refusal in relation to impact to no.86 has been overcome.

No. 90 Bradley Road:

This property is located to the west of the application site.

Whilst the proposed works would increase the bulk/massing of 88 Bradley Road, it is not considered that the proposed developments would result in undue levels of overbearing or overshadowing for the occupiers of No. 86 Bradley Road.

Whilst the reasons for the previous refusal of application 2022/92993 have been taken into consideration, this proposal would retain a seperation distance of 4 metres from the windows on the eastern side elevation of No. 90 and the eaves height would not be built up as previously proposed, which would work to reduce overall levels of massing.

In addition, to retain appropriate levels of residential privacy, a condition is recommended to be imposed to ensure that all windows to the western side elevation be obscurely glazed and thereafter retained as such. It is noted that the window in the elevation facing no.90 is already in the side elevation of the existing dwelling.

No 148 Park Lea

This property is 12m from the rear of the proposal, as such it is considered that the scale of the proposal and distance from this property would not lead to a significant impact with regard to overshadowing / overbearing.

The rear window serving a bedroom would face towards this property although it is considered at these properties are at a 90 degree angle in terms of the rear elevations and these elevations are not directly opposite one another the impact from overlooking is not considered to be significant in this case.

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. It should be noted that the first floor window to the western side elevation is existing.

Having considered the above factors, with the inclusion of the aforementioned condition, the proposals are not considered to result in any detrimental impacts 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 Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

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 proposed developments are considered acceptable from a highway safety perspective because, although they present a significant increase in residential use of the property, an extensive driveway is retained to the front of the property that would allow for the parking of 3 vehicles. This would be sufficient to serve a 5-bedroomed property.

Additionally, the proposed works will not impact upon existing access to and from the project in conjunction with the adjoining highway.

For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

Sufficient space to the side and rear of the property would be retained for the storage of wastes in compliance with KDP 16 of the 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.

The applicant has submitted a climate change statement as part of this application, which includes the following points:

- Perimeter walls and dormer ceilings are to be lined with pre-insulated plaster board such as Kingspan TW56
- All materials of construction will be sourced locally and the building works carried out by local craftsmen
- The design is compact and utilises the well insulated roof space

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

As a result of publicity, one representation was received. The representation is set out below, accompanied by an officer response:

- The proposed increase in pitch of the main roof, (and the resultant increase in the height of the ridge and the apex of the gable-end wall on the NW side elevation), due to its proximity will result in increased overshadowing of neighbouring properties.

- The proposed height of the pitched roof/ridge of the NW side elevation facing neighbouring properties would be more than twice the height of the existing roof structures. This would result in significant overshadowing of the side elevation and the rear garden of neighbouring properties.

Response: The proposal has been concluded to be acceptable from a residential amenity perspective, a full assessment of this is set out within Section 3 of the Assessment within this report – 'Impact on Residential Amenity'.

- The proposed window on the rearmost gable end at first floor level would result in overlooking of the rear garden space of neighbouring properties at close proximity, resulting in a loss of privacy.

Response: The proposal has been concluded to be acceptable from a residential amenity perspective, a full assessment of this is set out within Section 3 of the Assessment within this report – 'Impact on Residential Amenity'.

The rearmost gable window would not be considered to result in undue levels of overlooking, facing directly towards the rear boundary of curtilage and not set adjacent to any habitable room windows on surrounding properties.

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: 2023/90482
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 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 National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building and be thereafter retained.
   Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD, Policies 1 & 2 of the Holme Valley Neighbourhood Plan and policies within Chapter 12 of the NPPF.

4. The external materials used in the works to raise the roof height shall in all respects match those used in the construction of the host dwelling. These materials shall be thereafter retained.
   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.

5. The external side elevations of the dormers hereby approved shall be of a colour finish to match the 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.

6. The external front elevations and roofs of the dormers hereby approved shall be infilled with tiles that match those 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.

7. The windows proposed to the western side elevation, shall be obscurely glazed (minimum grade 4), before the development is first brought into use. 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 1995 (or any order revoking or re-enacting that Act or Order with or without modification) these windows shall thereafter be so retained obscure glazed.
   Reason: So as not to detract from the amenities of the adjoining property by reason of loss of privacy and to accord with policies LP1, LP2 & LP24 of the Kirklees Local Plan, Key Design Principles 3 and 4 of the House Extensions and Alterations SPD and advice in the National Planning Policy Framework.

Note: The application site is located in a high risk coal area.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received

Existing Plans and Elevations	2213-01	2	14/4/23
Proposed Elevations and Floor Plans	2213-02	2	06/4/23
Block Plan	2213-03	1	20/02/23
Street Scene Elevations as Existing and Proposed	2213-02	2	28/04/23
Climate Change Statement	-	-	23/02/23

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 sought amendments to the original scheme in accordance with LP24 of the Kirklees Local Plan and the Council's adopted House Extensions and Alterations SPD. The applicant submitted amended plans as requested.

Report Dated: 28.4.23