

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:	2023/62/90568/W
Site Address:	81, Reinwood Road, Marsh, Huddersfield, HD3 4DW
Description:	Erection of front and rear dormer
Recommending Officer:	Tom Hunt

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: 14-Apr-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90568
Location	81, Reinwood Road, Marsh, Huddersfield, HD3 4DW
Proposal	Erection of front and rear dormer
Publicity end date	04/04/2023. Amended plans did not need to readvertised due to no material change in design and the Neighbour Notice letters were sent out after the amended plan was received.
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	N/A EoT Date:
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	✓	
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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
- NPPF Chapter 15 – Conserving and enhancing the natural environment

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 30** – Biodiversity and geodiversity

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	No	n/a
Parish/Town Council comments sought	No	n/a
Planning History	No	n/a
Consultations required	No	n/a

Assessment

The Kirklees SPD sets out that dormer extensions should comply with certain parameters set out at paragraph 5.24-5.27 on page 31-32 (and listed below) and if they do not, they need to be justified:

Dormer extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
relate to the appearance of the house and existing roof;	Yes – the proposal seeks to harmonise the dormer using similar cladding material to the host and to have a pitched roof front dormer that would be roofed in material to match the host roof	

be designed in style and materials similar to the appearance of the existing house and roof;	Yes – as above	
not dominate the roof or project above the ridge of the house;		No – the dormer at rear would dominate the rear notwithstanding this, the property hosts full Permitted Development Rights and could therefore construct the rear elevation dormer, without the requirement of planning permission. As such, whilst the dormer would appear large and non-subservient, there is a realistic fall-back position and therefore, it is proposed that the dormer extension is acceptable. The fallback position could be more harmful as it would allow a dormer of slightly larger proportions. The front dormer would be sufficiently set in from the flank and eaves roof plane boundaries aiding in the front to appear more subservient. Both would be set below the ridge however marginally.
be set below the ridgeline of the existing roof and within the roof	Yes	

plane;		
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.	Yes – the proposed front and rear dormer would be aligned with No. 79 and the proposed rear would be aligned with No. 83 Reinwood Road. This would allow the scheme to be harmonised within the streetscene in this limited instance.	

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

The host is a two-storey, semi-detached dwellinghouse, faced with render and wooden cladding with tiled side gable roof. It is within an area of varied residential styles and close to woodland designated as a Kirklees Wildlife Habitat Network benefiting from a group TPO. The immediate adjacent property, no. 79 Reinwood Road has a very similar front dormer extension to that proposed under this application (given permission in application reference 2013/92316).

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 • Chapter 12 NPPF	The dormer extensions are generally harmonised with its neighbouring property No. 79 and would be harmonised with No. 83's proposed rear dormer in form, size, scale, design and materials. This would form a cluster of properties with a coherent design, should the proposal be more	✓

		isolated with no adjacent dormer extensions then this would appear incongruous. The main body of the neighbour to the northeast is rotated away from the host mitigating against the cumulative impact of built development and reducing its potential dominance adequately to the streetscene. The rear dormer would be largely screened from the streetscene by the host's own bulk and massing.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would remain the dominant feature.	✓
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	As above.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing and roofing materials to closely match/harmonise with the existing.	✓

Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Pitch roof for the front dormer in-keeping with host property's neighbour. Flat roof in-keeping with both neighbours (one erected, one given permission in application reference 2022/94036).	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Centrally located window to front dormer which would be in-keeping with No. 79. Approximately aligned windows for the rear match the host at rear.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension which would have no impact on remaining access into the main house.	✓

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:

- No.79 Reinwood Road (northeast) – This property has existing front and rear dormer extensions and no side windows to those on the same level. The main body is rotated away from the host and has two side elevation windows. Very oblique views would only be possible from No.79's side elevation windows with no significant impact on outlook and overbearing. There would be no side windows facing from the extensions, confirmed by proposed floor and elevation plans, so the proposal would have no impact on privacy or overlooking from the host. The additional bulk and massing would be relatively modest to the host and there would be adequate separation distance to have no substantial impact on overshadowing at the same level or to the side elevation windows.

- No. 83 Reinwood Road (southwest) – This property has permission for a dormer extension and single-storey rear extension. There would be no windows to the host or the extension's flanks to be affected as confirmed by the proposed floor plan. The permitted rear dormer would match the extent of the proposed and would not lead to significant overbearing or overshadowing impacts to this. If the permitted extensions are not carried out, there would be no skylights to No. 83's roof at rear and the skylight at front is positioned at a distance sufficiently away and to the northeast enough to not be overshadowed or have a loss of outlook or overbearing impacts.
- There are no properties immediately to the front as the front dormer would overlook the highway on Willwood Avenue.
- Due to the open land at rear, there would be no residential amenity impact to this area.
- There is a realistic fallback position for the rear dormer to be erected utilising permitted development rights that would result in a similar impact on neighbouring properties to that set out above.

	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	Acceptable for the reasons set out above.	✓
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	As above.	✓

Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The front amenity space and rear garden would be unaffected by the proposed extension. Some of the curtilage would be retained to the frontage too.	✓
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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	Parking is predominantly provided off street through driveways and converted front amenity spaces. The highway is not a classified road and the proposal would supply sufficiently off street parking for its proposed intensity avoiding undue impacts on highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	There are two off street parking spaces to the front amenity space. The property would be re-configured to have a reduction in bedrooms from 4 to 3 reducing parking demand and compliant with the Highways Design Guide SPD	✓

Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Bin arrangements have not been set out however there is sufficient space for storage to the side garden access path to provide a convenient bin presentation point and storage areas.	✓
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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	n/a
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	The proposal is within a bat alert layer and the attic is in use currently as a bedroom with skylight reducing attractiveness for roosting despite proximity to likely habitats. An informative has been attached to the Decision informing the applicant of their private responsibilities should discovery of bats occur.	n/a
Carbon budget	• KDP 8, 9, 10 & 11 of the SPD	Small scale domestic development to an existing dwelling. As	✓

	• Policy LP51 • Chapter 14 of the NPPF	such, no special measures required in terms of the planning application with regards to carbon emissions. The CCS states that low energy bulbs are to be used. It also notes that there are controls in terms of Building Regulations; this will need to be adhered to as part of the construction process which will require compliance with national standards and would increase insulation and energy efficiency to a circa1960s building.	
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for 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.

Representations, including Parish/Town Council comments:

None received.

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: 2023/90568

Officer Recommendation: CONDITIONAL FULL PERMISSION

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 & LP30 of the Kirklees Local Plan, key Design Principles 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 & 15 of the National Planning Policy Framework

3. The external walls of the dormers shall be clad in composite timber cladding and roofing materials of the front dormer tiled in materials to harmonise with the timber cladding and roof tiles used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Key Design 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.

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

FOOTNOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site, development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location, site plan and Proposed Floor Plans.	UD-525.		28/02/2023
Existing Elevations	UD-525.	Unamended	28/02/2023
Existing Floor Plans.	UD-525.	Unamended	21/02/2023

Plan Type	Reference	Version	Date Received
Proposed Elevation Plans.	UD-525.	Unamended.	28/02/2023
Climate Change Statement	Climate Change Statement by Unite Designs.	Original	27 April 2021

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. No amendments/further information were sought during the course of the application.

Report Dated: 13/04/2023