

**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:	2023/62/91703/E
Site Address:	4, Latham Lane, Gomersal, Cleckheaton, BD19 4RX
Description:	Erection of single storey rear extension and hip to gable roof, rear dormer with associated internal and external works
Recommending Officer:	Edward Cheseldine

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 19-Sep-2023

Officer Report

2023/91703 - 4, Latham Lane, Gomersal, Cleckheaton, BD19 4RX

Site Description

4 Latham Lane is a 1½ storey, detached dwelling in Gomersal. The building is constructed with red-brick exterior walls, with stone details on the front elevation. The dwelling features a hipped roof with a pitched extension on the front. There is a single garage attached to the side of the house. Within the curtilage of the land there is a modest front garden with a drive to the side of the dwelling. To the rear, is a large garden which extends behind other rear gardens on Latham Lane. Due to the landscaping of the site there is a slight drop in ground level on the rear section of the site.

Properties on Latham Lane are single-storey and two-storey dwellings. The street is characterised by the red-brick material that is prominent within the streetscape.

Description Proposal

The applicant is seeking permission to erect a single storey rear extension and form a hip to gable roof with a rear dormer, with other associated alterations.

The rear extension is proposed to project ~5.10m to a width of ~10.70m. The height of the extension would be ~3.50m which would meet the eaves of the existing building. There would be rear and side facing windows.

There would be a rear dormer which would have a flat roof. It is proposed to be ~12.10m in width. It would be set down from the ridgeline by ~1.00m. There would be Juliet balconies on the dormer. The dormer would be clad in stained timber.

A hip to gable roof conversion is proposed, adding additional mass to the roof.

A new gable end would be installed on the front elevation of the house above the garage.

Consultation Responses

None.

Relevant Planning History

2023/90769 – HHPD rear extension - Refused

Public Representation

The application was advertised by neighbourhood letters, which expired on 25 July 2023. As a result of the publicity, no representations were received.

Negotiations with Planning Agent/Applicant

Planning concerns were relayed to the agent noting that the plans did not conform to guidance set out in the House Extensions & Alterations Supplementary Planning Document (June 2021). These related to the size and scale of the rear extension, the use of a render material, impact on character due to the size of the rear dormer and the effects a rear balcony would have on the residential amenity of neighbours.

Amended plans were received which will be assessed in terms of visual and residential amenity.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan Proposals Map.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity

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

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

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

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Impact on visual amenity:

In principle, an extension that significantly increases the volume of a house, should retain the character of the host dwelling and character of the street scene. Visually, extensions should respect the site context when viewed from the roadside. Alterations that will be visible should make a positive contribution architecturally, working in harmony with the surrounding built environment.

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring 'extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details'.

- Key Design Principle 1 of the House Extension & Alteration Supplementary Planning Document states '*extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene.*
- Key Design Principle 2 of the House Extension SPD states '*extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.*'

Rear Extension

The application site has a generous residential curtilage extending beyond the rear site boundaries of other dwellings on the street. In terms of projection, the

rear extension will extend 5.0m from the existing rear elevation. Paragraph 5.6 of the House Extensions & Alterations Supplementary Planning Document states single storey extensions should not project from the rear of detached properties by more than 4.00m. In terms of this, it was specified by the Planning Officer that the design of the rear extension would have to conform to Kirklees planning guidance, or a justification be sought. Communication was received from the Planning Agent in relation to a justification, which specified the following reasons:

- The size of the garden is large and can accommodate the extension.
- Distances between the extension and the property boundary will reduce the impact on the surrounding properties.
- The extension will be stepped down due to the land levels further reducing its impact.

Due to the specific circumstances of the site, the extra projection of the rear extension is acceptable. The site has an additional ~14.40m from the rear elevation of the extension to the end of the site boundary. The footprint of the dwelling fits comfortably within the garden site. The extension will not be visible from the public domain protecting the character of the area.

In terms of scale and size, the 5.00m extension would represent a 50% increase to the depth of the host dwelling due to the circumstance of the site, the projection can accommodate such an increase. The change in ground level will give the appearance of separation so the extension will not appear disproportionate.

The height of the rear extension, when taking into consideration the drop in land level is acceptable as it meets the eaves of the host dwelling.

There is sufficient distance between the extension and neighbouring properties.

Rear Dormer

The rear dormer would be ~12.10m in length on a roof plane that is ~13.60m. It would be a single dormer clad in wood panelling. The dormer is large; however, it would not be visible from the public domain as it is positioned within the side elevations by ~0.70 and down from ridgeline by ~0.60m therefore the design presents no harm to the character of the area. The mass of the dormer will be on the 'first-floor' space when viewed from the rear; therefore, the dwelling will not appear top-heavy. The timber cladding

although would introduce a new material to the vicinity, would not be visible from the public domain and presents no material harm.

Hip to Gable Roof Extension

A hip to gable roof extension is proposed which would alter the appearance and roof space of the property. Currently there is a hipped roof with other architectural roof styles found, such as the gable-end on the front of the property and the flat roofed garage. A gable-end roof conversion is proposed which would infill the north and south ridgelines. The roof space would extend over the garage area with another gable-end feature installed on the front elevation to create a symmetrical appearance.

Considering the alteration, the existing height of the dwelling would not be increased. Gable end roofs are apparent in the street scene with houses, such as the adjacent site featuring this roof style. The appearance of the dwelling would be residential and would not be jarring or clash with its surroundings. Considering this, the hip to gable extension is acceptable.

The new gable-end on the front elevation will create an appealing feature for the dwelling. It will be placed in symmetry with the feature on the other gable-end.

Impact on Residential Amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions and Alterations Supplementary Policy Document (HEASPD) goes into further detail with respect to outlining principles.

- HEASPD - Key Design Principle 3, '*extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours*'.
- HEASPD - Key Design Principle 4, '*extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook*'.

Impact on 2 Latham Lane

No. 2 is located to the south of the application site and is the adjacent dwelling. In terms of privacy there are two new openings on the south elevation on the rear extension. There is a large hedgerow as a boundary treatment between the dwellings that provides sufficient screening to the neighbour's garden and ground floor. The extension and openings are a considerably lower ground height than No. 2. Due to these factors, it is deemed there will not be a change to privacy relations.

In terms of form, there would be additional mass from the gable-end installation of the dormer and rear extension. A ~3.70 gap to the property boundary will be maintained. There are two existing side windows on the first-floor of No.2 which light a bathroom and bedroom. The bedroom is a habitable room, therefore more weight is afforded to protecting its light and outlook. In terms of an impact to light, there would still be sufficient light due to the distance from the proposed extensions and side facing windows. The side facing bedroom window is secondary window, therefore there will still be a sufficient outlook and light levels. In terms of the bathroom window, the direction of outlook gives it views on to the neighbouring roof, which will not change. The distance is enough to mitigate a loss of light or for the application site to become overbearing to the neighbours.

Impact on 6 Latham Lane

No. 6 is located to the north of the application and is the adjacent dwelling. In terms of privacy, there are no new openings that will face the property. As before, there will be additional mass to the north of the property. There will be a ~1.30m distance between the gable-end roof and property boundary which is the existing relationship as no side extensions are proposed. There are no openings present on No. 6. Given this, there will be no loss of light or the creation of an overbearing impact on the neighbours. As the ridgeline of the roof will be greater there may be a loss of sunlight in the early evening during the winter months. Given the residential setting the reduction of sunlight is not considered to be substantial. The design of the roof, being pitched will mitigate such a loss.

Impact on 2, 3 & 4 Grove Close

These dwellings are located to the east of the application site on Grove Road. New openings will be created on the rear elevation of the property facing these dwellings at a distance of 5.00m closer than existing openings. There would be a ~14.63m distance between the new openings on the rear elevation and the nearest property boundary, which is increased to ~21.90m between these windows and the nearest habitable room. There will be additional first-

floor windows from the rear dormer which are estimated to be ~27.25m from the nearest habitable window.

Given the distance it has been deemed there will be no impact to privacy. Similarly, due to distance there will be no loss of light/sunlight, overbearing effect, or a loss of outlook.

Impact on Highways

The proposal will result in an intensification of domestic use, increasing the number of bedrooms from two to five. Currently, there is only off-street parking provisions for one vehicle. Given the number of bedrooms, additional parking could be provided if it was necessary for the dwelling to have additional vehicles. Outdoor space to the front could be converted in the future if off-street parking is required.

Access to the sides and rear of the property will be maintained for bin storage.

Other Matters

Biodiversity

The proposal is for construction which will affect the main roof of the existing dwelling. The site is situated in an area that is known to include bat habitats, as such, if signs of bat habitats were found during construction, expert advice should be taken and the advice of a licensed bat worker sought.

Carbon Budget

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

Conclusion

This application for the erection of extensions and associated works at 4 Latham Lane, has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole, constitute the Government's view of what sustainable development means in practice.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

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.

1. 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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

2. The wall and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

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

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing group plans	(EX)001	1	09/06/2023
Location plan	(EX)002	1	09/06/2023
Proposed group plans	(20)001	2	18/08/2023
Proposed block plans	(20)002	2	18/08/2023
Proposed site section	(70)001	1	18/08/2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority has, 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. Design amendments were requested by the planning officer, which were received. These amendments were sufficient in overcoming design concerns.

