

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:	2023/62/92554/W
Site Address:	717, New Hey Road, Outlane, Huddersfield, HD3 3YL
Description:	Replacement roof and erection of rear dormer with associated internal and external 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.

Julia Steadman

AUTHORISED OFFICER

Date: 01-Nov-2023

Officer Report.

Reference: 2023/92554

Location: 717, New Hey Road, Outlane, Huddersfield, HD3 3YL

Proposal: Replacement roof and erection of rear dormer with associated internal and external alterations

Site Description.

717 New Hey Road is a two-storey detached property located in Outlane, Huddersfield. The external walls of the property are faced in natural stone, with a gable roof infilled with concrete tiles. The property benefits from on-site parking amenity space to the front elevation, with outdoor garden space to the front and rear.

Residential properties and commercial buildings neighbour the site along New Hey Road. The rear boundary of the site adjoins land allocated as Green Belt within the Kirklees Local Plan.

Description of Proposal.

Planning permission is sought for a replacement roof and for the erection of a rear dormer with associated internal and external alterations.

The existing roof level would be raised, taking the roof pitch from 8.5 metres to 8.8 metres. The roof extension would be covered with matching concrete tiles. Five velux windows are proposed within the front roof slope.

The rear dormer would have the following dimensions:

- Depth – 3 metres
- Width – 9.5 metres
- Height – 2.1 metres

The dormer is to be faced in dark grey cladding and have a GRP flat roof.

A new green oak porch with low stone walls is proposed to the front elevation of the dwelling. The new porch would have the following dimensions:

- Projection – 1.5 metres
- Width – 2.8 metres
- Eaves height – 2.35 metres
- Maximum height – 4 metres

External alterations would include the addition of stone heads, cills and jambs to existing windows. In addition, the existing window opening to the western side elevation would be walled up.

History of Negotiations.

The case officer requested that plans be submitted to demonstrate the increased roof height of No. 717 New Hey Road in conjunction with neighbouring properties.

In response to the case officer request, the applicant/planning agent submitted revised proposed plans, showing the height No. 717 in conjunction with No's 715 and 719.

Relevant Planning History.

No relevant planning history at the application site.

To neighbouring properties:

- 2017/93797 – 719 New Hey Road – Erection of two storey front and side extension and detached garage. *Granted Conditional Full Permission.*

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 which expired on 26th October 2023 – no representations were received.

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).

Whilst officers acknowledge that the rear boundary of the site adjoins land allocated as Green Belt within the Kirklees Local Plan, in this instance, it is not considered necessary to assess impacts to the Green Belt, given the nature of the proposed developments and that additions will be retained within the curtilage of the site.

The site is within an area identified by the Coal Authority as being at low 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 5th September 2023, 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. These considerations will be looked at in detail individually:

- 1) Principle of Development
- 2) Impact on Visual Amenity
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters

- 6) Representations
- 7) 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 on to 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.

Section 5.2 of the House Extensions and Alterations SPD relates to front extensions, with paragraph 5.14 setting out that front extensions will not normally be permitted unless:

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

Section 5.4 of the House Extensions and Alterations SPD relates to dormer windows and roof extensions, with paragraph 5.27 setting out that 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; and
- be aligned with existing former windows on neighbouring properties in the same roof plane where relevant.

The existing roof level is proposed to be increased in height, taking the pitch from 8.5 metres to 8.8 metres. This increase in height is relatively minimal (only 0.3 metres) and the roof extension will be covered with matching concrete roof tiles. In turn, it is considered that the proposed roof extension would be a subservient addition, with the same gable roof form to be retained.

For these reasons, it is also considered that the roof extension would not detrimentally impact upon the setting of 717 New Hey Road within the context of the streetscene. The roof heights of the properties east and west of No. 717

are staggered and therefore, the increase of this roof would not disrupt any established patterns of development. For example, at present the pitch of No. 717 exceeds the pitch of No. 719 by approximately 0.45.

The velux windows proposed within the front roof slope are considered to be an acceptable contemporary addition, with roof lights established to the roof elevation of both the neighbouring properties of No. 715 and 719 New Hey Road.

With regard to the rear dormer, this would be set within the rear roof slope and would be considered to be of an acceptable size/scale that would not result in undue levels of bulking or massing. The dormer would be set up from the eaves of the roof and would be set down from the roof pitch, with parts of the original rear roof slope to remain visible. Furthermore, the dormer is to be faced in dark grey cladding with a GRP flat roof. The appearance of the dormer would therefore be in keeping with the concrete roof tiles which infill the gable roof.

Given that the dormer is to be located to the rear of the property, it would not be overtly visible from the wider streetscene of 717 New Hey Road and as such, its development is not considered to pose any visual detriment to the wider character of the area.

The proposed oak porch extension is also considered to be an acceptable addition to the host dwelling of 717 New Hey Road. It would be of a relatively small size/scale and would be of an open design with oak beams and low stone walls. As such, it is considered that the porch would be a subservient addition to the front of 717 New Hey Road, to be set back from the fronting highway by approximately 7.5 metres.

The addition of stone heads, cills and jambs to existing windows would be in keeping with the style of fenestration detailing to the directly neighbouring property of 719 New Hey Road.

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

In accordance with Key Design Principle 7 of the House Extensions and Alterations SPD, an appropriate extent of outdoor amenity space would be retained at 71 New Hey Road as a result of development.

The proposed roof extension would increase the pitch height of 717 New Hey Road by only 0.3 metres and the roof would retain the same separation distance from the neighbouring properties of 715 and 719 New Hey Road as existing. Furthermore, the roof extension would not breach any lines of 45-degrees to glazing upon either of these neighbouring properties. As such, it is concluded that the roof extension would not result in any significant impacts of undue overbearing or overshadowing.

Whilst the proposed rear dormer would undoubtedly generate an increase in bulk and massing to the rear elevation of 717 New Hey Road, it is concluded that it would not cause undue levels of overbearing or overshadowing towards the neighbouring properties of 715 and 719 New Hey Road, to be contained within the envelope of the existing building and not breaching any line of 45 degrees from neighbouring windows. In addition, no additional glazing to the roof with regard to velux windows and dormer windows would be directly opposite facing habitable room windows or private amenity space.

The external alterations to the property of 717 New Hey Road do not propose any additional glazing and the proposed oak porch would retain a separation distance of at least 5 metres from the nearest shared boundary. In turn, it is concluded that these external alterations would not pose detriment to residential amenity with regard to any impacts of overbearing, overshadowing or overlooking.

For these reasons, the proposed developments at 717 New Hey Road are 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 will create additional living accommodation within the roof space, taking the number of bedrooms within the interior of 717 New Hey Road to a total of five. Guidance sets out that five-bedroom dwellings should provide 3 off street parking spaces. The existing driveway to 717 New Hey Road will remain unaffected by development and is considered to be of a sufficient size/scale, with an attached garage also present at the site.

It should also be noted that existing vehicle access to and from the site in conjunction with the highway of New Hey Road would remain unchanged as a result of development.

In turn, the works 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.

As part of this application a Climate Change Statement was submitted which sets out mitigation measures. 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 further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

5) Representations

No representations were received.

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: 2023/92554

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.
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 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 National Planning Policy Framework.
2. Any works to the external walls of 717 New Hey Road shall be completed using matching natural stone and the roof extension to raise

the existing roof level shall be faced in matching concrete tiles. These exterior materials shall 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 and policies within Chapter 12 of the National Planning Policy Framework.

3. The walls of the rear dormer shall be faced in dark grey standing seam cladding before the dormer extension is first brought into use. This external material shall be thereafter retained. The roof of the dormer shall be of a colour finish to match the appearance of the roof of the host property and be 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.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Existing Elevations	2341-0102-P01	-	15.09.23
Proposed Plans and Block Plan	2341-0301-P03	-	15.09.23
Existing Plans and Location Plan	2341-0101-P01	-	15.09.23
Proposed Elevations	2341-0302-P04	-	23.10.23
Climate Change Statement	-	-	15.09.23

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 applicant/planning agent submitted an amended proposed plan to show streetscene elevations as requested by the case officer.

Report Dated:

31.10.23