

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:	2023/62/93140/W
Site Address:	Hillside, 6, Almondbury Common, Almondbury, Huddersfield, HD4 6SN
Description:	Erection of dormers to front elevation and extension of existing garage
Recommending Officer:	Joanna Rednall

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: 09-Jan-2024

THE SITE

6 Almondbury Common is a detached dwelling located in the Green Belt. The dwelling is split level where the front is a bungalow and the rear is three storeys. The main amenity space is to the rear where the property hosts a patio and a large lawned garden. The property is constructed from stone with cream timber windows, and black concrete tiles for the roof. To the front of the property is a driveway with a single integral garage. Neighbouring properties differ in design and construction materials. Boundary treatments consist of stone walls and mature trees. The application property is opposite a conservation area.

THE PROPOSAL

Permission is sought for the erection of two 'dormers' to front elevation and the extension of existing garage. The garage would extend ~1.2 metres from the existing elevation and would be constructed from the same materials as the existing.

The dimensions of the dormers are as followed:

- Height to eaves: ~1.6 metres
- Overall height: ~3.4 metres
- Width: ~3.6 metres
- The ridge of the dormers would be ~2 metres below the ridge of the host property roof.

The two dormers would be constructed using stone with concrete tile pitched roofs. Windows would be constructed using timber in a cream colour to match existing windows.

PLANNING HISTORY

Relevant planning history for this site is summarised as follows:-

2005/93786 - DEMOLITION OF EXISTING HOUSE AND ERECTION OF DETACHED DWELLING WITH INTEGRAL GARAGE (permitted development rights removed by condition 5 to comply with Green Belt policy).

2014/90700 – raising wall and decking to rear and associated screening. – conditional full permission.

HISTORY OF NEGOTIATIONS

Requested further information regarding access and parking. Revised layout received.

PUBLICITY & REPRESENTATIONS

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

Final publicity date expired 8th December 2023.

No representations were made as a result of this publicity.

The application was not publicised as affecting the setting of a conservation area as the property is a modern, self-contained detached dwelling in a row of bespoke properties of significantly different character to the conservation area. The limited scale and appearance of the extensions would have no impact on the setting of the Almondbury Conservation Area.

CONSULTATIONS

No statutory consultations were requested for this application.

ALLOCATION & POLICIES

The site is within the Green Belt within the Kirklees Local Plan. The site is designated as lying within a low coal risk area (note to be added to the decision notice) and a Bat Alert Zone.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 – Biodiversity
- LP51 – Air Quality
- LP57 – Green Belt

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 December 2023, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

-

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 13 - Green Belt
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

ASSESSMENT

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of development (Green Belt):

Is the development inappropriate in the Green Belt?

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 152 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. All proposals for development in the Green Belt

should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 154 a few exceptions to this is includes the extension or alterations of a building provided that this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan sets out that proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable, provided that, in the case of extensions, the original building remains the dominant element in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the character of the original part of the building.

Whether the proposal is inappropriate development in the Green Belt

The proposal would clearly constitute an extension to the building and it appears that the dwelling in its current form constitutes the 'original building' with regard to the definition contained within the NPPF when viewing the planning history of the site and historic mapping. An assessment is therefore required as to whether this extension would constitute a disproportionate addition over and above the size of the original building.

The proposed extension to the garage is small in scale and would principally be a vehicle to support the dormer extension above. The 2no. front dormers – or perhaps more accurately 'front gables' - would be small and would leave most of the original roof the dominant element. They would provide little more volume to the original dwelling which would remain dominant in all aspects. Given these factors, it is considered that the proposed extensions would be proportionate additions to the original dwelling.

Policy LP57 also provides other criteria for extensions in the green belt, this being that the:

- c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and
- d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

In relation to LP57(c), the proposal would not result in any additional hardstanding.

Regarding LP57(d), Section 5 of the House Extensions and Alterations SPD provides detailed guidance on specific types of proposals on front extensions and dormers: these are considered in more detail below but, in summary, the

design and materials are considered acceptable so as not to detract from the Green Belt setting.

They would appear as compatible additions to the existing dwelling in terms of its scale given the relatively large volume and height of the existing dwelling. The materials of the extensions are proposed to match the existing dwelling. Given the above factors, it is considered that the proposed extension would have a negligible effect on the visual amenities of the area, in accordance with Policy LP24 of the Kirklees Local Plan

Given the above, the proposed extension is considered to constitute appropriate development within the Green Belt, in accordance with Policy LP57 of the Kirklees Local Plan and Chapter 13 of the NPPF.

It is not considered necessary to remove permitted development rights to protect the openness of the green belt, as these have already been removed from the original dwelling.

The development would not cause material harm to the Green Belt and therefore the principle of development is considered acceptable in this regard, subject to the proposal being considered acceptable in terms of visual amenity, residential amenity and all other relevant considerations.

2 – Impact on character and appearance of the area

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Assessment

In terms of the materials, the dormers and garage extension would be constructed using stone walling to match the existing dwelling, and concrete roof tiles to match the existing. In addition the windows on both dormers are proposed as a similar size and shape to the existing gable window on the front elevation. Surrounding properties vary in terms of materials and architectural design, so the proposed materials would be in keeping with the existing dwelling in terms of the materials used and is in keeping with the

appearance and local character of the street scene and is considered acceptable.

The Kirklees SPD sets out that dormer extensions should comply with certain parameters set out at paragraph 5.4 on pages 31 and 32 (and listed below).

- relate to the appearance of the house and existing roof
- be designed in style and materials similar to the appearance of the existing house and roof
- not dominate the roof or project above the ridge of the house
- be set below the ridgeline of the existing roof and within the roof plane be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant (not relevant in this case).

With regard to design, the proposed dormers would demonstrate a resemblance to the original dwelling in terms of roof design and would have a pitched roof to retain a dormer 'bungalow' appearance on the front elevation and three storeys on the rear elevation. The dormers would be symmetrical in both construction materials, design, and size are set below the ridgeline and do not dominate the roof. The ridge of the dormers would not project above the ridge of the house, and would be ~2 metres below the ridge of the roof of the original dwelling, and would complement the character of the existing house as they would reduce the area of tiled roof currently visible on the front elevation.

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below).

Single storey front extensions permitted where:

- The house is set well 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 proposed garage extension would be almost identical to the existing with the walls constructed using stone with a cream door but extend ~0.2 metres in width which is acceptable in this case. In terms of the garage extension, despite the ~1.2 metre front extension, the proposed plans show it would be

~1 metre behind the principal entrance and front elevation of the dwelling. Despite this, the extension would be ~6 metres back from the pavement therefore it is unlikely that it would have detrimental impact on the character of the street scene. Screening of the boundary wall is also in place.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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.

Assessment

No.4 Almondbury Common

This dwelling is the neighbour on west facing elevation. No. 4 is set on a lower ground level and approximately 2.2 metres from the application property. The proposed works do not include any openings facing No.4 so it is unlikely for the privacy to be affected. In addition, the ~1.2 metre garage extension with dormer above would be unlikely to have impact on the loss of light, outlook, or overshadowing on No.4 as this neighbour is set ~2 metres in front of No.6 and the extension would not project beyond this. It would appear that the main amenity space of No.4 would be to the rear and the front space is used for off-street parking, meaning that any possible overshadowing of the extension or dormer would not adversely affect the amount of natural light on a main amenity space enjoyed by No.4.

No. 8 Almondbury Common

This dwelling is the neighbour on the east facing elevation. The main amenity space of No.8 appears to be to the rear of the property, so the proposed scale is unlikely to impact the outlook of No.8. In addition there are no proposed openings included on the dormers which may overlook this dwelling as the windows would be north-facing. The garage extension would be on the west-facing boundary of No.6 so it is unlikely that the extension would be visible from No.8, and would avoid an overbearing impact on this property.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

Ample garden space would remain in accordance with KDP 7 of the SPD.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF 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.

Assessment

With regard to parking arrangements, the number of off-street car parking spaces required would be increased to 3 as a result of the proposed works increasing the number of bedrooms from 3 to 4 bedrooms. The proposed garage would be ~3.6 metres by ~6 metres internally and would be sufficient to accommodate parking space for one vehicle. The front of the property would accommodate off-street parking and room for turning for two vehicles and is considered acceptable in this case.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest to a modern dwelling with a well-sealed roof and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change - 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 pre-dates 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. This includes KDP 8, 9, 10 & 11 of the SPD. A Climate Change Statement has been submitted with the application.

The extension would be constructed from stone, which may also be re-used from the existing dwelling. This is a sustainable, recyclable material which would locally sourced. This is considered to be acceptable in terms of mitigation against climate change.

6 – Representations:

None received

7 – 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: 2023/93140

Officer Recommendation: Approve

Conditions

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 (as amended).

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 accord with Policies LP01, LP02, LP21, LP22, LP24, LP30, LP51 and LP57 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12, 13 and 14 of the National Planning Policy Framework.

2. 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.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 and LP57 of the Kirklees Local Plan, 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.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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
Application form			24/10/23
Climate change statement			31/10/23
3D Visuals as proposed			26/10/23
Location plan as existing	EX001		24/10/23
Information as existing	EX002		24/10/23
Site plan as proposed	AL0002		31/10/23
Site Layout Plan as proposed	AL0005	A	21/12/23

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 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. Amended plans were sought and submitted for further details of 3 parking spaces with turning.

Report Dated: 8th January 2024