

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:	2023/62/93142/W
Site Address:	7, Dartmouth Avenue, Almondbury, Huddersfield, HD5 8UR
Description:	Erection of wraparound, single storey side and front extension
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: 19-Dec-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93142
Location	7 Dartmouth Avenue, Almondbury, Huddersfield, HD5 8UR
Proposal	Erection of a wraparound, single storey side and front extension to detached dwelling
Publicity end date	8 th December 2023
Number of representations received	None received
Kirklees Local Plan Allocation/Designation	Unallocated in local plan
Extension to Time (EoT)	No
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	✓	

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) September 2023
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

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 51** – Protection and improvement of air quality

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	
Parish/Town Council comments sought	No	
Planning History	No	

Consultations required	No	

Assessment

The Kirklees SPD sets out that single storey side and front extensions should comply with certain parameters set out at paragraphs 5.13, 5.14, 5.15, 5.16, 5.17, 5.18 on pages 27 and 28 (and listed below) and if they do not, they need to be justified:

Side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties.	Yes – extension would be single storey in height and unlikely to have impact on natural light to neighbouring property	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.	Yes – no windows on north east elevation which would overlook into neighbouring property.	
Single storey side extensions should:		
Not extend more than two thirds of the width of the original house.	Yes – the width of the house is ~6.9 metres and the width of the side extension would be ~2.4 metres.	
Not exceed a height of 4 metres.	Yes – the maximum height of the extension would be 4 metres.	
Be set back at least 500mm from the original building line to allow for a visual break.		No – the side extension would project ~1.4 metres forward of the front elevation however this would be a wraparound with a front extension so is acceptable in this case as the house is a bespoke detached property within an

		enclave of individually designed houses.
Front extensions should:		
Be on a house set well back from the pavement or is well screened.	Yes – the house is set ~9 metres back from the road and is screened by boundary hedges and trees.	
Be subservient to the original building, well designed, and not harm the character of the original area.	Yes – the front extension would have a maximum height of ~3.6 metres to the ridge of the lean to roof and match the existing front elevation.	
Have materials and design to match the existing features of the original house.	Yes – materials for the roof, walls and windows would be to match the host dwelling.	
Not unreasonably affect the neighbouring properties	The property is detached and well spaced from neighbouring properties	

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

Summary of local street scene/character: 7 Dartmouth Avenue is located within a cul-de-sac where neighbouring dwellings are detached and somewhat similar in design and architectural features, although individually designed. Construction materials consist of brick walls and tile pitched roofs. Site boundaries consist of timber fencing and hedging. The main amenity space of the application property is to the rear where it hosts a modest sized lawned garden. The front of the property hosts a paved driveway with a small lawned garden to the side.

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
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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 wraparound extension would be well screened by hedging and trees and the set back of the property from the public road. There are similar extensions in the area including No. 8 in the cul-de-sac.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The front extension would have a lean-to roof to match the existing single storey front elevation, the side extension would have a pitched roof for the ~3.8 metre front projection to match the lean-to roof of the proposed front extension.	✓
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	The side and front extensions would have a matching eaves height of ~2.4 metres, but the ridge of the front extension would be ~0.6 metres higher than the existing as it projects ~2.3 metres further than the existing front elevation.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Proposed materials are to match 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	Lean-to roof on the front and side elevations subservient to the host property. Pitched gabled roof on the wraparound at 90 degrees to the main roof considered acceptable, and not dissimilar to design features on other property in the area.	✓

Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	One proposed window on the front elevation overlooking driveway considered acceptable.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension	✓

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:

- *5 Dartmouth Avenue – adjacent property to the north – no proposed openings facing No.5 and some boundary screening in place. Extension would be close to the boundary of this property, but no. 5 is also on rising land.*
- *9 Dartmouth Avenue – adjacent property to the south – the wraparound would be set ~3.3 metres behind the front elevation of this dwelling and there are no openings at No.9 facing the application property. Boundary screening in place and the proposed extensions are well separated from this property.*
- *36 Thorpe Lane – adjacent property to the east (rear) – main amenity space to the rear - one door proposed on the rear side extension; however this is ~8.8 metres behind the existing rear elevation which hosts patio doors. The proposed extension is single storey therefore unlikely to cause any material overlook into No.36's garden.*

	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	No proposed side openings which would impact the privacy of No. 5, rear opening would be screened by boundary fence.	✓
Impact on light and outlook of	• KDP 4, 5, 6 of the SPD	Limited impact due to the wraparound being single	✓

neighbours (to sides, rear and front)	• Policy LP24 Design (b) • Chapter 12 of the NPPF	storey in height and its relationship with surrounding property. .	
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Over half of the garden area retained.	✓

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	N/A	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The extension would cut off access to the rear garage and project ~3.2 metres from the front elevation. There is potential to add additional spaces to the front of the dwelling although this would reduce soft landscaping to the front, however the level of parking remaining is deemed sufficient in this case. The applicants have space to provide more parking if required.	✓
Provision for waste storage	• KDP 16 of the SPD	Not shown on plan however sufficient space	

	• Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	available within red line boundary.	
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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	No trees affected	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	Bat alert layer – no interference to existing roof so unlikely that bats would be affected – note can be attached to decision notice regarding bats.	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and	The rear garden and landscaping would be retained to allow for run-off. The site is not located	✓

	LP34 of the KLP	within an identified Flood Risk Zone 2 or 3 area.	
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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:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
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: 2023/93142

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 to accord with Policies LP01, LP02, LP21, LP22 & LP24 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 and 14 of the National Planning Policy Framework

3. The external walls 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 in accordance with Policies LP01, LP02 & LP24 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: The Council's GIS system indicates that the property is within a bat roost area and 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 to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a license. 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 th October 2023
Location Plan and existing site plan	01	B	24 th October 2023
Existing floor plans	02	A	24 th October 2023
Existing elevations	03	A	24 th October 2023
Proposed site and location plan	04	C	30 th October 2023
Proposed floor plans	05	B	24 th October 2023
Proposed elevations	06	B	24 th October 2023
Climate Change Statement			30 th October 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 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. It was not considered necessary to seek any amendments/further information during the course of this application.

18th December 2023

Report Dated: