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:	**2023/62/93532/W**
Site Address:	27, Regent Road, Kirkheaton, Huddersfield, HD5 0LW
Description:	Erection of front and rear dormers
Recommending Officer:	Molly Storer

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: 31-Jan-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93532
Location	27, Regent Road, Kirkheaton, Huddersfield, HD5 0LW
Proposal	Erection of front and rear dormers
Publicity end date	January 25th 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated in Local Plan
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	✓	

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) December 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	Yes	No comments received
Planning History	No	
Consultations required	Yes	The Health and Safety Executive (HSE) - Do Not Advise Against, consequently, HSE does not advise on safety grounds, against the granting of planning permission in this case.

Assessment

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) and if they do not, they need to be justified:

TO COMPLETE :	**Yes - COMPLY**	**No - JUSTIFY**
Relate to the appearance of the house and existing roof	Yes – set within confines of existing roof and dwelling has pd rights that would allow for the rear dormer. There is evidence of front dormers in the street scene.	
Be designed in style and materials similar to the appearance of the existing house and roof	Yes – front dormers: side and front elevations are proposed to be Anthracite Grey UPVC cladding to match the proposed windows/doors of the host property. The pitched/hipped roofs to be covered in concrete interlocking tiles to match the host property. Rear dormer: Anthracite Grey UPVC cladding to front and side walls.	

	Windows also to be Anthracite Grey UPVC to match the host property and a flat roof design.	
Not dominate the roof or project above the ridge of the house	Yes – The dormers will not project above the ridge of the original house and weight afforded to the pd fallback for the rear dormer. The front dormers do not dominate the roof, in the context of there being dormers in the street scene.	
Be set below the ridgeline of the existing roof and within the roof plane	Yes	
Be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant		No – other dormer openings within the rear elevation are slightly smaller than the openings proposed, however they would be on the same level. Not relevant to the proposed dormers to the front as there are no dormers on that side of the road.

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 27 Regent Road in the area of Kirkheaton. The property is a semidetached bungalow with two bedrooms in the roof space. The dwelling is faced in red brick and has interlocking concrete tiles for the roof. The site hosts a front and rear garden amenity area with a driveway running alongside ethe house leading to a detached garage to the rear of the property. The property hosts a small dormer to the rear which is attached to the dormer at No.29.

Regents road is characterised by residential properties all of a similar age and style, where the majority are bungalows faced in red bring with concrete roof tiles. Many of these properties host dormers of various sizes to the front and the rear. Many

properties also have front extensions disrupting the street scene this is particularly prominent on the opposite side of the road to 27 Regent Road. Some properties on the street host a shared dormer split between the properties to either the rear or front which appear to be part of the original dwellings.

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	Would introduce an interruption to the mirroring roof design with No.29 and other surrounding properties however the property hosts full Permitted Development rights for the rear dormer and the front dormers are small in scale. In addition, other properties in the wider street host various sized dormers so the development would not be out of character.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Original roof form would be clearly visible to the front.	✓
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	Front dormers would not dominate the roof or project above the roof of the host property. The dormers will be slightly below the existing ridge line. PD rights exist for a rear dormer of similar scale. Whilst large, this is	✓

		afforded significant weight.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Side and front elevations are proposed to be Anthracite Grey UPVC cladding to match the proposed windows/doors of the host property. The pitched/hipped roofs to be covered in concrete interlocking tiles to match the host property. Rear dormer: Anthracite Grey UPVC cladding to front and gable walls. Windows also to be Anthracite Grey UPVC to match the host property.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Pitched roofed to harmonise host property at the front, flat roof to the rear dormer (pd right fallback).	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Windows do not fully align with the windows in the ground and first floor, but would not cause an unduly detrimental appearance.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension. No alterations to access.	✓

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:

- *29 Regent Road (attached to the west of the site) would not be significantly affected by the presence of the dormers – however it is important to note the rear dormer would slightly extend beyond the existing rear dormer at No.29 which will be discussed below.*
- *25 Regent Road (attached to the east of the site) would not be affected by the presence of the dormers – no overlooking or overshadowing.*
- *40, 42, 44 Regent Road (opposite application property) separation distance of 26 metres is achieved between the facing window of the closest habitable room.*

	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	There are no openings proposed in the side elevations therefore overlooking is not considered an issue to neighbours to the sides. Significant separation distance between the host property and neighbours to the front and rear mean there will not be a significant impact in terms of privacy to these neighbours.	✓
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	The rear dormer would project 450mm than the dormer at No.29 although this is taken into consideration the limited additional projection and PD fall back option are given significant weight in this case.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Garden space would be unaffected	✓

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	No impact on highway safety	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposal would not have an unduly adverse impact on off-street parking. This is because no additional bedrooms are proposed.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however there is sufficient space within red line boundary to accommodate bin storage	✓

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)	None	✓

	(iv) Policy LP33 Trees • Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	None	✓
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. The conversion of the roof space would improve the insulation of the building.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	None, the proposal would only impact on the roof and would utilise the existing gutters.	✓
Health and Safety	• Policy LP53 KLP • Chapter 15 NPPF	The site is within the HSE consultation zone of a hazardous installation. The HSE have confirmed they do not advise against the granting of permission	✓

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	None received	N/A

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: 2023/93532
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 (face and cheeks) of the dormers hereby approved shall be first installed with Anthracite grey UPVC cladding to harmonise with the existing roof tiles. The pitched roof of the front dormers shall be laid with concrete interlocking tiles to match the host dwelling. The cladding and roofing materials so approved shall thereafter be retained.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1, 9 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	-	-	04/12/2023
Climate Change Statement	103-11-2023	-	04/12/2023
Design and access statement	102-11-2023	-	04/12/2023
Location plan	104-11-2023	-	04/12/2023
Existing and proposed plans and elevations	101-11-2023	-	04/12/2023
Proposed side elevations	106-11-2023	-	11/12/2023
Site plan	105-11-2023	-	06/12/2023

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.

30th January 2024