

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:	2023/62/93616/W
Site Address:	22A, Stainecross Avenue, Crosland Moor, Huddersfield, HD4 5HZ
Description:	Erection of single storey extension and rear dormer extension and associated alterations
Recommending Officer:	Laura Yeadon

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.

John Holmes

AUTHORISED OFFICER

Date: 31-Jan-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93616
Location	22A, Stainecross Avenue, Crosland Moor, Huddersfield, HD4 5HZ
Proposal	Erection of single storey extension and rear dormer extension and associated alterations
Publicity end date	22 nd January 2023
Number of representations received	One
Kirklees Local Plan Allocation/Designation	Unallocated land
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	✓	

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) July 2021
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development

- NPPF Chapter 12 – Achieving well-designed and beautiful 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 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 12: Natural environment
- 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	Yes	It was requested that the first floor extension was removed and replaced with a dormer to allow the original roof line to be clearly read and less prominent within the street scene – Amended plans received 25.1.2024
Parish/Town Council comments sought	No	Not applicable
Planning History	Yes	2020/92595 – Erection of detached garage – Conditional Full Permission – permitted development rights removed for windows and doors

		within north-west and north-east elevations of garage
Consultations required	No	Not applicable

Assessment

Description of development:

The application seeks permission for the erection of a single storey rear extension and a rear elevation dormer extension and alterations.

The proposed rear extension would lie flush with both side elevations of the property and would project a total of 2.3 metres from the rear elevation of the property. The eaves height would be 2 metres with a lean-to roof at a height of 2.4 metres. It is proposed that the construction materials would be white render for the walls and tiles for the roof with uPVC windows.

The proposed dormer extension would be set in from the side elevations of the property by 0.4 metres spanning the remaining width of the roof slope. The dormer would be set up from the gutter line of the single storey extension by 0.4 metres and would be set down from the ridge of the property by 0.1 metres. It is proposed that the construction materials of the dormer would be horizontal cladding with a EPDM rubber roof.

The alterations to the property includes a minor increase in the eaves and ridge height of the property by adding an extra course of brick work. In addition, a fourth rooflight would be inserted into the front elevation roof slope and a ground floor opening would be inserted into the west side elevation of the property.

It is also proposed that the existing dwelling would be white rendered over the existing brickwork.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below). With regards to the dormer extension, this should comply with the parameters set out at paragraph 5.27 on page 32 and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – the private amenity space to the rear would be retained	

Be set behind the original building, and not projecting beyond the sides	Yes – the extension would lie flush with the existing side elevations of the property	
Maintain external access to the rear garden	Yes – the external access to the rear of the property would be retained	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – the extension would not appear out of keeping with the single storey host property	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – it would comply with this	
not exceed 4 metres in height	Yes – it would comply with this	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	Yes – it would comply with this	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	N/A	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension would not be set in from the shared boundary with No. 22 as the existing property is sited on the boundary. Given the layout of the site and siting of the host property it is considered there is little design benefit to setting the

		extension in from this boundary and the layout of the site provides suitable justification for the scheme as proposed in this case.
Dormer extensions should:		
relate to the appearance of the house and existing roof		No – Whilst the dormer would be set within the confined of the roof elevations it is a large, flat roof structure. However it is noted there is a realistic fall back that a dormer of similar size and scale could be constructed to the rear roof slope by utilising permitted development rights. This is considered to be justification, in this case, for the scheme as proposed.
be designed in style and materials similar to the appearance of the existing house and roof;	Horizontal cladding proposed – can be conditioned to be grey cladding to be in keeping with the colour finish of the existing roof	
not dominate the roof or project above the ridge of the house		The dormer is a large feature within the rear elevation however there is a fall-back position in terms of permitted development
be set below the ridgeline of the existing roof and within the roof plane		The proposal would comply with this in terms of the side elevations and ridge of the roof, and would read as being within the roof plane in conjunction with the single storey extension to rear. This is considered sufficient justification for this

		element of the design of the proposal.
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant		No – the openings do not align with the openings within the extension – however the development is to the rear elevation and therefore not prominent within the Stainecross Avenue street scene and it is considered that refusal on such a basis could not be substantiated in this case.

Design and Visual Amenity:

Detached bungalow constructed from red brick with a tiled roof. Set back from the roadside with an area of hardstanding to the front of the property. Driveway to the side which leads to a large detached garage. Larger garden area to the rear.

Surrounding development consist of detached and semi-detached properties constructed from varying construction materials. Whilst the proposal would see the host property treated with render to the elevations, the appearance of the existing dwelling (between two properties of stone construction) is somewhat not in keeping in relation to the materials of construction which are a modern red brick.

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	Limited impact on the street scene. Roof lights exist in front elevation roof slope. Limited projection to single storey rear extension and dormer can be conditioned in terms of colour	✓

Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Would extend the roof space within the roof area of the property which has realistic fall-back position in terms of permitted development. Single storey extension limited in projection and proportionate to the size of the host property	✓
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	Single storey rear extension and rear dormer would be subservient to the host property. Whilst the rear dormer is large, it is likely that this structure can be constructed without the requirement of planning permission (subject to criteria)	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Rear extension would be white rendered however it is proposed that the existing dwelling would be rendered so this would be in keeping. The proposed dormer would be constructed from cladding which can be conditioned to be grey to tie in with the existing roof. Impact of rendering the whole dwelling considered to be acceptable in this case given the mixed use of materials in the street, with white rendered properties opposite, and the context of the host property being of materials which are not in keeping with the neighbouring dwellings.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	Pitched roof to dwelling would be retained. Flat roof to dormer extension is acceptable and the single storey extension	✓

	and (d) of the KLP • Chapter 12 of the NPPF	would be a shallow pitched lean-to roof	
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Proposed and new openings in keeping with existing dwelling	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	No changes to existing access arrangements	✓

The detached garage approved upon the site (detailed in the planning history) is subject to condition it will be completed in a cream coloured render, it is considered appropriate and necessary in this case to include a condition requiring the development hereby approved to be completed in cream coloured render to ensure an acceptable visual impact as a result of the proposal in terms of matching design in relation to the garage but in relation to neighbouring stone buildings, with a cream tone having a lesser contrasting impact than white.

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:

The main properties affected are:

- 22 Stainecross Avenue – adjacent neighbour to south-west – limited impact from single storey extension due to orientation, separation distance and projection of the extension – dormer contained within the existing roof slope and therefore minimal concerns
- 20 Stainecross Avenue – adjacent neighbour to north-east – has a rear elevation building line set slightly back from the rear of application site – due to orientation, separation distance and projection of single storey extension there are minimal concerns
- 27 Cromarty Avenue – facing property beyond rear boundary – separation distance of approximately 25 metres which is in accordance with SPD
- 19 Stainecross Avenue – facing property from the front of the application site – no decrease in established separation distances – additional roof light is not considered to cause undue harm, therefore minimal concerns

	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 openings within the side elevations of the dormer or single storey rear extension – rooflights are not considered harmful to overlooking due to their position within the roof slope	✓
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	Limited impact due to the property being detached, the orientation of the rear elevation of the property and the limited projection and increase in building footprint	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to the layout of neighbouring properties, there would be limited impact on the neighbouring properties. No 45 degree line would be cut	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Adequate garden space would be 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:

	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	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Driveway to side and large detached garage would be retained as would the parking area to the front of the property – minimal concerns	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however sufficient space to accommodate bins within site boundary	✓

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:

	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	N/A	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	N/A
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51	Small scale domestic development to an existing dwelling. As	✓

	Chapter 14 of the NPPF	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 LP34 of the KLP	The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

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
Last building (garage) and high wall made from breezeblocks still not finished	This is a matter which can be afforded little weight in the consideration of this application given it relates to a separate development and separate powers are available to the Council to address non compliance or any breach in planning control relating to the development of the garage.	N/A
Should be rendered and is still a mess and a massive eyesore	As above	✓
Building will block further natural light	This has been addressed within the above assessment	✓

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: 2023/93616

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 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12 and 14 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans, the dormer to the rear hereby approved shall be of a dark grey colour finish to the front and cheeks. The colour finish approved by this condition shall be thereafter retained.

Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans, following the substantial completion of the single storey extension to rear the render finish to the host property and single storey extension to rear shall be completed in a cream colour finish which shall be retained thereafter

Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan and existing site plan			7 th December 2023

Plan Type	Reference	Version	Date Received
Proposed location plan and site plan			7 th December 2023
Existing elevations			7 th December 2023
Existing floor plans			7 th December 2023
Proposed elevations			25 th January 2024
Proposed elevations			25 th January 2024

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 requested that the first floor extension was removed and replaced with a dormer to allow the original roof line to be clearly read and less prominent within the street scene. Amended plans received 25.1.2024 and form the basis of this assessment.

Report Dated: 29th January 2024