

# 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:         | <b>2023/62/93653/W</b>                                        |
| Site Address:         | 3, St Stephen's Road, Lockwood, Huddersfield, HD1 3QY         |
| Description:          | Erection of front and rear dormers and associated alterations |
| 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-Apr-2024**

## HOUSEHOLDER DELEGATED REPORT

|                                                   |                                                               |
|---------------------------------------------------|---------------------------------------------------------------|
| <b>Application Number</b>                         | 2023/93653                                                    |
| <b>Location</b>                                   | 3, St Stephen's Road, Lockwood, Huddersfield, HD1 3QY         |
| <b>Proposal</b>                                   | Erection of front and rear dormers and associated alterations |
| <b>Publicity end date</b>                         | 08/03/24                                                      |
| <b>Number of representations received</b>         | None received                                                 |
| <b>Kirklees Local Plan Allocation/Designation</b> | Unallocated in Local Plan                                     |
| <b>Extension to Time (EoT)</b>                    | Yes 9 <sup>th</sup> April 2024                                |
| <b>Recommendation</b>                             | Conditional Full Permission                                   |

|                                                                                                       | NO | YES |
|-------------------------------------------------------------------------------------------------------|----|-----|
| <b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b> | ✓  |     |
| <b>Contrary to previous decision</b>                                                                  | ✓  |     |
| <b>Called in by Ward Member</b>                                                                       | ✓  |     |
| <b>Significant number of representations received</b>                                                 | ✓  |     |

### 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 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 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

|                                                      | <b>YES /<br/>NO</b> | <b>SUMMARY</b>                                        |
|------------------------------------------------------|---------------------|-------------------------------------------------------|
| Negotiations/Amendments during course of application | Yes                 | Email exchange regarding land ownership               |
| Parish/Town Council comments sought                  | No                  |                                                       |
| Planning History                                     | Yes                 | 89/06438 – Dormer extensions (conditional permission) |

|                        |    |  |
|------------------------|----|--|
|                        |    |  |
| Consultations required | No |  |

### **Assessment**

Permission is sought for the erection of front and rear dormers and associated alterations.

#### **Front dormer**

The measurements of the front dormer are as follows:

- ~1.7 metre height
- ~5 metre width
- ~4 metre front projection

#### **Rear dormer**

The measurements of the rear dormer are as follows:

- ~3 metre projection
- ~2.2 metre height
- ~3.3 metre width

With regard to materials, the exterior walls of the dormers would be constructed from white UPVC cladding. The front dormer would be continuous with adjacent dormer at 1, St Stephen's Road. Internally, the dormers would provide two bedrooms.

The chimney breast and chimney stacks would be removed as part of the proposed works.

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:

| <b>Dormer extensions should:</b>                        | <b><u>Yes - COMPLY</u></b>                                                                                                                                   | <b><u>No - JUSTIFY</u></b>                |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| relate to the appearance of the house and existing roof | Both the front and rear dormers would be set within confines of existing roof and would harmonise with the appearance of the adjacent property in this case. |                                           |
| be designed in style and materials similar to the       |                                                                                                                                                              | The dormers would be white UPVC cladding. |

|                                                                                                          |                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| appearance of the existing house and roof                                                                |                                                                                                                                                                                                | Although this could potentially be considered unacceptable elsewhere, given the front dormers on the adjoined neighbours are faced in white cladding, the proposed cladding would be considered to harmonise the appearance of the terraced neighbours and acceptable in this case. |
| not dominate the roof or project above the ridge of the house                                            | The dormers would be set within the roof plane and would not project above the ridge of the house.                                                                                             |                                                                                                                                                                                                                                                                                     |
| be set below the ridgeline of the existing roof and within the roof plane                                | The dormers would be set below the ridgeline                                                                                                                                                   |                                                                                                                                                                                                                                                                                     |
| be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant | The front dormers would be adjoined and of same scale and colour to the front dormers at No 1. There is a realistic fallback element that the rear dormer could be achieved through PD rights. |                                                                                                                                                                                                                                                                                     |

### **Design and Visual Amenity:**

#### *Summary of local street scene/character:*

The application site relates to an end-terrace dwelling located in Lockwood, Huddersfield. There is a large dormer within the front roof slope of the adjoined neighbour 1, St Stephen's Road. Opposite the application site is a similar row of terrace dwellings with limited off-street parking.

3, St Stephen's Road is primarily surrounded by residential dwellings with large, industrial buildings to the east of the application site.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

|                                                | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                                  | <b>Further comments</b>                                                                                                                                                                                                                                                                                                                                                                                 | <b>✓ /<br/>X /<br/>N/A</b> |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Impact on the Local character and street scene | <ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>                    | <p>Front dormer – proposed white UPVC cladding would be in keeping with adjoining neighbouring dormers, therefore would be in keeping with the appearance of the dwellings.</p> <p>Rear dormer – similar rear dormers on neighbouring properties, this element would be in keeping with this existing design feature to neighbouring occupiers and is therefore considered acceptable in this case.</p> | ✓                          |
| Impact on original house                       | <ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>             | Both front and rear dormers would be small scale and appear proportionate within the roof plane...given the existing streetscene and fallback. This set of circumstances unlikely to be repeated elsewhere.                                                                                                                                                                                             | ✓                          |
| Height, scale and massing                      | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | The dormers would be well-balanced in size and situated within the front and rear roof planes of the application property, given the individual circumstances of this site.                                                                                                                                                                                                                             | ✓                          |
| Facing materials and detailing                 | <ul style="list-style-type: none"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>              | It is acknowledged that although the white UPVC cladding on the front dormer may not be considered an acceptable colour finish in other circumstances, the proposal is acceptable in this isolated case given the                                                                                                                                                                                       | ✓                          |

|                             |                                                                                                                                                                        |                                                              |   |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---|
|                             |                                                                                                                                                                        | existing development to the immediate neighbouring property. |   |
| Roof style                  | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Flat roof to match adjacent dormers.                         | ✓ |
| Window proportions          | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Proportions considered acceptable.                           | ✓ |
| Accessibility for all users | <ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Chapter 12 of the NPPF</li> </ul>                              | 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:*

- *1, St Stephen's Street – adjoined to the application property on the east-facing elevation. The dormers would not overlook or overshadow this neighbour.*
- *6, St Stephen's Street – located opposite the application site. This dwelling is approximately 18 metres from the application site, therefore the proposed works would not cause detrimental harm to privacy, overshadowing or overlooking on the amenities of this neighbour.*
- *65, St Stephen's Street – located to the rear (north-east elevation) of the application site. The rear dormer would face this neighbour, however this element of the proposal could likely be achieved through PD.*
- *63, St Stephen's Street- located to the rear (north-east elevation) of the application site. The rear dormer would face this neighbour, however this element of the proposal could likely be achieved through PD.*

- *5 & 9 St Stephens Road – located to the north west of the site, small scale impact to these properties, with openings not protruding further than that as exists already, and the scale of built form not considered to lead to significant levels of overshadowing or be unduly oppressive / overbearing.*

|                                                                      | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                 | <b>Further comments</b>                                                                                                                                  | <b>✓ /<br/>X /<br/>N/A</b> |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Impact on privacy of neighbours (to sides, rear and front)           | <ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul> | The proposed dormers would not cause detrimental harm to the privacy, light or outlook of any neighbouring properties proximate to the application site. | ✓                          |
| Impact on light and outlook of neighbours (to sides, rear and front) | <ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>        | The front dormers would not project further than those at No.1, therefore would not have a significant impact on light and outlook.                      | ✓                          |
| Remaining garden space of application property                       | <ul style="list-style-type: none"> <li>• KDP 7 of the SPD</li> <li>• Policy LP24 Design (b) and (c)</li> <li>• Chapter 12 of the NPPF</li> </ul>      | Garden space would be unaffected as a result of this proposal.                                                                                           | ✓                          |

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:**

|                          | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b> | <b>Further comments</b>                  | <b>✓ /<br/>X /<br/>N/A</b> |
|--------------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------|
| Impact on highway safety | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> </ul>                                 | No significant impact on highway safety. | ✓                          |

|                             |                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                  |   |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
|                             | <ul style="list-style-type: none"> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>                              |                                                                                                                                                                                                                                                                                                                                                                  |   |
| Parking provision           | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | There is no off-street parking provision at the property as existing. Due to the constraints of the site, it is not considered that off-street parking provision is able to be accommodated. It is considered it would be unreasonable of the LPA to refuse permission on the basis of the level of further living accommodation being provided by the proposal. | ✓ |
| Provision for waste storage | <ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>        | 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?

|                   | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                                           | <b>Further comments</b>                        | <b>✓ /<br/>X /<br/>N/A</b> |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------|
| Impact on trees   | <ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv)</li> <li>• Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul> | N/A                                            | N/A                        |
| Impact on ecology | <ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> </ul>                                                                                                           | The application site lies within the bat alert | ✓                          |

|                                          |                                                                                                                                               |                                                                                                                                                                                                                                                                               |   |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
|                                          | <ul style="list-style-type: none"> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>                                             | layer on the Council's GIS system. A note will be added to the decision notice regarding bats. Whilst the proposal would see works to the roof, on the basis of the inclusion of the recommended informative note the proposal is considered to be acceptable in this regard. |   |
| Carbon Budget / Climate change statement | <ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul> | 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                  | <ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>              | The rear garden and landscaping would be retained to allow for run-off. 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<br>✓ / 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:** 2023/93653

**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, LP30 and LP51 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

**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:-

| <b>Plan Type</b>         | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|--------------------------|------------------|----------------|----------------------|
| Application form         |                  |                | 11/01/24             |
| Climate change statement |                  |                | 21/12/23             |

| <b>Plan Type</b>                                     | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|------------------------------------------------------|------------------|----------------|----------------------|
| Plans, Elevations and Views as Existing and Proposed | 2332 - 01        |                | 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. It was not considered necessary to seek any amendments/further information during the course of this application.

**Report Dated:**

09/04/24

Low coal