

**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: | 2024/62/90177/W |
| Site Address: | 3, Lower Hall Crescent, Lascelles Hall, Huddersfield, HD5 0AY |
| Description: | Erection of front dormer 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.

Julia Steadman

AUTHORISED OFFICER

Date: 15-Mar-2024

HOUSEHOLDER DELEGATED REPORT

| | |
|---|---|
| Application Number | 2024/90177 |
| Location | 3, Lower Hall Crescent, Lascelles Hall, Huddersfield, HD5 0AY |
| Proposal | Erection of front dormer and associated alterations |
| Publicity end date | 29 th February 2024 |
| Number of representations received | None received |
| Kirklees Local Plan Allocation/Designation | Unallocated |
| Extension to Time (EoT) | N/A |
| 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 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

| | YES / NO | SUMMARY |
|--|-----------------|---|
| Negotiations/Amendments during course of application | Yes | Amended plans were secured showing a reduced front dormer to match the size of upper adjoined next door neighbour's front dormer. |
| Kirkburton Parish Council comments sought | Yes | None received. |
| Planning History | Yes | 2002/92873 – Erection of detached garage – Permitted development |
| Consultations required | No | |

Assessment

The application seeks permission for a front dormer extension.

The measurements of the dormer are as follows:

- ~2.2 metres in height
- ~5.9 metres in width
- ~3.5 metre front projection

The exterior walls of the dormer would be faced with white uPVC and a flat roof in design.

Internally, the front dormer would serve a master bedroom, wardrobe and bathroom.

In addition to the front dormer, the proposed works would include one first floor window within the side (west-facing) elevation. This would be obscure glazed and serve a bathroom.

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:

| SPD RECOMMENDATION: | <u>Yes - COMPLY</u> | <u>No - JUSTIFY</u> |
|--|--|--|
| relate to the appearance of the house and existing roof | The proposed dormer would be faced in white uPVC cladding to match existing windows on the dwelling. | |
| be designed in style and materials similar to the appearance of the existing house and roof | No – finishing materials uPVC white cladding | The proposed materials are typical for dormer extensions and would match existing dormers on surrounding properties and is therefore acceptable. |
| not dominate the roof or project above the ridge of the house | Following amendments, the dormers would 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 | the dormer would be set ~0.6 metres below the ridgeline and would be set within the roof plane. | |
| be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant | Amended plans were sought in which the proposed dormer at No. 3 would be similar in size to the adjoined neighbour, 1 Lower Hall Crescent. | |

Design and Visual Amenity

Summary of local street scene/character:

The site to which the application relates to is a semi-detached dormer-bungalow located in Lascelles Hall, Huddersfield. The application property is located within a wider residential area in which surrounding development shares similar design and architectural features. Within the immediate street scene, many dwellings host front dormers including 1, 2 and 4 Lower Hall Crescent.

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 | <ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF | Front dormers are common on properties surrounding the application site; therefore the proposed works would be in keeping with the local character of the street scene. | ✓ |
| Impact on original house | <ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF | Amended plans have been submitted in which the front dormer is reduced in scale and proportionate to the existing dwellinghouse. | ✓ |
| Height, scale and massing | <ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF | The dormer would be sited ~1 metre above the eaves and ~0.6 metres below the ridge of the dwelling. It is therefore considered that the dormer would not dominate the roof and is acceptable in the amended form. | ✓ |
| Facing materials and detailing | <ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP | White uPVC cladding considered subservient to host dwelling. | ✓ |

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| | <ul style="list-style-type: none"> • Chapter 12 of the NPPF | | |
| Roof style | <ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF | Flat roof considered typical for dormer extension and would complement the existing dwelling. | ✓ |
| Window proportions | <ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF | Two windows within front elevation of dormer (north-facing) considered acceptable. | ✓ |
| Accessibility for all users | <ul style="list-style-type: none"> • KDP 17 of 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:

The main properties affected are:

1, Lower Hall Crescent

This dwelling is adjoined to the application property on the north-east facing elevation. The proposed dormer would not project further than the front dormer at this dwelling, therefore the proposed works would not cause undue overshadowing, overlooking or impact on privacy. There would be no openings facing this neighbour.

2, Lower Hall Crescent

This property is located opposite the application site. A separation distance of ~23 metres is achieved, therefore it is not considered that the proposed works would cause detrimental harm to the residential amenity of this neighbour in terms of overlooking, overshadowing or bring undue harm to the level of privacy currently enjoyed at this dwelling.

4, Lower Hall Crescent

This property is located opposite the application site with a separation distance of ~23 metres achieved.

5, Lower Hall Crescent.

5, Lower Hall Crescent is located adjacent to the application site on the south-west facing elevation. The first-floor window within the west-facing elevation would directly face this neighbour with a separation distance of ~6 metres. However, this window would be obscurely glazed which is acceptable in terms of mitigating detrimental harm to overlooking/ privacy of this neighbour.

| | 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) | <ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF | The proposed works are not considered to cause undue impact of privacy on any neighbours as set out above. | ✓ |
| Impact on light and outlook of neighbours (to sides, rear and front) | <ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF | Acceptable for the reasons set out above. | ✓ |
| Remaining garden space of application property | <ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF | The level of garden space would not be affected as a result of the development. | ✓ |

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 | <ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF | No alterations to highway access. | ✓ |

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| Parking provision | <ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF | The number of bedrooms would not increase as a result of the development; therefore it is considered sufficient parking is available at the property with the driveway located to the side of the dwellinghouse. | ✓ |
| Provision for waste storage | <ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF | None shown on plans however there is sufficient space within the site 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 | <ul style="list-style-type: none"> • 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 | <ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF | Bat alert layer – note attached to decision notice regarding bats. | ✓ |
| Carbon Budget / Climate change statement | <ul style="list-style-type: none"> • 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 | ✓ |

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| | | Climate Change Statement has been submitted with this application. | |
| Drainage and Flood Risk | <ul style="list-style-type: none"> • KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP | 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 ✓ / 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: 2024/90177

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

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 | | | 23/01/24 |
| Climate change statement | | | 24/01/24 |
| Existing Plans and Elevations | 0155/ 2023 – 01 | - | 23/01/24 |
| Proposed Plans and Elevations | 0155/ 2023 - 02 | B | 05/03/24 |

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 secured during the course of the application showing a reduced front dormer to be consistent with the scale of existing dormers in the vicinity, particularly that of the adjoining next door neighbours front dormer.

Report Dated: 12/03/24

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