

**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>2024/62/90254/W</b>
Site Address:	150, Lockwood Road, Lockwood, Huddersfield, HD1 3QX
Description:	Erection of single storey and first floor extensions to rear, alterations to roof including raising height of the ridge, dormer to rear and associated external 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: 03-May-2024**

## **The Site**

150, Lockwood Road is a two-storey mid-terrace dwelling with original rear outrigger located in Lockwood, Huddersfield. The exterior walls of the dwelling are constructed with natural stone with a natural slate tiled roof. The front elevation of the dwelling overlooks Lockwood Road, a classified A Road, with vehicular access to the dwelling via Macham Street to the rear.

To the east of the application site is a designated priority employment area, and to the sides and rear of the site are residential dwellings. The residential area predominantly consists of terrace dwellings, with the main construction material being stone.

## **The Proposal**

The applicant is seeking planning permission for the erection of single storey and first floor extensions to rear, alterations to roof including raising height of the ridge, dormer to rear and associated external alterations.

### **Single storey extension**

The measurements of the extension are as follows:

- ~5.0 metre rear projection (maximum) and retention of outrigger that projects a further ~2.2m
- ~2.9 metre width
- ~3.3 metre total height

The rear extension and alterations to the roof form of the existing outrigger, would have mono-pitch roofs.

### **First floor rear extension**

The measurements of the extension are as follows:

- ~3.1 metres in height
- ~1.6 metre projection
- ~5.9 metre width

This extension would extend the full width of the existing dwelling. The exterior walls of the ground and first floor extensions would be faced with natural stone. The dormer would have a rubber flat roof and the walls would be constructed using grey concrete tile cladding.

The consequence of the first floor rear extension would be to, in turn raise the height of the principal roof. This would align with the adjacent properties. It is within this extended roof form that a dormer extension would be installed.

### Rear dormer

The measurements of the dormer are as follows:

- ~2.5 metres in height
- ~4.9 metre width
- ~4.5 metre front projection

The dormer extension would provide a second bedroom.

The ridge of the roof would be raised 550mm to match the height of adjoining dwellings and would be constructed from natural slate to match existing.

### Planning History

Relevant planning history for this site is summarised as follows:-

- 2002/93917 – Erection of ground floor bedroom/WC extension
- 2004/93984 – Erection of ground floor bathroom extension (conditional full permission)

### History of Negotiations

Negotiations were undertaken to reduce the projection of the rear extension and to alter the roof form from a flat roof to a mono pitch to harmonise with the wider street scene.

### Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters. Final publicity date expired 19<sup>th</sup> March. No representations were made as a result of the publicity.

The amended plans were not republicised as this reduced the overall scale of development proposed.

### Consultations

No statutory consultations were requested for this application.

### **Allocation & Policies**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

#### **Kirklees Local Plan (LP)**

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP51 Air Quality

#### **National Policies and Guidance**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20<sup>th</sup> December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

## Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

### Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### **Assessment**

The following matters are considered in the assessment below –

1. Principle of development
2. Impact upon the character and appearance of the area (including impact upon historic environment)
3. Impact upon residential amenity
4. Impact upon highway safety
5. Climate Change
6. Other matters – e.g. trees/ecology (e.g. bats)
7. Representations
8. Conclusion

#### **1 – Principle of development:**

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

*The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

## **2 – Impact on character and appearance of the area**

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.6 of the Council's House Extensions & Alterations SPD provides specific guidance of single storey rear extensions:

### *5.6 Single storey extensions should:*

- *be in keeping with the scale and style of the original house;*
- *not normally cover more than half the total area around the original house (including previous extensions and outbuildings);*
- *not exceed 4 metres in height;*
- *not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;*
- *where they exceed 3m in length the eaves height should generally not exceed 2.5 meters;*
- *retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.*

The single storey extension would broadly comply with the above. The construction materials would match the existing dwelling, thus be in keeping with the scale and style of the original house. Whilst it has been acknowledged that the works would create more bulk and massing at the site,

it would not result in overdevelopment, as a significant amount of useable amenity space will be retained.

Although the extension would depart SPD guidance and project more than 3 metres in length, the extension would lie flush with the adjacent single storey extension next door, and other rear extensions along the row (5m in projection). The retention of the narrow outrigger mitigates the impact on the extension from elsewhere as this has a rear projection of approximately 7.2 metres. This would mitigate detrimental harm to the visual amenity and therefore an extension of this size would be acceptable in this case.

With regard to the first-floor extension, the proposed construction materials would consist of natural stone for the walls with two UPVC windows to match existing. The first floor would project ~1.6 metres from the rear elevation and lie flush with adjoined neighbouring dwellings. The height would increase by ~0.5 metres which is acceptable from a visual perspective, as the eave height of the application property would match that of the adjoined terraces.

The roof would be raised ~550mm to align with adjacent roofs as part of the works. This has been considered acceptable from a visual amenity perspective, as the materials and design would be the same as existing. This will ensure that the proposal accords with Policy LP24 of the Local Plan.

Section 5.27 of the Council's adopted SPD relates specifically to dormer extensions:

*5.27 Dormer windows should:*

- *relate to the appearance of the house and existing roof;*
- *be designed in style and materials similar to the appearance of the existing house and roof;*
- *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;*  
*and*
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.*

The design of the dormer has been considered acceptable from a visual amenity perspective. The dormer would be located to the rear of the dwelling with a rubber flat roof. The walls would be constructed from grey concrete tile cladding, therefore would appropriately relate to the materials of the roof. A sufficient level of roof space would be retained, and the dormer would not project above the new ridge of the house. A site visit confirmed that there is a large rear dormer within the rear roof plane of adjoined dwelling 152, Lockwood Road. Therefore, it is considered that the proposed dormer would

be in keeping with surrounding development and acceptable from a visual perspective.

In terms of fenestration, the openings would also have a satisfactory visual impact, as they would be of a similar size and scale to those that already exist on the dwellinghouse.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

### **3 – Impact on residential amenity:**

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

150 Lockwood Road has four attached side neighbours: 148 and 146 Lockwood Road to the north, and 152 and 154 to the south. There are no residential dwellings located to the front of 150, Lockwood Road, and a separation distance of over 40 metres is achieved between the application site and properties located to the rear on Bland Street.

#### *Impact on 148 Lockwood Road*

This dwelling is adjoined to the application site from the north-east facing elevation. The proposed extensions would be kept within the confines of the front and rear elevations of this adjoined property, where an extension is located adjacent to the existing rear projection. Therefore, the existing rear outrigger of the application site would block any impact of overbearing, overshadowing, or overlooking on this neighbour. In addition, the first floor extension would lie flush with the rear elevation of this neighbour, therefore would not be detrimental to overshadowing on this neighbour.

The dormer would be located on the north-west facing elevation and given its size and set away from the shared boundary, it would not cause detrimental harm to the residential amenity of this neighbour with regards to overbearing, overshadowing or overlooking.

#### *Impact on 146 Lockwood Road*

This dwelling is adjoined to the application site from the north-east facing elevation.

The main body of the application dwelling would screen the majority of development from this dwelling. The alterations to the roof would face this neighbour, however it is not considered to cause detrimental harm with regards to overbearing, overshadowing or overlooking.

#### *Impact on 152, Lockwood Road.*

This dwelling is adjoined to the application site from the south-west facing elevation. It is noted that these neighbours would originally have been the most impacted by the works proposed. The single storey extension would have extended the existing rear outrigger from the south-facing elevation by 2m. This element has now been removed. (as 152 has a ~5m single storey rear extension).

#### *Impact on 154, Lockwood Road*

This neighbour is adjoined to the application dwelling from the south-east facing elevation.

The main body of the application dwelling would screen the majority of development from this dwelling. The alterations to the roof would face this

neighbour, however it is not considered to cause detrimental harm with regards being overbearing, overshadowing or overlooking.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

#### **4 – Impact on highway safety:**

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

In terms of highway safety, the proposed works would not result in the number of bedrooms increasing on site. While the extension would project into the rear amenity space, it is not considered that the dwelling would lose an off-street parking space as a result of the works. There are no changes to highway access proposed, leading to the conclusion the proposal has a neutral impact upon highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

#### **5 – Other matters:**

##### *Ecology*

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is

located within an identified bat alert area and the existing roof would be removed, it is considered this it is unlikely that the proposals would have an impact on the bat population I such a well-lit environment. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

#### Climate Change and flooding

On 12<sup>th</sup> November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda. The extension would be constructed from stone which is a sustainable, recyclable material which would locally sourced. This is considered to be acceptable in terms of mitigation against climate change. A climate Change Statement has been submitted with this application.

The application site lies within Flood Zone 2 on the Council's GIS system (SFRA). It has been noted within the Climate Change statement that the floor levels would be raised from ground levels by 300mm. This is a proportionate response and acceptable in terms of KDP 14 of the SPD, Policy LP24 (d) (viii), LP27 and LP 34 of the Local Plan.

The site is now in Flood Zone 1 on the Environment Agency Flood map.

#### **6 – Representations:**

None received

#### **7 – 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**

**APPROVE**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2024/90254

**Officer Recommendation:** Approval

**Conditions**

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 (as amended).

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 extensions hereby approved shall in all respects match those used in the construction of the existing building. The face and cheeks of the rear dormer shall be finished in small grey concrete or natural slate tiles.

**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:** 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		-	31/01/24
Climate change statement		-	12/02/24
Site plans	U189-P01	-	31/01/24
Existing drawings	U189-P02	-	31/01/24
Proposed drawings	U189-P03B	B	30/04/24
Flood Risk Assessment		-	12/02/24

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. Negotiations were undertaken to reduce the projection of the rear extension and to alter the roof form from a flat roof to a mono pitch to harmonise with the wider street scene.

**Report Dated:** 03/05/2024

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