

**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:	2024/62/90773/W
Site Address:	82, Banks Road, Linthwaite, Huddersfield, HD7 5LP
Description:	Demolition of existing conservatory and dormer and erection of replacement side extension and dormer with raised platform and associated alterations
Recommending Officer:	Molly Storer

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 21-May-2024

EHOLDER DELEGATED REPORT

Application Number	2024/90773
Location	82, Banks Road, Linthwaite, Huddersfield, HD7 5LP
Proposal	Demolition of existing conservatory and dormer and erection of replacement side extension and dormer with raised platform and associated alterations
Publicity end date	30 th April 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	The application site within the Strategic Green Infrastructure Network on the Kirklees Local Plan and within an area with a known presence of bats.
Extension to Time (EoT)	Yes EoT Date: 24/05/2024
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) December 2023
National Planning Practice Guidance (NPPG)

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

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 31** – Strategic Green Infrastructure Network
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk

- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

The application seeks permission for the erection of replacement side extension and dormer with raised platform and associated alterations.

Raised platform

The raised platform will be located to the west elevation. The existing window in this elevation is proposed to be replaced with French doors accessed via a timber staircase and raised landing area. This will measure 1m x 2m and will be raised off the ground by 1.9m. Due to the location of the platform 22m from the road, it being at a significantly lower land level and the limited scale of this element it is considered that it would not be significantly visible from public viewpoints and would not disrupt the street scene. Due to the dense vegetation on site and large separation distances to surrounding properties it is considered it will not cause any significant harm to neighbouring properties.

Associated alterations

The associated alterations to the original house include

- existing windows to be replaced with slightly larger windows on the west elevation dormer and slate cladding to be replaced with Cedar cladding.

- Two new single windows either side of the proposed dormer on the east elevation

These minor alterations are considered acceptable as due to the orientation of the houses and dense vegetation the additional glazing will be naturally screened. The change of materials on the dormer is considered to be sympathetic as it will match that of the proposed dormer.

Dormer

This dormer will replace an existing dormer on the same elevation. It will project 1.3m from the roof slope, have a width of 3.2m and an overall height of 3.5m. The dormer will have a lean-to roof form and will be set down from the original roof ridge by 0.9m. this will create space for a bigger master bedroom and ensuite.

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:

Dormer extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
relate to the appearance of the house and existing roof	The dormer will replace an existing dormer of a similar size and will be set well within the confines of the existing roof.	
be designed in style and materials similar to the appearance of the existing house and roof	The dormer will be constructed from Cedral cladding to match that of the dormer on the opposite elevation and the roof will be tiled to match the existing property.	
not dominate the roof or project above the ridge of the house	Due not the limited projection and width the dormer will be a subservient addition and will not dominate the roof of the existing dwelling.	
be set below the ridgeline of the existing roof and within the roof plane	The dormer will be set below the ridgeline of the exiting roof by 0.9m.	

be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant	N/A – there are no other dormer windows visible from the host property and due to the orientation of the houses no properties are built on the same building line.	
--	--	--

Single storey side extension

The single storey side extension will extend 3.7m from the south elevation and have a width of 7.1m. The height to the eaves will be 3m with an overall height of 6.8m. The roof will be of a gable roof design and the extension will create space for a lounge/dining area.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 and if they do not, they need to be justified.

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Yes – due to a separation distance of 10m to the nearest property and large amounts of vegetation naturally screening the site there will be limited impact to neighbours natural light.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	Yes – there will be a large amount of glazing in the south side elevation however due to differing land levels and a separation distance of 13m from this elevation to the closest property these windows will not overlook neighbouring gardens.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	Yes – the extension will not extend more than	

	two thirds the width of the original house.	
not exceed a height of 4 metres		No – the extension will have a maximum height of 6.8m however due to the location of the property at a significantly lower land level than the pavement on Banks Road this will not appear out of place within the street scene. Furthermore, the extension will follow on from the main house creating a visually acceptable appearance.
be set back at least 500mm from the original building line to allow for a visual break	Yes – the extension will be set in 0.7m from each side.	

Design and Visual Amenity:

82 Banks Road is a detached bungalow in the area of Linthwaite. The property benefits from a large amount of garden amenity space to the front rear and sides as well as a driveway off Banks Road. Due to the topography of the site the property is set on a significantly lower land level than Banks Road and is accessed via steps from the driveway. The surrounding development is residential with properties of various ages and styles.

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 	Due to the differing land levels both of the extensions will be mostly hidden from public viewpoints. The very top of the house can be seen	

	<ul style="list-style-type: none"> Chapter 12 NPPF 	from Banks Road however due to the side extension aligning with the original house this will create a visually harmonious appearance.	
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 	The proposed dormer will replace an unsympathetic gabled dormer. The new dormer will have a lean-to roof to match that of the front dormer. The side extension will have matching materials to the host property and is considered to be a sympathetic addition.	
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 	Although the side extension does have a height of 6.8m the development will appear sympathetic due to it being set in from both sides by 0.7m and aligning with the roof ridge of the original house. Which means that in terms of height, scale and massing the extensions would be subservient to the original house and to the wider street scene.	
Facing materials and detailing	<ul style="list-style-type: none"> KDP 9 of the SPD Policy LP24 Design (d) (iii) of the KLP Chapter 12 of the NPPF 	The dormer will be constructed from Cedral cladding it is recommended the colour finish of the dormer is dark grey and this is ensured by condition. The side extension will be constructed from brick and render with roof tiles to match the materials on the original house.	
Roof style	<ul style="list-style-type: none"> KDP 1 and 2 of the SPD Policy LP24 Design (a), (c) 	The dormer will have a lean-to roof to match that of the dormer on the front dormer. The side	

	<ul style="list-style-type: none"> and (d) of the KLP Chapter 12 of the NPPF 	extension will have a gable roof to carry on from the roof of the original house.	
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 	The south elevation of the side extension will be predominantly made up of glazing. The east elevation will have a single door and the west elevation will include no windows. The dormer will have a single window in the east elevation. The large expanse of glazing is considered to be acceptable in this case given the limited public view of the property.	
Accessibility for all users	<ul style="list-style-type: none"> KDP 17 of the SPD Policy LP24 Design (f) Chapter 12 of the NPPF 	The dormer will be constructed from Cedar cladding to match that of the dormer on the opposite elevation and the roof will be tiled to match the existing property.	

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:

- *80 Banks Road – property to the southwest- the dwelling at this site is the closest neighbour to the proposed side extension at a separation distance of 19m. due to this separation distance and as No.80 is set on a significantly higher land level it is considered that no windows will look onto this property nor will it overshadow this neighbour.*
- *25 & 27 Banks Road – properties to the south – there will remain a separation distance of 30m between the extension and these properties meaning that although the glazing does face towards these neighbours the extension will not likely cause any significant impact to privacy. Furthermore due to these properties being set on a significantly high land level there will be no overshadowing nor overbearing impact from the extensions.*
- *941a Manchester Road – property to the east – The separation distance from the dormer/side extension to the property at this site will be 17m. Furthermore due to the orientation of the houses the dormer*

will face onto the garden, there is also large amounts of vegetation along the boundary creating natural screening to the neighbours garden and house meaning there will be no significant impact to residential amenity.

- *941b, 941c, 943, 945 Manchester Road – properties to the northeast- due to the location of the side extension at the opposite side of the house it will not be visible from these properties and will therefore have no impact upon amenity. The dormer will have no windows which face onto these properties and due to the separation distance of 13m these properties are not likely to be impacted by the proposals.*
- *951 Manchester Road – property to the northwest –The separation distance to the boundary with this neighbour will be 10m. Although this is a relatively smaller separation distance the limited glazing in the elevation facing this neighbour and the large amounts of vegetation on the boundary will naturally screen the extensions meaning there will not be any significant impact to residential amenity*

	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 	Discussed 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 	Discussed above.	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> • KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	Discussed 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 	Discussed above.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	N/A	
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 	No additional bedrooms proposed and no parking spaces will be taken up by the proposal.	✓
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 plan however sufficient space 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	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) 	N/A	✓

	<p>(iv) Policy LP33 Trees</p> <ul style="list-style-type: none"> • Chapter 12 of the NPPF 		
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	<p>While it is within a bat alert layer, the small scale alteration to the host would not have significant impacts to roosting potential. It is recommended that a bat informative be attached to notify the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.</p> <p>The site is also within the Strategic Green Infrastructure Network (SGIN) therefore Policy LP31 of the Kirklees Local Plan is relevant. Given that the proposal is for residential extensions and alterations to a relatively modern bungalow, with the extensions mostly taking place over hard surfaced land, it is considered that the proposal would unlikely cause harm to protected species or compromise the role or function of the SGIN.</p>	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 	Small scale domestic development to an existing dwelling. As such,	✓

	<ul style="list-style-type: none"> Chapter 14 of the NPPF 	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"> 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		N/A

Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2024/90773

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the extension to side hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

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.

4. The dormer hereby approved shall be clad in a dark grey colour finish which shall be retained thereafter.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	20/03/2024
Proposed site plan	-	-	20/03/2024
Proposed first floor plan	2023/449/07	-	20/03/2024
Proposed ground floor plan	2023/449/06	-	20/03/2024
Proposed east elevation	2023/449/03	-	21/03/2024
Proposed south elevation	2023/449/05	-	21/03/2024
Proposed west elevation	2023/449/04	-	21/03/2024
Location plan	100047474	-	20/03/2024

Plan Type	Reference	Version	Date Received
Existing floor plan	2023/449/02	-	20/03/2024
Existing elevations	2023/449/01	-	21/03/2024
Proposed section	2023/449/08	-	20/03/2024
Application form	-	-	20/03/2024

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 not considered necessary to seek any amendments/further information during the course of this application.

Report Dated:

20/05/2024