

**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:	2024/62/91176/W
Site Address:	8, West View, Paddock, Huddersfield, HD1 4TX
Description:	Erection of rear dormer
Recommending Officer:	Laura Yeadon

DECISION – CONDITIONAL FULL PERMISSION

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

John Holmes

AUTHORISED OFFICER

Date: 16-Jul-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91176
Location	8, West View, Paddock, Huddersfield, HD1 4TX
Proposal	Erection of rear dormer
Publicity end date	13 th June 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	Requested EoT Date: 17 th July 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 and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPD Chapter 15 – Conserving and enhancing the natural environment

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
- **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 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

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

Assessment

The application seeks permission for a dormer extension.

The proposed dormer would be 6.7m in width, 2.6m in height and 4m in projection being a total volume of approximately 35 m3. The proposed

construction materials would be composite clad panels for the dormer cheeks, concrete for the roof and uPVC for the windows.

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	Yes – set within the confines of the existing roof	
be designed in style and materials similar to the appearance of the existing house and roof	No – finishing materials composite cladding	Composite cladding typical material for dormer extensions – colour can be conditioned to be dark grey to match colour of the existing roof. – likely Permitted Development fall back position in this case.
not dominate the roof or project above the ridge of the house	No – the dormer is large within the rear roof slope.	However, the dormer would be set within the confines of the existing rear roof which can still be read – likely Permitted Development fall back position in this case
be set below the ridgeline of the existing roof and within the roof plane	Yes	
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant		No – no other dormer openings within rear elevation street scene. Likely a PD fall back in place in this case.

Design and Visual Amenity

Summary of local street scene/character: Mid-terraced property constructed from stone with a tiled roof. Amenity space is located to the front and rear of the property. The rear of the property faces a private access road known as West View Rise which links Church Street to West View and West View Rise. Whilst the rear of the terraced row has benefitted from a number of extensions, there are no other dormers within the immediate street scene.

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 	Rear roof form within terraced row already interrupted with gabled roofs to rear of No's 4 and 6. Property hosts full permitted development rights	✓
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 	Original roof form would be clearly visible	✓
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 	Acceptable	✓
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 	These can be secured by condition to ensure that the cladding is grey to match the existing roof	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD 	Flat roofed – typical of rear dormer extensions.	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 		
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 	Proportions 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	✓

Weight is afforded the extent of a flat roof dormer which could be undertaken by utilising permitted development rights and, whilst there have been some additions in term of roof space, these are not significantly sized (leand to and gable roof of rear extension). As such a dormer of the size / scale proposed could likely be undertaken utilising pd rights. The design of the proposal is therefore concluded acceptable having regard to policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 6 West View (attached property to the north) would not be affected by the presence of the dormer – limited overshadowing to roof lights and increase in harm from overlooking would be limited
- 10 West View (attached property to the south) would not be affected by the presence of the dormer – limited overshadowing to roof lights and increase in harm from overlooking would be limited
- Paddock Scout Hut and Dance Studio beyond rear boundary are non-residential and there would be no decrease in separation distances

	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 	Acceptable for the reasons 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 	As 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 	As 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 	Unaffected	✓

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 impact on highway safety	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD 	There is no off-street parking provision at the property as existing. Due to the constraints of the	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	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 further living accommodation is provided 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 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:

	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 	None	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	Bat alert layer on mapping system – footnote to be attached to decision notice with information should bats be found during construction	✓
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, no special	✓

	<ul style="list-style-type: none"> Chapter 14 of the NPPF 	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	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: 2024/91176

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 LP1, LP2, LP21, LP22, LP24, LP30 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. The hereby approved dormer shall be either vertically slate hung with slates that in all respects match those used on the existing roof or be clad in dark grey cladding. The external materials of construction approved by this condition shall thereafter be retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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 to 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
Location plan	PP-12888072v1		25 th April 2024
Existing elevations and floor plans	T000		25 th April 2024
Proposed elevations, floor plans and section	T001		25 th April 2024
Existing and proposed side elevations	T002		7 th May 2024
Climate Change Statement	Appendix A		7 th May 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: 10th July 2024