

**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:	2024/62/91999/E
Site Address:	35, Rockwood Rise, Denby Dale, Huddersfield, HD8 8SN
Description:	Erection of dormer extension
Recommending Officer:	Faiza Bano

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 09-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/91999
Location	35, Rockwood Rise, Denby Dale, Huddersfield, HD8 8SN
Proposal	Erection of dormer extension
Publicity end date	30 August 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	LP Green Space - Strategic Green Infrastructure Network, Bat Alert
Extension to Time (EoT)	No
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) July 2021
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 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	N/A
Parish/Town Council comments sought (Kirkburton)	No	N/A
Planning History	Yes	Planning Ref: 2004/93817

		Location: 35 ROCKWOOD RISE, DENBY DALE, HUDDERSFIELD, HD8 8SN. Proposal: ERECTION OF 2 STOREY EXTENSION AND CONSERVATORY Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2004-10-01
		Planning Ref: 2015/93045 Location: 35, Rockwood Rise, Denby Dale, Huddersfield, HD8 8SN Proposal: Certificate of lawfulness for proposed replacement conservatory roof Decision: CERT OF LAWFUL OPPS GRANTED Decision Date: 2015-11-04
		Planning Ref: 2024/91438 Location: 35, Rockwood Rise, Denby Dale, Huddersfield, HD8 8SN Proposal: Certificate of lawfulness for proposed dormer extension and associated alterations Decision: CERT OF LAWFUL OPPS REFUSED Decision Date: 2024-07-15
		Planning Ref: 2004/93854 Location: 33 ROCKWOOD RISE, DENBY DALE, HUDDERSFIELD, HD8 8SN. Proposal: ERECTION OF FIRST FLOOR EXTENSION Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2004-10-01
		Planning Ref: 2016/93972 Location: 31, Rockwood Rise, Denby Dale, Huddersfield, HD8 8SN Proposal: Erection of ground floor, first floor and roof extensions and alterations Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2017-06-23

Consultations required	No	N/A
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Assessment

The Kirklees SPD sets out that dormer window extensions should comply with certain parameters set out at paragraph 5.27 on page 32 (and listed below) and if they do not, they need to be justified:

Dormer windows should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
relate to the appearance of the house and existing roof;	Yes - regarding design, the proposed dormer would demonstrate a resemblance to the original dwelling in terms of roof design	
be designed in style and materials similar to the appearance of the existing house and roof;	Yes – dormer is designed with a pitched roof and would be symmetrical in both construction materials, design and size	
not dominate the roof or project above the ridge of the house;	Yes – proposed dormer does not dominate the roof.	
be set below the ridgeline of the existing roof and within the roof plane; and	Yes – proposed dormer is set below the ridgeline and would not project above the ridge of the house,	
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.		No – due to the slightly sloped nature of the applicant site, the dormers won't be aligned exactly. However, this is acceptable due to the positioning of the dwelling.

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character:

The site to which the application relates to is number 35 Rockwood Rise; a two-storey detached dwelling with an attached flat-roof garage to the side, and paved front garden and small garden to the rear. The dwelling is constructed using brick with a rendered finish on the principal elevation and a roof with concrete tiles.

The site and its surrounding area are wholly residential characterised by a mixture of two storey detached properties.

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	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The extension is generally modest in scale and due to positioning of the application site, the proposed development would not appear overly prominent. The proposed development would be located to the side of the property and will not impact the character or street scene across the frontage of the property due to neighbouring properties already hosting dormers. In terms of materiality, the dormers would be constructed using brickwork and render with concrete tiles to match the existing. Surrounding properties vary in terms of materials and architectural design, so the proposed materials would be in	✓

		keeping with the existing dwelling in terms of the materials used and is in keeping with the appearance and local character of the street scene and is considered acceptable.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would remain the dominant feature. The addition of the dormers will add an aesthetic appeal and practical benefits to the house, providing extra space, light and ventilation to the upper floors of the house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension would project across the side of the property.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials to match existing.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Pitch roof - in keeping with the original	
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	Small scale obscure glazing windows which would be in-keeping with existing building and will retain privacy.	

	Chapter 12 of the NPPF		
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension.	

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:

- 10 Greenside – This dwelling is the neighbouring property located to the southwest of the applicant site. The erection of a dormer will not impact this property due to the orientation of the property and topography of the site.
- 33 Rockwood Rise – This dwelling is located to the east of the applicant site. The dormer would have a window facing toward this property and its associated curtilage. However, given the fact that the host property already has dormers in similar relationship with this neighbouring property, they are unlikely to present any privacy issues to these neighbours over and above the existing situation. The proposed dormer window would be finished with an obscure glazing, which maintain the privacy of both properties. In terms of overshadowing, this would be negligible as there is significant separation space between the extension and this neighbouring property.
- The dormer is unlikely to cause any significant harm in terms of residential amenity of the adjoining properties given the level at which the works would be sited. The detached nature of the applicant site and the position within the existing roof is such that there would be no overshadowing.
- Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
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Impact on privacy of neighbours (to sides, rear and front)	• 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)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As above.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The proposed development does not impact the garden space of this property.	✓

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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	On-street parking and in curtilage parking is available, which remains acceptable due to the location of this property and the neighbouring houses – off the main through-fare.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	Maintains appropriate access and off-street in-curtilage parking.	✓

	Chapter 12 of the NPPF		
Provision for waste storage	- 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 red line boundary to allow for storage on site. Condition not considered necessary.	✓

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	- KDP 13 of the SPD - Policy LP24 Design (d) (i) (iv) Policy LP33 Trees - Chapter 12 of the NPPF	N/A	✓
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	N/A	✓
Carbon Budget / Climate change statement	- 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 Climate Change Statement has been submitted with this application.	✓

Drainage and Flood Risk	• 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.	✓
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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:

No representations 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:

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 hereby approved shall in all respects match those used in the construction of the existing building.

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
Grouped Plans and Elevations	24027D-01-P01 - Existing		16-Jul-2024
Grouped Plans and Elevations	24027D-02-P02 - Proposed		16-Jul-2024
General	Climate Change Statement		16-Jul-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: 05/09/2024