

**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:	2024/62/92589/W
Site Address:	16, Harvey Royd, Almondbury, Huddersfield, HD5 8SP
Description:	Erection of single and two storey side and rear extensions, with erection of dormers
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: 11-Nov-2024

Officer Report

Site Description

The site to which this application relates to is 16 Harvey Royd, Almondbury; a two-storey semi-detached dwelling constructed with rendered walls and a tiled roof. The property features a small front garden and private amenity spaces to the side and rear. A detached outbuilding is located to the east of the site.

During the site visit, no evidence of on-site parking was observed, and the dwelling is situated at the end of a cul-de-sac. The boundary treatments include railings at the front and timber fencing to the side and rear.

The site is located within a broader residential area, where neighbouring properties share a similar design and form, including both hipped and dual-pitched roofs. Additionally, the site is unallocated in the Kirklees Local Plan.

Description of Proposal

The application is seeking planning for the erection of a front porch, a single and two-story side and rear extensions and the erection of dormers. The proposal would be constructed from materials that match the existing dwellinghouse and house windows looking to the rear amenity area of the dwelling including skylight windows and dormer windows. The measurements of the scheme are as follows:

Front Porch

The proposed front porch extension features a projection of 1 meter and spans a width of 2.4 meters. The structure is designed with a pitched roof and has an eaves height of 2.3 meters.

Two-Storey Side Extension

The proposed two-storey side extension features a projection of 3.5 meters and extends to a length of 7.6 meters. The design includes an eaves height of 4.9 meters, with an overall height reaching 7.9 meters.

Two-Storey Rear Extension

The proposed two-storey rear extension features a projection of 3 metres and spans a width of 9.6 metres. The design includes an eaves height of 4.87 metres, with an overall height of 6.7 metres.

Single Storey Rear Extension

The proposed single storey rear extension features a projection of 1 metre and spans a width of 9.6 metres. The design includes a lean-to roof, with roof lights, an eaves height of 2.4 metres and has an overall height of 3.2 metres.

Dormers

The proposed rear facing dormers feature a width of 2 metres and an overall

height of approximately 2 metres. The design includes an eaves height of 1.1 metres and there is a distance of approximately 3.4 metres between both dormers. The dormers would be clad with composite cladding.

History of Negotiations/Amendments Received

Amended plans, incorporating the addition of dormers and revised internal arrangements, have been received.

Relevant Planning History

Planning Ref: 2021/91160

Location: 16, Harvey Royd, Almondbury, Huddersfield, HD5 8SP

Proposal: Erection of single and two storey side and rear extensions

Decision code: FC

Decision: FC - CONDITIONAL FULL PERMISSION

Decision Date: 2021-05-14

Planning Ref: 2020/94082

Location: 16, Harvey Royd, Almondbury, Huddersfield, HD5 8SP

Proposal: Erection of single and two storey side and rear extensions

Decision code: RF

Decision: RF - REFUSED

Decision Date: 2021-03-15

Representations

The application was advertised by neighbour letters, which expired on the 5th of November 2024.

As a result of the above publicity, no representations have been received.

Consultation Responses

KC Highways (informal) - From an increase of 3 to 6 bedrooms – needs to provide an additional (3) off street parking space as no parking available. Highways likely to object to proposal.

Policy

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).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map.

On 12th 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 predates 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.

Kirklees Local Plan Policies

LP 1 – Achieving sustainable development

LP 2 – Place shaping

LP 22 – Parking

LP 24 - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, and the Planning Practice Guidance Suite (PPGS) first launched 6th 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.

- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principal of Development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered

acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Background:

This application is a resubmission of application reference 2021/91160 as the permission has lapsed. The approval of that application was determined by addressing the previous grounds of refusal for application reference: 2020/94082.

Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

It has been determined that the proposed extensions would significantly increase the bulk and massing at the application site. However, this would not lead to overdevelopment due to the site's location and orientation on a corner plot with a large garden. Additionally, officers have noted that the proposed built form remained as per the previous application to create a more subservient two-storey side and rear extension, along with a smaller single-storey rear extension. The addition of a front porch and the erection of dormers have been proposed within this application.

Front Porch

The design of the front porch is considered acceptable as it is well set back from the pavement and is considered small and subservient to the original building. The front porch is well designed and would not harm the character of the original house or street scene. The materiality of the front porch is to match that of the original house and would not unreasonably affect neighbouring properties.

Two-Storey Side Extension

The proposed two-storey side extension's design is visually acceptable for the reason that it mirrors the original property's simple form. The eaves height, roof shape, and materials will match the existing structure. Although officers would prefer the extension to be lower than the ridge roof line, it is recognised that the extension will look like a continuation of the existing property, especially since it's at the end of a row and won't cause a terracing effect.

Therefore, the impact is minimal. It is also noted that the proposed side extension is set back approximately 25cm; this is to preserve the character of the semi-detached properties and enhance the secondary appearance of the side extension.

The proposed window openings are also deemed acceptable, as they resemble the design and form of those on the original property. While the extension will increase development near the side boundaries, it won't create an undesirable terracing effect due to the dwelling's corner plot location and orientation.

Two-Storey Rear Extension

In the previous 2021 application, the proposed two-storey rear extension was set down from the original ridge line. However, that is not the case with this application as the new roof has been designed to allow for the loft conversion and the erection of dormers in the form of a pitched roof with a gable end. This is considered acceptable for the same reasons set out above.

Single Storey Rear Extension

The proposed single storey rear extension features lean-to roof, with roof lights. In terms of size and scale, it is in keeping with the style of the original house; it projects out by 1 metre and has an eaves height of 2.4 metres. More than a 1 metre gap would be retained from the boundary of the applicant site after the construction of this proposed rear extension. The construction materials, including openings, of the proposed extension, are to match the existing materials of the original house.

Dormers

The proposed dormers are considered acceptable as they feature a pitched roof that demonstrates a resemblance to the original dwelling in terms of roof design; and would be symmetrical in both construction materials, design and size. The rear facing dormers are designed to ensure that they do not dominate the roof and do not project above the ridge, and are set within the roof plane, below the ridgeline, of the original house. The original property would remain the dominant feature and 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.

Having taken the above into account, the proposals, in this instance and on balance, would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24

c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The main properties affected are:

14 Harvey Royd – This property is the property adjacent to the west of the application site. 14 Harvey Royd shall experience some impact due to the proposed extension's bulk and massing. The plans detail a two-storey rear extension with a 3 metre projection and an additional 1 metre projection at ground floor level.

Upon careful consideration, it has been determined that the extension will not unduly overbear on the neighbour's amenity, whether viewed from their dwelling or garden. Although there will be some increased overshadowing, this will be limited to the morning and early afternoon, thus deemed acceptable. The plans also confirm no new openings on the western elevation, preserving the neighbour's privacy. However, due to the proximity to the neighbour's outdoor space, and for consistency purposes, as with the previous report (application reference: 2021/91160) future permitted development rights for ground floor openings are recommended to be removed via condition.

18 Harvey Royd – This property is the neighbouring property to the northeast of the application site. 18 Harvey Royd will be adjacent to the main bulk and massing of the proposed extensions, which will be situated next to the southern-facing side elevation of this property. A separation distance of approximately 9 meters will be maintained between this property and the application site. The proposed extensions do not directly align with the window openings of this property. Therefore, any potential overbearing, overshadowing, or overlooking effects are considered to be minimal and not detrimental.

41 Aldonley – This property is the neighbouring property located to the rear of the application site. This property shall see an increase in bulk and massing and the erection of dormers. However, officers have noted that a sufficient separation distance of approximately 17.5 meters will be maintained to the nearest elevation at number 41 Aldonley. As a result, there will be no significant overbearing, overshadowing, or overlooking impact on the neighbour's amenity.

43 Aldonley – As above.

45 Aldonley – As above.

With regards to the impact on neighbouring properties, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and

advice within chapter 12, paragraph 135 of the NPPF and the proposals are considered to be acceptable.

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, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Paragraph 135 (f) of the National Planning Policy Framework.

Impact on Highway Safety

The proposal would result in the creation of an additional three bedrooms, turning the dwelling into a six bedroom property.

The Kirklees Highways Design Guide indicates that while Kirklees Council has not established specific local parking standards, it suggests that four-bedroom dwellings or larger should ideally provide three off-street parking spaces. However, factors such as the development's accessibility, public transport availability, and local car ownership levels should also be considered.

In this case, the scheme does not propose any on-site parking for the dwelling due to the irregular shape of the front garden and the presence of an existing street tree adjacent to the application site. Consequently, officers are concerned that the development could intensify residential use at the site, noting that highway safety was a reason for refusal in the initial scheme.

Despite these concerns, it has been observed that the dwelling is located within a semi-sustainable area, with close proximity to public transport links. Given the site's logistics and the inability to provide on-site parking, officers do not believe the highway safety concerns are significant enough to warrant a refusal of this application.

The proposed development's scale remains subservient to the previous application and it would be unreasonable to refuse an application due to this. A review of the wider area shows that most neighbouring properties have off-street parking in the form of driveways, which will further alleviate pressure on Harvey Royd. Therefore, the development can be supported on highway grounds, in accordance with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

Other Matters

Climate Change

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11

request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

On 12th 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 predates 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.

Given the nature of the proposal, it is not deemed reasonable to require the applicant to implement specific resilience measures. However, incorporating additional openings in habitable room windows will enhance passive solar gain and reduce reliance on artificial lighting.

Representations

None Received.

Negotiations

None Received.

Conclusion

This application has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

As set out above, 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:
Application Number:
Officer Recommendation:
Conditions and Reasons:

Delegated Powers
2024/92589
Approve

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.
1. 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.
2. The external walls and roofing materials for the extensions hereby approved, shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings, other than those expressly permitted by this development, shall be created at ground floor within the western facing elevations of the rear extensions hereby approved.
Reason: So as not to detract from the amenities of adjoining and neighbouring properties by reason of loss of privacy and to accord with LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays
With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Location and Site Plans	2009-03A	16-Sep-2024
Existing Plans and Elevations	2009-01	16-Sep-2024
Proposed Plans and Elevations	2009-02G	24-Sep-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 Planning 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, incorporating the addition of dormers and revised internal arrangements, have been received.

Report Dated:

06/11/2018