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:	**2024/62/92734/E**
Site Address:	The Bungalow, 5, Norman Croft, Denby Dale, Huddersfield, HD8 8FP
Description:	Erection of extension and raising of roof height to create first floor living accommodation with associated external alterations following demolition of existing conservatory and porch
Recommending Officer:	Nicole Helliwell

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 19-Nov-2024

Officer Report

Reference No. 2024/62/92734/E

Site Address: The Bungalow, 5 Norman Croft, Denby Dale, Huddersfield, HD8 8FP

Proposal: Erection of extension and raising of roof height to create first floor living accommodation with associated external alterations following demolition of existing conservatory and porch

Site Description

The application relates to The Bungalow, 5 Norman Croft, a detached bungalow situated in Denby Dale, Huddersfield. The dwelling is faced in natural stone and incorporates a dual-pitched roof finished in stone tiles. The property currently benefits from a detached garage, a conservatory, off road parking to the front and a sufficiently sized garden to the rear. The neighbouring properties are of residential use and comprise stone built two storey and three storey dwellings of varying architectural styles. The site is not within a conservation area, nor are there any listed buildings nearby. However, there is a Public Right of Way (DEN/68/10) within close proximity to the site.

Description of Proposal

The application seeks planning permission for several additions and exterior alterations to the original dwellinghouse. The existing conservatory and front porch will be demolished to allow for the proposed development.. The proposed works are summarised below:

- Erection of front canopy (projection approx. 1.25m, overall height approx. 3.85m and eaves height approx. 2.56m).
- Raising of roof height by 3.2m to create first floor living accommodation.
- Alterations to fenestration within the south-east, north-west and north-east elevations of the dwelling.
- installation of a Juliet balcony within the north-western elevation of the dwelling.

Relevant Planning History

- **2005/94720:** Erection of Conservatory. Planning application details | Kirklees Council – Conditional Full Permission
- **2005/94319:** Erection of detached garage and porch. Planning application details | Kirklees Council – Conditional Full Permission
- 90/03238: Erection of detached double garage. – Conditional Full Permission

- **89/01192:** Erection of extension at ground floor level to form enlarged bedrooms. Planning application details | Kirklees Council – Granted Conditionally

Representations
The application was publicised by neighbour notification letters, which expired on 12th November 2024. As a result of the above publicity, no representations have been received.

Consultation Responses
Not Applicable.

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. However, it is located within the Strategic Green Infrastructure Network. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies
- **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 52** - Protection and Improvement of Environmental Quality

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.

In this case, the following SPDs are applicable:
- Highways Design Guide SPD (adopted 4th November 2019)

- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, 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 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving Well-Designed and Beautiful Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

Assessment

1. **Principle 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 and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety

1. Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (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 SPD goes onto 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.

Roof Alterations

The submitted plans confirm that the roof height of the dwelling would be raised by approximately 3.2m to create living accommodation at first floor level.

Although the proposed works would alter the appearance of the dwelling, it is noted that the street scene lacks coherent character and comprises mainly two and three storey dwellings of varying scales and designs. Therefore, given the context of the site, it is considered that the resultant dwelling would not appear discordant and would sit comfortably within the existing street scene and against the neighbouring properties. On this basis, it is considered that raising the roof height of the property would be acceptable from a visual amenity perspective.

Front Canopy

The proposed canopy would extend approximately 1.25m from the front elevation of the original dwellinghouse and would have an overall height of approx. 3.85m. Whilst it is noted that front canopies are not a common feature within the street scene, it is noted that the structure would have a modest scale and would be a subservient addition. Furthermore, the canopy would be set back from the pavement and would not appear overly prominent from public vantage points. Therefore, it is considered that the proposed development would be acceptable in terms of visual amenity.

External Alterations

The application would see alterations to the fenestration within the south-east, north-west and north-east elevations of the dwelling. The alterations would also include the installation of a Juliet balcony within the north-western elevation of the dwelling. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

Summary

Having taken the above into account, the proposed development 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 proposal would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. 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 SPD goes into further detail with respect to Key

Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact 375, 377, 379 and 381 Wakefield Road

375, 377, 379 and 381 Wakefield Road are a row of terraced properties located north-west and are sited on higher ground relative to the application site. It is noted that a distance of approximately 13.8m – 18m would be retained between the host property and the rear elevation of the neighbouring dwellings. However, given the difference in levels and the angled building positions, it is considered that the properties would not have a direct relationship. Therefore, it is considered that the proposed development would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Impact on 2 and 4 Norman Croft

2 and 4 Norman Croft are a pair of three-storey semi-detached properties located to the north and are sited on higher ground relative to the application site. The submitted plans confirm that a distance of approximately 16m – 24m would be retained between the host property and the neighbouring dwellings. Although the some of the separation distances would fall short of the 21m recommended within the Kirklees Housebuilders Design Guide SPD, given the indirect relationship between the properties including their habitable windows, officers consider that there would be no significant detrimental harm to the neighbour's residential amenity with regard to overbearing, overshadowing, or overlooking impact.

In addition to the above, immediately to the front of the application property is a hard surfaced parking and turning area which provides some separation between the site and the rear of Nos. 375 and 375A.

Impact on 3 Norman Croft

3 Norman Croft is a two-storey semi-detached dwelling located north-east of the application site. It is noted the neighbouring dwelling would occupy a position approximately 16.3m from the neighbouring property. However, given the difference in levels and the angled building positions, it is considered that the properties would not have a direct relationship. Therefore, the proposed development would not cause any significant impact from overlooking, overbearing or overshadowing harm to the neighbour's residential amenity, over and above the existing arrangements on site.

Impact on 5 Nether Dale

5 Nether Dale is a residential property located south of the application site. It is noted that a distance of approximately 10.2m would be retained between host property and the side elevation of no.5. Although the separation distance would fall short of the 12m recommended within the Kirklees House Extensions and Alterations SPD, it is taken into consideration that the current relationship falls short of this distance. Therefore, given that precedence has already been established within the street scene, it is considered that there would be no significant detrimental impact on the amenity of the neighbouring properties as a result of the proposed works.

Impact on 6 and 7 Nether Dale

6 and 7 Nether Dale are two-storey detached properties located south-west of the application site. The submitted plans demonstrate that the proposed development would occupy a position approx. 36.8m to no.6 and approx. 35.6m to no.7. Given that the separation distances retained would be substantial, it is considered that there would be no significant detrimental impact on the neighbour's residential amenity as a result of the proposed development.

Impact on 1 Nether Dale

1 Nether Dale is a residential property located south-east of the application site and occupies a position on lower ground. The submitted plans confirm that approximately 16m would be retained between the dwellings. Given that a sufficient separation distance would be retained and given that the dwellings would not have a direct relationship, the proposal is not considered to impact the neighbour's residential amenity and would be acceptable in this regard.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. Therefore, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

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 and Alterations SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 of the NPPF states that development should only be prevented or refused on highways

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would create two additional bedrooms, which would intensify the domestic use at the dwelling. However, it is noted that there would be sufficient off road parking on site for 3 vehicles, which would represent a sufficient provision for a five bedroomed dwellinghouse. Therefore. the proposal is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Biodiversity

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Council's mapping system, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Public Right of Way

Public Right of Way DEN/68/10 is located along the eastern boundary of the application site. Given the distance retained between the property and the footpath, it is considered that the proposal would not have a significant impact on the amenity of the footpath or its users. As such, the proposal was not advertised as affecting a Public Right of Way in this instance as is considered to accord with Policy LP23 of the Kirklees Local Plan.

There are no other matters relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. Negotiations

No amendments were sought or received during the course of the application.

7. Conclusion

This application for the erection of extensions and raising of roof height to create first floor living accommodation with associated external alterations at The Bungalow, 5 Norman Croft has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and 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 proposed development is 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. 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: 2024/92734
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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31 and LP52 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external alterations hereby approved shall in all respects match those used in the construction of the existing building. The materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 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: 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.

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	Revision	Date Received
Location Plan	2453-D-20-020	-	24/09/2024
Existing Site Plan	2453-D-20-021	-	24/09/2024

Plan Type	Reference	Revision	Date Received
Proposed Site Plan	2453-D-20-022	-	24/09/2024
Existing Ground Floor Plan	2453-D-20-023	-	24/09/2024
Proposed Ground Floor Plan	2453-D-20-024	-	24/09/2024
Proposed First Floor Plan	2453-D-20-025	-	24/09/2024
Existing Elevations	2453-D-20-026	-	24/09/2024
Proposed Elevations	2453-D-20-027	-	24/09/2024
Climate Change Statement	-	-	24/09/2024

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 12/11/2024