

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:	2024/62/93053/W
Site Address:	17, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF
Description:	Erection of front and rear dormers, alterations and extending roof form hip to gable and associated works.
Recommending Officer:	Joshua Merriman

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: 19-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93053
Location	17, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF.
Proposal	Erection of front and rear dormers, alterations and extending roof form hip to gable and associated works.
Publicity end date	09/12/2024
Number of representations received	1
Kirklees Local Plan Allocation/Designation	Unallocated
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	✓	

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 2024
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 9: Construction materials

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

Assessment

The application seeks planning permission for front and rear dormers, alterations and extending roof from hip to gable and associated works.

The proposed front dormer will extend a maximum of 2.68m from the existing roof, with a maximum height of 1.59m, and a width of 4.85m.

The proposed rear extension will project 2.43m from the existing roof, with a maximum height of 1.56m, and a width of 4.78m.

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 proposed dormers are not overbearing to the original roof of the property and will be constructed using	

	materials to match the existing building, therefore, relate well to the appearance of the existing house and existing roof. Whilst the alterations to the roof from a hip to a gable will not match the existing and will unbalance the semi-detached pair, cognisance must be had to the permitted development fall-back position and that the impact will not be significantly adverse.	
be designed in style and materials similar to the appearance of the existing house and roof	All of the proposed materials are to match the existing building, including facing brickwork walls, concrete pantiles on the roof, and uPVC windows and doors.	
not dominate the roof or project above the ridge of the house	The proposed extensions do not dominate the roof or project above the original ridge of the house, ensuring the dormers are subservient to the original house.	
be set below the ridgeline of the existing roof and within the roof plane	Both proposed dormers are set below the ridgeline of the existing roof and within the roof plane.	
be aligned with existing dormer windows on neighbouring properties	Although there are no dormers constructed at neighbouring properties	

in the same roof plane where relevant	on the same side of the street as No. 17, the proposed dormers align with the front dormer across the street at No. 22.	
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Design and Visual Amenity

Summary of local street scene/character:

17 Chiltern Avenue is a semi-detached property located in a neighbourhood of predominantly semi-detached homes of a similar character, age, size, and style. Although some neighbouring homes have more of a modern effect, this does not relate to the application property and proposed works. The dwelling benefits from a small garden area to the front, alongside a hard-surfaced parking area to the South East, and amenity space and a garage to the rear.

Whilst the alterations to the roof from a hip to a gable will not match the existing and will unbalance the semi-detached pair, cognisance must be had to the permitted development fall-back position and that the impact will not be significantly adverse.

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 proposed dormers are to be constructed using materials to match the existing building; therefore, it is considered that there will be no significant impact on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD	The extensions are subservient to the roof of the original building,	✓

	• Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	therefore, there will be no significant impact on the original 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 dormers are to be subservient in height, scale, and massing compared to the original dwelling.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed walls are facing brickwork to match the existing building, alongside uPVC windows and doors to also match the existing dwelling.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed roof is to be constructed using concrete pantiles to match the original house.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	All proposed windows are proportionate in terms of size and positioning when compared to already existing windows in the house.	✓

Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangement necessary.	✓
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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:

- 19, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF – Neighbour to the North West.
- 18, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF – Opposing neighbour.
- 20, Chiltern Avenue, Lindley, Huddersfield, HD3 3PF – Opposing neighbour.
- 54, Low Hills Lane, Lindley, Huddersfield, HD3 3PE – Neighbour to the South West.

	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)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Due to the heavy screening to the rear of the property, distance between the application property and opposing neighbours, and already existing views into neighbouring gardens from existing windows in the lower floor, it is considered that the proposals will have no	✓

		significant impact on the privacy of neighbours.	
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 the proposals do not increase the footprint of the original building, it is considered that there will be no significant impact upon the light and outlook of neighbouring properties.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As aforementioned, the proposals will not increase the footprint of the original house, therefore, having no significant impact in terms of overbearing or overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The property will retain all of the existing garden space.	✓

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	• KDP 15 of the SPD	The proposals are set far enough back from the nearest road (Chiltern Avenue) to have no	✓

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	significant impact on highway safety.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The property will retain all of it's existing parking provision, and the number of bedrooms at the dwelling will not increase, therefore, the parking provision on the site will be deemed acceptable.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed on the submitted plans, there is adequate space on the site for waste 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	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees	The proposals are not close enough to have any significant impact upon trees.	✓

	Chapter 12 of the NPPF		
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	The site is not within any areas of ecological interest.	✓
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.	✓

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
Loss of privacy/overlooking	The proposed dormer window would be positioned 22.51m from the bedroom window of No. 18, therefore, complying with the	✓

	standards set out in the House Extensions and Alterations SPD stating that habitable windows must be a minimum of 21m apart.	
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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: 2024/93053

Officer Recommendation: Conditional Full Permission

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.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan	WHPR24-0072-01	04/11/2024
Grouped Plans and Elevations	WHPR24-0072-02	04/11/2024
Application Forms	-	04/11/2024

Plan Type	Reference	Date Received
Supporting Statement	-	04/11/2024

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: 09/12/2024