

**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:	2024/62/93289/W
Site Address:	8, Park Drive South, Huddersfield, HD1 4HT
Description:	Extension to roof, new dormer windows and conversion of garage to living space
Recommending Officer:	Joanna Rednall

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.

Emma Thompson

AUTHORISED OFFICER

Date: 16-Jan-2025

The Site

8, Park Drive South relates to a detached bungalow constructed from stone with a hipped roof infilled with slates. The property features two-flat roof dormers to each side elevation, three chimney stacks as well as a single garage to the side. To the rear of the property is a large tiered lawned garden, to the front is a smaller lawned garden and a driveway to the side.

The property is located within a row of residential properties that vary in terms of design and architectural features, and the predominant construction materials appear to be stone and pebble dash or cream coloured render.

The application site is opposite the Greenhead Park/New North Road Conservation Area.

The Proposal

The applicant is seeking planning permission for extension to roof, new dormer windows and conversion of garage to living space.

Extension to roof

It is proposed that the roof of the main body of the dwelling would be extended by ~3 metres in width to include the existing flat-roofed garage. The eaves and ridge height would be retained as existing, and the application form states the materials would consist of slate roof tiles to match existing.

New dormer windows

Two new dormers are proposed to the front and side elevations. These would measure ~1.1 metre in height and ~1.7 metres in width. The existing side and rear dormers would be removed and replaced with dormers of identical measurements, UPVC double glazed windows are proposed to the front elevation of each dormer.

Conversion of garage to living space

The existing garage would be reconfigured into a kitchen and the front elevation would be set back by ~1.3 metres to lie flush with the existing front elevation. The garage door would be removed and replaced with a window; the two existing side windows would also be retained as a result of the development. The exterior walls would be built using stone to match the host.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

Relevant planning history for this site is summarised as follows:-

2005/91597 ERECTION OF SUN LOUNGE AND SHOWER ROOM
EXTENSION

Conditional full permission

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters.

Final publicity date expired: 31st December 2024

No representations were received as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP53 Contaminated and unstable land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise

impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Dormers

Section 5.4 of the Council's SPD relates to dormer extensions and sets out that the design of dormer windows and roof extensions should reflect the character of the area, the surrounding buildings and the age, appearance and materials of the existing house. Paragraph 5.27 provides the following guidance:

5.27 Dormer windows should:

- *relate to the appearance of the house and existing roof;*
- *be designed in style and materials similar to the appearance of the existing house and roof;*
- *not dominate the roof or project above the ridge of the house;*
- *be set below the ridgeline of the existing roof and within the roof plane;*
and
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.*

The proposed dormers are considered to have an acceptable visual impact. Due to the set back position of the dwelling in the street and the small size and scale of the dormers proposed, it is not considered that they would appear overly prominent additions to the roof of the property. The dormers would not dominate the roof, they are designed with a flat roof with the majority of each roof slope retained. Although the flat roof design does not follow the design of the roof, this design would minimise the appearance of the dormers to avoid a bulky or top-heavy impact of the development. It is also noted that properties surrounding the application site vary in terms of their design, however dormers have been established within Park Drive South, with front dormers present to

the properties north-west of the site (No.'s 10-12 Park Drive South). The proposed materials for the dormers have not been specified, however to ensure the development has an acceptable visual impact on the host property, a condition shall be attached to the decision notice to ensure that the materials to face the dormers match the colour finish of the roof.

Roof extension

The proposed roof extension to 8, Park Drive South is considered to be subservient to the host dwelling and is considered to be in keeping with the existing appearance of the dwelling, following the footprint of the existing flat roofed garage from the south-east elevation. The proposed alterations to the roof would slightly alter the visual shape of the dwelling however, the dwellings within the street scene have varying roof forms and therefore the alterations to the roof slopes would not be out of keeping within the street scene. To ensure the roof extension appropriately harmonises with the existing property, a condition shall be attached to the decision notice ensuring the materials used on the roof match the existing.

Garage conversion

The exterior alterations for the garage conversion include removing the garage door, demolishing the existing front elevation and setting the front elevation back by ~1.3 metres, and inserting one UPVC double glazed window to the front elevation. The proposed window appears to be of similar design and proportions to those existing on the front/northeast elevation, therefore this element is considered to have an acceptable impact on visual amenity. Upon any grant of approval, a condition shall be attached to ensure that the materials used to rebuild the exterior walls match those used on the existing property.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being 7 & 9 Park Drive South and 25 & 27 Gledholt Road.

Impact on 7, Park Drive South

This property neighbours the application site to the south-east.

The existing side dormer at 8, Park Drive South faces this neighbour, and the development would result in the separation of the dormer to the boundary being reduced by ~3 metres. The proposed dormer would retain a minimum separation distance from the shared boundary by ~4.1 metres, with an even greater separation distance from the neighbouring dwellinghouse itself, ~7 metres. The dormer would face the side elevation of No.7 which has no openings. These separation distances are considered sufficient to conclude that the extensions would not result in any significant impacts of undue overbearing or overlooking towards the occupiers of No. 7, Park Drive South, given the existing relationship.

This neighbouring property is also two-storeys in height and located at a higher ground level, further working to mitigate any overbearing/ overshadowing impacts of the development.

Impact on 9, Park Drive South

This property neighbours the application site to the north-west.

Given the siting of this neighbouring property, to the north-west of the host dwelling, it is not considered that the proposed roof extension to the south-east side of the dwelling would impact upon No.9 Park Drive South by way of overbearing, overshadowing or overlooking. There is an existing dormer facing this property and the distance of the dormer to the shared boundary and degree of existing glazing on the dormer would not be altered as a result of the development. This is considered to have an acceptable impact on the amenity of No.9.

25 & 27 Gledholt Road

These properties neighbour the application site to the rear.

The submitted plans show one dormer is proposed to the rear roof slope which would face the rear amenity spaces of these dwellings. The application property is set ~27 metres from the shared rear boundary and even further (~47 metres) from the rear elevations of these dwellings. Given this separation distance, it is not considered that the proposed development would impact upon No. 25 & 27 Gledholt Road in terms of overbearing, overshadowing or overlooking.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The proposed development would intensify the domestic use of the property, taking the total number of bedrooms on site from 3 to 4. KDP 15 of the Council's SPD recommends for a dwelling of 4 bedrooms to provide 3 off-street parking spaces. The garage conversion would result in the loss of one off-street parking space, and the driveway would be retained as a result of the development. Due to the proximity of the property to the Town Centre, there are good transport links available to occupants of the dwelling, therefore due to the sustainable location of the site it is considered that the short fall in parking is acceptable in this instance.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Impact upon land stability

Policy LP53 of the Kirklees Local Plan and paragraphs 187 and 196 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The application site falls within an area at high risk of ground movement as a result of past mining activities as determined by the Coal Authority. Whilst falling within a high risk area the Coal Authority identify the development type as that which does not need submission of a Coal Mining Risk Assessment. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with policy LP53 and paragraphs 187 and 196 of the National Planning Policy Framework

6 – Representations:

None received

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2024/93289

Officer Recommendation: Approve

Conditions

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 (as amended).

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 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

2. The external walls and roof 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.

3. The sides and face of the dormers hereby approved shall be finished in materials that in all respects match the colour finish of the roof tiles of the existing building. The materials and colour finish approved by this condition shall be retained as such thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, principles 1 and 2 of the House

Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location & Block Plan	IB2/03	-	19/11/2024
Location Plan	PP-13569418v1	-	19/11/2024
Plans & Elevations As Existing	IB2/01	-	19/11/2024
Plans & Elevations As Proposed	IB2 O2A	A	25/11/2024
Application form	-	-	19/11/2024
Climate Change Statement	-	-	25/11/2024

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

15/01/2025

High coal

