

**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:	2025/62/90341/E
Site Address:	59, Towngate, Mirfield, WF14 9JG
Description:	Alterations to rear roof structure to form gable end with balcony
Recommending Officer:	Edward Cheseldine

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.

Kerri Simpson

AUTHORISED OFFICER

Date: 09-Apr-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90341
Location	59, Towngate, Mirfield, WF14 9JG
Proposal	Alterations to rear roof structure to form gable end with balcony.
Publicity end date	21 Mar 2025
Number of representations received	0
Kirklees Local Plan Allocation/Designation	N/A
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) 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 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	
Parish/Town Council comments sought	No	
Planning History		

	None relevant to this permission.	
Consultations required	None necessary	

Assessment

The Kirklees SPD sets out roof alterations and balconies should comply with guidance set out in paragraphs 5.24 & 5.28 of the document.

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
<p><u>Roof Alterations</u></p> <p>Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical.</p>	<p>The existing pitched roof will be altered to a gable-end feature on the rear roof plane.</p> <p>It will have a high pitch which is characteristic of the building group. The adjacent dwelling has a similar gable-end feature on the rear elevation of the second floor. The appearance of the alterations will be symmetrical to the dwelling to the north and is acceptable.</p>	
<p><u>Balconies</u></p> <p>Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens. Sited away from locations that are sensitive to additional noise levels or disruption.</p>	<p>A Juliet balcony will be formed. There will be no platform. Due to the height of the structure, there is an existing over-looking capability from the first-floor windows.</p> <p>The proposed balcony will be set at a greater height than the current windows, increasing the</p>	

	<p>angle of outlook to the ground floor. It is not felt necessary to impose screening due to the existing relationship.</p> <p>The balcony is acceptable in terms of visual amenity.</p>	
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Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character: Towngate is a residential road with a mixed building group in terms of age and appearance. The application dwelling is constructed with brick exterior walls, it features a prominent gable-end feature on the front. There are 3 other similar pairs of semi-detached properties within the building row.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The roof alteration will be to the rear of the building, it will therefore have no impact to the existing street scene.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	The dwelling appears as a two storey structure with rooms in the roof space. It has a gable-end feature on the front elevation. The design of the roof alteration will create a symmetry within the building to the rear elevation. It is in keeping with the characteristics of the property.	✓

Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The height and vertical mass will be increased. The gable will not fall over the existing roofline and is symmetrical with the front elevation.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	Bricks and roof tiles materials will match the existing building.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The roof alteration will match the front elevation, which is acceptable.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	A double patio doorway will be installed within the gable-end. The window placement will retain the symmetry of the rear face of the dwelling.	✓

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:

- 57 Towngate

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	<p>57 Towngate is the adjoining property. It is a two-storey structure with a pitched roof.</p> <p>There will be an additional window formed at the second floor level. It will have a view toward the rear garden space of No. 57.</p> <p>Currently, the same view is observed from the first-floor windows. Given the existing relationship, there will be no change to current privacy relations.</p>	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	<p>No.57 has two skylights on the rear roof plane. These are high level windows, used for light.</p> <p>The proposal would be located to the north of these windows and, due to this positioning would not result in a loss of light.</p> <p>Due to the pitch of the gable-end, a view out of the skylights will be maintained.</p>	

- 61 Towngate

	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)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) 	61 Towngate is the adjacent property to the north. Again, there will be an additional window on the second floor which	

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	<p>will have a view towards the garden space of this property.</p> <p>Due to the first-floor windows, the overlooking relationship is existing and there will be no change to this.</p>	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> KDP 4, 5, 6 of the SPD Policy LP24 Design (b) Chapter 12 of the NPPF 	<p>The proposal would project above the existing rear roof slope but would remain below the overall ridge height of the host dwelling. The pitched roof form allows sunlight to reach the neighbouring garden to the north. While there may be a limited reduction in light during winter months, this would be when the sun is at a low angle. As such, the proposal is not considered to result in a detrimental harm to the amenity of this neighbour to a degree that would justify refusal.</p>	

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	<ul style="list-style-type: none"> KDP 15 of the SPD 	No changes to the access of the property.	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 		
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	There will be no increase in the number of bedrooms of the property, or number of parking spaces.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	A side space for bin storage will remain.	✓

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	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 		N/A
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 		N/A
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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	✓

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
Location plan	(EX)001	RevA	10 February 2025
Block plan	(20)001	RevA	10 February 2025
Existing floor plans and elevations	(EX)002	RevA	10 February 2025
Proposed floor plans and elevations	(20)002	RevA	10 February 2025
Climate change statement	-	-	13 February 2025

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 2024 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.

