

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

#### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

#### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

9 DECEMBER 2021

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**Planning Application 2021/91578**

**Item 8 – Page 51**

**Erection of 9 detached dwellings with associated works**

**land at, Lancaster Lane, Brockholes, Holmfirth, HD9 7BP**

Following the publication of the committee report, the applicant's agent e-mailed Officers on 3<sup>rd</sup> December 2021 advising the below.

Firstly, the applicant's agent stated that the applicant had no objection to Condition 14 recommended within the committee report, which requests details of the proposed internal adoptable estate roads prior to the commencement of any development of the site.

Secondly, the applicant's agent outlined that the applicant has no objection to a compliance condition stating that the natural stone approved for the walls of the dwellings under the extant residential permission at the application site (140mm Split Face Tumble Stone from Abacus Stone Sales) shall be used for the walls of the dwellings proposed under this application. Given Officer concerns with the manufactured stone initially proposed, Officers are satisfied with the use of local natural stone for the walls of the dwellings and consider that an appropriately worded compliance condition can replace recommended Condition 3 in the report.

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**Planning Application 2021/90126**

**Item 9 – Page 77**

**Erection of extensions and alterations to existing coach house to form annexe accommodation associated with Coachways, 1a Dingley Road, Edgerton, Huddersfield, HD3 3AY and partial demolition of existing bungalow with re-build to form 2 storey dwelling (within a Conservation Area)**

**Coachways, 1a Dingley Road, Edgerton, Huddersfield, HD3 3AY**

**AMENDED RECOMMENDATION - DEFER**

1 additional representation has been received which is summarised below:

- We consider the separation distances between the windows in the proposed annex and at no. 1b Dingley Road, to not accord with the minimum separation distances advised within the Housebuilders Design Guide.

*Comment: This has been noted, however, the openings proposed within the annex would be significantly screened by a large hedge which appears to be within neighbouring land (at no.1b). This has also been highlighted within paragraph 10.24 of the Committee report. Furthermore, the existing plans show the annex at first floor to be used as an office, which benefitted from a habitable opening. Therefore, whilst the residential use may be more intense, the relationship between these neighbours has already been established.*

Further to the above, Officers have received an email from the applicant's agent asking for the application to be **deferred**. This is due to a legal discrepancy between the ownership of the land to the West of the host property (the existing garden area), with no. 1 and no. 1a Dingley Road.

The Officer recommendation is therefore amended to DEFER this application to allow time for this matter to be addressed.

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**Planning Application 2021/93564**

**Item 13 – Page 133**

**Erection of two-storey and single-storey rear extensions, basement extension and front and rear dormers**

**8-10, Moorbottom Road, Thornton Lodge, Huddersfield, HD1 3JT**

**AMENDED RECOMMENDATION - DEFER**

A further representation has been submitted which draws attention to claimed inaccuracies and mistakes in the Officer's Report to Committee and asking that the recommendation be changed to refusal or deferral as a result.

A summary of concerns raised are as follows:

There is still a discrepancy in the eave's height of the extension between rear and side elevations (6.2 and 6.03m) and the actual on-site measurement (6.50m);

The report says the extension is aligned to the western edge of the site but in fact it traverses the property boundary which contravenes the SPD (page 23, 5.1);

The proposed floor plans [id 907271] show the ground floor of the extension being 5.27m wide and the first floor being 6.15m wide;

The position of rear dormer is still not shown accurately, the plans depict the dormer set back 0.17m from eaves (measured along roof plane) but the rear dormer is built to the eaves. When considered in terms of permitted development it does not meet the condition of being set back the minimum 0.20m even though it was practical (front dormer set back shows 0.20m was practical and achievable). Therefore, in relation to the dormer, I would ask that the permitted development fall-back position is removed from later sections of the report.

Officer report, page 7, Section 10.4, does not include any mention of the excavation for basement stairs or the projection of ground floor yard stairs. I request that these differences from the previous permission are included.

Officer's report, page 8, Section 10.10: 8-10 Moorbottom Road should be regarded as two separate properties, as this is how it stood on 1<sup>st</sup> July 1948. They are still under different ownership as no. 8 is leasehold, no. 10 is freehold. "Curtilage" should not be taken to include the front and rear garden together since they do not form an integral whole, and furthermore the front garden being on the road side is not private and therefore not useable private amenity space.

From HM Land Registry Title Plan WYK537822, the area of no.8 garden minus a previously existing out building (which belonged to no.10) is approx. 49 square metres. The footprint of the extension is 22.13 square metres (4.20m x 5.27m), the footprint of the rear stairs is 5.00 square metres (2.00m x 2.50m) and the footprint of basement door excavation is unknown as it is not shown on the plans. So the current known footprint of extension is 27.13 square metres, which is 55% of the rear garden of no.8 and this percentage will increase when basement stairs footprint is added. Considering the above assessment for not including front garden within curtilage, the extension does exceed 50% of no.8 curtilage (it can also be said that the extension does exceed 50% of the useable amenity space).

The extension projection including rear elevation stairs is 6.70m, which is 1.60m greater than the length of original house. The extension projection including basement stairs is 5.90m, which is 0.80m greater than the length of original house. Therefore, the extension depth cannot be considered subservient to the original house. The extension width, as detailed earlier, is not set behind the house and projects beyond the sides in both the eastern and western aspects and cannot be considered subservient to the original house.

The volume of the rear dormer as stated in section 10.14 has been calculated using the superseded plans and is therefore lower than it should be.

The officer's assessment that there would be no significant effect on light or outlook for the neighbouring property to the east, no. 6, because this property has a rear extension bordering the shared passageway which is of similar projection, again does not address the discrepancies in the plans and is based on the superseded version of the dormer. Both of these items have an impact on material considerations such as overshadowing and overbearing. Please also take into consideration the fact that no. 6's extension is narrower and of lower eaves height, so the shadow cast by no.8 extension is longer and wider and as no.8 is to the west so its shadow is cast across no.6 garden (no.6 shadow is cast over only a small portion of its garden).

**Officer response:**

It is noted that the floorplans PAD.301.180 (unauthorised floorplans) show a substantial discrepancy between the width of the basement and ground floor plan on the one hand, and the first-floor plan on the other. This is considered a substantial error which renders the plans too inaccurate and unclear to be assessed for planning purposes.

It is therefore recommended to **defer** the application pending further revisions.

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