

**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: 2017/62/94262/E

Site Address: 55 & 57, Caledonian Road, Savile Town, Dewsbury,
WF12 9NT

Description: Erection of extensions and outhouse

Recommending Officer: Jennifer Booth

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.

Julia Steadman

AUTHORISED OFFICER

Date: 02-Mar-2018

OFFICER REPORT

Site Description

55 & 57 Caledonian Road are a pair of brick built semi-detached properties, each with a two storey feature bay window on the front elevation.

55 Caledonian Road has a modest single storey extension setback to the side and another modest single storey extension across the rear of the dwelling. The property has a garden to the front with large trees, a drive to the side leading to a detached garage and an enclosed rear garden.

57 Caledonian Road has a porch to the front, two storey extension to the side and rear of the dwelling with an additional canopy area to the rear. There is also a detached outbuilding to the rear of the property. The dwelling does have a modest garden to the rear and a drive and garden to the front of the property.

The properties back onto land which has planning permission which is currently under development. The dwellings to each side of the pair of dwellings and on the opposite side of the road, are similarly aged although different in terms of style. The adjacent property to the side of 55 Caledonian Road, 53 Caledonian Road, was originally a bungalow and the dwelling has had a rear two storey extension. The adjacent property to the side of 57 Caledonian Road, 59 Caledonian Road is a semi-detached dwelling which has recently been granted planning permission for extensions to the front, side and rear.

Description of Proposal

The applicants' are seeking permission for the erection of extensions to both properties.

55 Caledonian Road

The single storey front extension would project 1.5m from the original front wall of the dwelling and extending full width including to the front of the proposed two storey side extension. The roof form would be lean to for the most part with a pitch over the front door.

The two storey side extension would lie flush with the front elevation and would project 2m from the original side elevation of the dwelling. The roof would be hipped.

The rear extension would extend across the width of the dwelling including the area to the rear of the proposed two storey side extension. The projection on the ground floor would be 5.1m with a reduction to 4.5m at first floor. The roof would be a perpendicular pitch over the first floor with a lean to over the ground floor element.

The plans also include an outbuilding along part of the rear boundary. The outbuilding would have a width of 4.5m and a depth of 7.5m with a pitched roof form.

The walls of the extensions and outbuilding would be constructed using brick with tiles for the roof coverings.

57 Caledonian Road

The single storey front extension would project 1.5m from the original front wall of the dwelling and extending full width including to the front of the proposed two storey side extension. The roof form would be lean to for the most part with a pitch over the front door.

The existing first floor rear extension would be altered in terms of the projection from the existing 3m to 4.5m. The roof form would continue with the existing perpendicular pitch and the roof over the ground floor element would be lean to.

The walling of the extensions to the front and rear would be constructed using brick with tiles for the roof covering

Relevant Planning History

55 Caledonian Road

2012/91993 – erection of extensions – withdrawn

2017/90564 – erection of extensions to the front, side and rear and erection of a detached outbuilding – refused at sub com by reason of the unacceptable relationship with the host property

2017/91090 – larger home notification – prior approval not required

57 Caledonian Road

1989/00550 – single storey extension and detached garage – approved

1989/01815 – erection of first floor extension – approved

2005/95115 – two storey side extension – approved

Representations

The application was advertised by site notices and neighbour letters, which expired on 13/02/2018

As a result of the above publicity, no representations have been received.

Consultation Responses

None

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is UNALLOCATED on the UDP Proposals Map and within the PDLP

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway Safety
- **T19** – Parking

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 7** – Requiring good design
- **Chapter 11** – Conserving and enhancing the natural environment

Publication Draft Local Plan Policies

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping

- **PLP 22** - Parking
- **PLP 24** - Design

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Negotiations
- 8) Conditions
- 9) Conclusion

1 – Principle of development:

The site is unallocated within the Unitary Development Plan. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The properties on Caledonian Road are similarly aged dwellings although a number of extensions and alterations have been added to a substantial portion of the neighbouring properties. There are some variances in terms of design and scale. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

As the design of the extensions is slightly different between 55 Caledonian Road and 57 Caledonian Road, each is assessed by extension below.

55 Caledonian Road

Single storey front extension

Policy BE14 does support modest extensions to the front of domestic properties providing the design, materials and detailing are acceptable. It is appreciated that the application under consideration does include a number of projects for extending and altering 55 Caledonian Road. However, the curtilage of 55 Caledonian Road is of a sufficient size to host the works proposed without amounting to overdevelopment and retaining a reasonable amenity space to the front and rear of the dwelling.

It is noted that this property and the adjoining house each have a two storey bay window which would be removed as part of this proposal. Although this is an attractive feature, the neighbour has already built a porch to the front which detracts from the bay. The loss of the bay windows, whilst not ideal, is not unacceptable. Given the single storey nature of the extension together with the limited projection and the appropriate design & materials, the front extension proposed can be considered to be acceptable in terms of visual amenity.

Two storey side extension

The property occupies a curtilage of sufficient size to support the proposed two storey side extension, along with the other elements of the proposal, without amounting to overdevelopment of the site. Whilst it is normally preferable for a side extension to include a set back and set down, in this instance, given the adjacent property is a detached bungalow, the proposed side extension is not considered to be likely to form an undesirable terracing effect. The materials proposed would be for brick and tiles which would match the host property and the detailing is considered to form an appropriate relationship with the main house. As such, the two storey side extension can be considered to be acceptable in terms of visual amenity.

Single and two storey rear extension

The ground floor element of the rear extension has already been agreed through the larger home notification scheme. As such, this assessment will consider only the first floor rear extension. The scale of the extension, when considered with the other elements of this proposal would result in a substantially extended property. However, the curtilage of the dwelling is of a sufficient size to support the proposed works without amounting to overdevelopment. The projection is greater than would normally be supported. However the application does include a matching first floor extension in terms of projection for the adjoining property. The materials proposed would be to match the main dwelling and the detailing can be considered to form an acceptable relationship with the main house. As such, the rear extension can be considered to be acceptable in terms of visual amenity.

Detached outbuilding

As has been mentioned previously, there are a number of projects included within this submission for the grounds of 55 Caledonian Road. However, the site is of a sufficient size to host the works, inclusive of the outbuilding, without amounting to overdevelopment of the site. A reasonable degree of amenity space would be retained to the rear of the property to provide a garden area. The materials proposed would match the main dwelling and the detailing is appropriate for a development of this type. As such, the proposed outbuilding can be considered to be acceptable in terms of visual amenity.

57 Caledonian Road

Single storey front extension

Policy BE14 does support modest extensions to the front of domestic properties providing the design, materials and detailing are acceptable. It is appreciated that 57 Caledonian Road has already built significant extensions to the side and rear of the dwelling as well as a large outbuilding. However, the curtilage of 57 Caledonian Road is of a sufficient size to host the works proposed without amounting to overdevelopment and retaining a reasonable amenity space to the front and rear of the dwelling.

It is noted that this property and the adjoining house each have a two storey bay window which would be removed as part of this proposal. Although this is an attractive feature, this property has already built a porch to the front which detracts from the bay. The loss of the bay windows, whilst not ideal, is not unacceptable. In this instance, given the single storey nature of the extension together with the limited projection and the appropriate design & materials, the front extension proposed can be considered to be acceptable in terms of visual amenity.

First floor rear extension

The rear of the property has already been extended with a single and two storey rear extension. The proposal would see the projection at first floor increased from the existing 3m to 4.5m and would line up with the proposed extension to the rear of the adjoining 55 Caledonian Road. The scale can be considered to be acceptable given it represents a modest increase from the existing projection. The materials proposed would be to match the main dwelling and the detailing proposed is considered to form an acceptable relationship with the host property. As such, the rear extension can be considered to be acceptable in terms of visual amenity.

Having taken the above into account, the proposed extensions and alterations for 55 & 57 Caledonian Road would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policies D2, BE1, BE13 and BE14 of the UDP, Policy PLP24 of the PDLP and the aims of chapter 7 of the NPPF.

3 – Impact on residential amenity:

55 Caledonian Road

Front extension

The single storey front extension would be built up to the boundary with the adjacent 53 Caledonian Road. Given the single storey nature of the extension together with its limited projection, there would be no harm caused to the amenities of the occupiers of the adjacent 53 Caledonian Road.

The single storey front extension would be built up to the common boundary with the adjoining 57 Caledonian Road. The current application under consideration includes a single storey extension to the front of the adjoining property which would mitigate the impacts of the proposed extension.

The front elevation of 55 Caledonian Road faces towards the side garden of the neighbouring 44 Caledonian Road. Given the single storey nature of the front extension together with its limited projection and the lack of direct alignment with the property opposite, there would be no harm caused to the amenities of the occupiers of the property opposite.

Two storey side extension

The adjacent neighbour, 53 Caledonian Road, has three first floor windows in the side elevation, one of which appears to serve a bedroom which would be considered to be habitable and the proposed side extension would reduce the space between the host property and the adjacent neighbour. However, the limited projection of the side extension together with the modest separation which would be retained is considered to be sufficient to minimise the harm. Whilst the proposed plans show two first floor windows in the side extension, these serve the landing and the bathroom, neither of which is considered to be habitable.

There are no properties on the opposite side of Caledonian Road, which would face onto the host property and the position of the side extension is such that the approved development to the rear of the property would also be unaffected by the proposed two storey side extension.

Single and two storey rear extension

The ground floor element of the rear extension has been agreed through the larger home notification scheme. Therefore this assessment will consider only the impact of the first floor extension upon the amenities of the occupiers of the neighbouring properties.

The land to the rear of the property between Caledonian Road and Headfield Road is currently under development to implement a planning permission which includes town houses to the rear of the host property. However, these would be sited some 28m to the rear of the host property and at a lower level. Taking this into account, there would be no undue harm caused to amenity of the future occupants of these properties.

Given the projection of the extension proposed, there would be the potential for some overshadowing in the morning and an oppressive and overbearing impact upon the amenity of the occupants of the adjacent 53 Caledonian Road. However there would be a modest separation between the host property and the adjacent neighbour, 53 Caledonian Road and the neighbour does have their own two storey extension (built onto the original bungalow) which would mitigate the impact of the proposed two storey rear extension.

The rear extension is therefore not considered to be significantly harmful to the amenities of the occupiers of the adjacent 53 Caledonian Road.

The previous application failed due to the impact the extension would have on the adjoining 57 Caledonian Road. To overcome the concerns, this application has been submitted jointly with the adjoining neighbour to show the same projection across both properties of 4.5m. The impact on the adjoining property would therefore be cancelled out and there would be no harm caused to the amenities of the occupiers of the adjoining 57 Caledonian Road.

Detached outbuilding

The detached outbuilding is a single storey structure proposed to the rear boundary of the property. Given the relatively limited scale, together with its single storey nature, there would be no significant harm caused to the amenities of the neighbouring properties as a result of the detached outbuilding.

57 Caledonian Road

Front extension

The single storey front extension would be built up to the boundary with the adjacent 59 Caledonian Road. Given the single storey nature of the extension together with its limited projection and the land level difference with 59 Caledonian Road occupying an elevated position relative to the host property, there would be no harm caused to the amenities of the occupiers of the adjacent 59 Caledonian Road.

The single storey front extension would be built up to the common boundary with the adjoining 55 Caledonian Road. The current application under consideration includes a single storey extension to the front of the adjoining property which would counter the impacts of the proposed extension.

The front elevation of 57 Caledonian Road faces towards the front elevation of the neighbouring 44 Caledonian Road. Given the single storey nature of the front extension together with its limited projection and the land level difference between the host property and the property opposite, there would be no harm caused to the amenities of the occupiers of the property opposite.

First floor rear extension

The proposal under consideration would include extending the existing rear extension out to 4.5m.

The land to the rear of the property between Caledonian Road and Headfield Road is currently under development to implement a planning permission which includes town houses to the rear of the host property. However, these would be sited some 28m to the rear of the host property and at a lower level.

Taking this into account, there would be no undue harm caused to amenity of the future occupants of these properties.

Given the projection of the extension proposed, there would be the potential for an oppressive and overbearing impact upon the amenity of the occupants of the adjacent 59 Caledonian Road. However there would be a modest separation provided by the drive way of the neighbouring 59 Caledonian Road which is positioned between the host property and the adjacent neighbour, 59 Caledonian Road. This separation would mitigate the impact of the proposed two storey rear extension. Furthermore, the neighbour occupies an elevated position relative to the host property. The rear extension is therefore not considered to be significantly harmful to the amenities of the occupiers of the adjacent 59 Caledonian Road.

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 policies D2, BE1 and BE14 of the UDP.

4 – Impact on highway safety:

The proposals will result in some intensification of the domestic use of each property. However the parking area to the front of each of the dwellings would be capable of hosting off road parking which is considered to represent a sufficient provision. The scheme would not represent any additional harm in terms of highway safety and as such complies with policies D2, T10 and T19 of the UDP, as well as Policies PLP21 and PLP22 of the PDLP.

5– Other matters:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development then work must cease immediately and the advice of a licensed bat worker sought. This is considered sufficient to comply with the aims of chapter 11 of the NPPF.

There are no other matters for consideration.

6 – Representations:

None

7 – Negotiations:

None

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

9 – Conclusion:

This application to erect extensions to the front, side and rear of 55 Caledonian Road along with an outbuilding and extensions to the front and rear of 57 Caledonian Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, 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 extension 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.

As set out above, 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: 2017/94262

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE1, and T10 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policies D2 and BE1 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of chapter 7 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	Web ID	Date Received
Location & site plan	PL02	672914	16/01/2018
Proposed & existing plans	PL03	672901	16/01/2018
Proposed outbuilding	PL05	669237	16/01/2018

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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

01/03/2018
