

**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: 2021/62/91309/E

Site Address: 21, Milton Drive, Liversedge, WF15 7AX

Description: Erection of front dormer and front extension

Recommending Officer: Nina Sayers

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.

Paul Dowd

AUTHORISED OFFICER

Date: 14-Jun-2021

Officer Report

Site Description

21 Milton Drive is a semi-detached, bungalow in Liversedge. It has a driveway to the front and side of the property which leads to a detached garage to the rear. There is a garden to the rear of the property. It is apparent from planning history that the property has already had a rear dormer and single-storey rear extension approved and erected. The exterior of the existing dwelling is constructed from brick and UPVC cladding walling, tiled and flat roofing and UPVC windows and doors.

The property is located on a residential street with properties of a similar design, age and size. It is noted that several properties on the street have had various extensions erected.

Description of Proposal

The applicant is seeking permission for the erection of a front dormer and front extension to 21 Milton Drive.

Front dormer

The proposed front dormer would be an extension on the existing front dormer window. The proposed dormer would extend an additional 2 metres out the existing dormer, creating a total projection of 4 metres. It would be 6 metres wide and a total of 2.9 metres deep. It would have two windows in the front elevation and would serve two bedrooms.

Front extension

The proposed front extension would infill and existing canopy at the front of the dwelling. The proposed would project 1.5 metres to the same projection as the existing principal elevation. It would have a window in the proposed front elevation and would serve an extension to the existing kitchen.

The proposed would be constructed from brick and UPVC cladding walling, tiled and flat roofing and UPVC windows and doors all the match the existing.

History of negotiations/amendments received

No amendments were sought or received.

Relevant Planning History

2021/92776 Erection of extensions. Conditional full permission.

Representations

The application was advertised by neighbour letter. Final publicity expired on the 9th June 2021.

No representations were received.

Officer comments will be made in section 6 of this report.

Consultation Responses

No consultees were considered necessary for this report.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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.

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and historic environment
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The proposal is for the erection of front extensions to an existing residential property. The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design.

The proposal is for an extension within the curtilage of an existing residential property. The extension would be relatively small in scale in relation to the host property and would be located with an existing garden area. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity as well as highway safety.

2 – Impact on visual amenity

Front dormer

The proposed development would enlarge the existing front dormer. It is noted that multiple properties on the street have had similar design and scale front dormers approved and erected. The proposed would be in keeping with the existing dwelling in terms of design and materials. It is therefore considered that the proposed would not be out of character with the wider street scene or existing dwelling.

Front extension

The proposed front extension would not project past the existing principal elevation. There is variety in the street scene, and it is considered that the proposed would be more in keeping with the neighbouring properties than the existing. The development would be in keeping with the existing property in terms of design and materials. Therefore, no harm is considered caused to either the existing dwelling or the neighbouring property.

It is therefore considered that this development would not cause any significant harm to the visual amenity of either the host dwelling or wider street scene, complying with policy LP24 in the KLP and the aims of chapter 12 of the NPPF.

3 – Impact on residential amenity

The proposed development would result in the existing windows projecting further towards the front elevation of the dwelling. It is considered that no additional harm would be caused to the neighbouring properties due to the proposed development as the proposed would be at the front of the property and would therefore not face any neighbouring inhabited rooms and the proposed would not amend the existing projection of the front elevation.

Having considered the above factors, the proposals are considered to not result in any adverse impact upon the residential amenity of any surrounding

neighbouring occupants, complying with Policy LP24 of the KLP and chapter 12 of the NPPF.

4 – Impact on highway safety

The extension would serve an extension to the existing kitchen and bedrooms and is, therefore, considered not to result in any intensification in the domestic use of the dwelling so the existing parking provision is acceptable. It is considered that the proposed extension will not cause any additional harm in terms of highways safety and the proposal complies with LP21 and LP22 of the KLP.

5 – Other matters

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.

The proposal is a small-scale domestic development to an existing dwelling. As such, no specific measures are required in terms of the planning application with regards to carbon emissions. However, there are controls in place in terms of Building Regulations, which will need to be adhered to as part of the construction process and which will require compliance with national standards.

6 - Representations

No representations were received.

7 – Conclusion

This application to erect an extension and dormer window to the front of 21 Milton Drive has been assessed against relevant policies in the development plan, as listed in the policy section of the report, the NPPF and other material considerations.

Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered 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: 2021/91309

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan and the aims 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 to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays, 08.00 and

13.00 hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services may control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Date Received
Location Plan		19/04/2021
Block Plan	21/24	19/04/2021
Grouped existing plans and elevations	21/24	19/04/2021
Grouped proposed plans and elevations	21/24	19/04/2021

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 has, 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 acceptable, no changes were sought.

Report Dated: 10/06/2021