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:	**2022/62/90574/E**
Site Address:	10, Beckett Crescent, Dewsbury Moor, Dewsbury, WF13 3PW
Description:	Erection of extensions and alterations
Recommending Officer:	Alice Downham

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-May-2022

Officer Report

Site Description

10 Beckett Crescent is a two-storey semi-detached dwelling. It is faced in red brick at ground floor level and render at first-floor level, with a hipped roof finished in tiles. There is off-street parking to the front and a detached garage to the side. There is a
lawned garden to the front and amenity space to the rear.

The property is located on a residential street. The surrounding properties are similar two-storey dwellings, both semi-detached and terraced. The street scene is fairly uniform.

The site is not within a conservation area, nor are there any listed buildings within close proximity to the site.

Description of Proposal

The application is a modified proposal of the refused application 2021/93497. The applicant is seeking permission for the erection of extensions and alterations. This would consist of a single-storey front extension, a two-storey side extension, and a single-storey rear extension.

The proposed single-storey front extension would project 1.5m from the front elevation of the host dwelling. It would be flush with the western side elevation of the host dwelling and would be 2.0m wide. It would have a lean-to roof form with one rooflight.

The proposed two-storey side extension would have an L-shape, projecting 4.0m at the front and 3.2m at the rear. It would be set back 0.75m from the front elevation and would be flush with the rear elevation. It would have a hipped roof form to match the existing, set down from the ridgeline of the host dwelling by approximately 0.2m.

The proposed single-storey rear extension would project 1.7m from the rear of the proposed two-storey side extension. It would be set off from the western side elevation of the proposed two-storey side extension by 0.5m and would be 3.0m wide. It would have a lean-to roof form.

All external materials to match the existing, as indicated on the submitted application form.

History of negotiations/amendments received

Officers raised concerns regarding inconsistencies in the submitted plans and the 1.8m projection of the proposed front extension. Amended plans were received resolving the inconsistencies and reducing the projection of the front extension to 1.5m, which officers consider acceptable. The amended plans

were not subjected to any formal new publicity since they represented a reduction in size overall and were not considered to raise substantial new planning issues.

Relevant Planning History

At the application site:

2021/93497 – Erection of extensions and alterations. Refused.

At neighbouring properties:

2010/91901 - Erection of two-storey extension. Refused. (50 Low Road).

2011/90449 - Erection of two storey rear & single storey side extension. Conditional full permission. (50 Low Road).

2012/91927 - Erection of 2 storey side extension and garden shed. Refused. (1 Beckett Crescent).

2012/93820 - Erection of single and two storey extensions, porch and garden store. Conditional full permission. (1 Beckett Crescent).

2017/93986 - Erection of two storey side extension. Conditional full permission. (7 Beckett Crescent).

2020/94132 - Erection of single and two storey extensions and formation of vehicular access. Refused. (40 Beckett Crescent).

2021/91940 - Erection of single and two storey extensions and formation of vehicular access. Conditional full permission. (40 Beckett Crescent).

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on 30th March 2022.

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

No parish/town council comments are required in this instance.

Consultation Responses

KC Biodiversity officer – informal consultation on previous application 2021/93497, no objections. This will be discussed further in the “Other matters” section of this report.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan.

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. The National Planning Policy Framework 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 under other matters.

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 30** – Biodiversity & geodiversity
- **LP 51** – Protection and improvement of air quality
- **LP 52** – Protection and improvement of environmental quality

Supplementary Planning Guidance / Documents:

Kirklees Council has adopted Supplementary Planning Documents (SPDs) for guidance on house building, house extensions, and open space, to be used alongside existing, previously adopted SPDs. These carry full weight in decision making and are now being considered in the assessment of planning applications. The SPDs indicate how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character of the host property and wider area. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)

- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The National Planning Policy Framework constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 9** – Promoting sustainable transport
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

In terms of extending and making alterations to a property, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with Chapter 12 of the National Planning Policy Framework, regarding design. 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.

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

2 – Impact on visual amenity:

The property is located on a residential street. The surrounding properties are similar two-storey dwellings, both semi-detached and terraced. The street scene is fairly uniform. It is important to note that a number of properties on this street have been extended or altered in some way, and it is therefore considered that dependent on design, scale, and detailing, it may be acceptable to extend the host property.

The individual elements of the proposal will be considered separately below.

Single-storey front extension

The proposed front extension is small in scale and is considered subservient to the host dwelling as it would be single-storey and only 2.0m wide. The projection (1.5m) is considered acceptable for an extension to the front of a dwelling. The development would be in keeping with the existing property in terms of design and materials. Due to its location to the front of the property, it would be visible from the road, but the small scale of this development means it would not cause any significant harm to visual amenity. The scale, design, materials, and detailing are in keeping with the host dwelling and the local character and are therefore considered acceptable from a visual amenity perspective.

In terms of the detailed guidance for front extensions set out in the Council's House Extensions & Alterations SPD, the proposed single-storey front extension would comply as the host dwelling is set well back from the pavement. Furthermore, the extension would be small, subservient to the original building, well-designed, and would not harm the character of the original house or the area; and the materials and design would match the existing features of the original house.

Two-storey side extension

The proposed side extension would create additional built development to the side of the dwelling. However, the extension has been reduced in width compared to the previously refused application (2021/93497). Furthermore, due to the shape of the plot, there would still be space around all sides of the proposed extension, and it is considered that it would not amount to overdevelopment. Although the projection is relatively large, given that the side extension would be set back from the front elevation by 0.75m and set down from the ridgeline, as well as reducing in projection to the rear, the side extension is considered subservient to the main house in this instance. The use of matching materials, together with the hipped roof design, would form an acceptable relationship with the host property. Furthermore, there are other side extensions in the street and as such this would not be out of character with the wider area. The scale, design, materials, and detailing are in keeping with

the host dwelling and the local character and are therefore considered acceptable from a visual amenity perspective.

In terms of the detailed guidance for side extensions set out in the Council's House Extensions & Alterations SPD, the proposed two-storey side extension would comply as it would not take up all the space to the side of the dwelling; would be visually smaller in relation to the original house; would be set back at least 500mm from the front of the original house; and would have a roof design that follows the form of the existing roof.

Single-storey rear extension

The proposed rear extension is small in scale and is considered subservient to the host dwelling as it would be single-storey and would be less than half the width of the host dwelling. The use of matching materials, together with the lean-to roof design, would form an acceptable relationship with the host property. The proposed extension would be located to the rear of the property where it would be least visible within the street scene. The design, scale, materials, and detailing are in keeping with the host dwelling and the local character and are therefore considered acceptable from a visual amenity perspective.

In terms of the detailed guidance for rear extensions set out in the Council's House Extensions & Alterations SPD, the proposed single-storey rear extension would comply as it would respect the original house and garden in terms of its size, scale, and style; and would use appropriate materials which match or are similar in appearance to the original house. Furthermore, the proposed extension would not exceed 4.0m in height (maximum height would be 3.0m); and would not project out more than 3 metres from the rear wall of the original house (as this is a semi-detached property).

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 and the detailed guidance in the Council's House Extensions and Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

<u>3 – Impact on residential amenity</u>:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 (b), which sets out that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

Impact on 12 Beckett Crescent

This is the adjoining property to the east of the application site. Given the orientation of the dwellings and the relatively modest projection of the single-

storey front and rear extensions (which are set off from the shared boundary with this neighbour), it is considered that there would be no significant impacts on 12 Beckett Crescent as a result of the proposal.

Impact on 8 Beckett Crescent

This is the adjacent property to the southwest of the application site. This property is separated from the applicant property by a pedestrian highway, is angled away from the applicant property and is located at a lower elevation. There are windows in the side elevation of the neighbouring property on both the ground floor and the first floor; however, these seem to be smaller secondary windows. There would be windows inserted into the side elevations of the proposed extensions. However, these appear to serve a utility (non-habitable space) and an en-suite at first floor (it is noted that the window is not shown on the floor plan). As such, a condition will be added to the decision notice ensuring that the en-suite window is obscurely glazed prior to occupation of the development. As such, it is considered that there would be no significant impact on the privacy of this neighbour. The side extension would reduce the space between the host property and the neighbouring property with a structure of some height given the two-storey nature of the proposal. However, given that the amenity space of the adjoining property and the pedestrian highway would provide separation, that the roofline of the proposed two-storey extensions would be set down slightly from the roofline of the host dwelling, and that this neighbouring property is angled away from the applicant property, it is considered that the overbearing and overshadowing impact would not be significant. Officers consider that there would be no significant impacts on the amenities of 8 Beckett Crescent as a result of the proposal.

Impact on 7 & 9 Beckett Crescent

This is the neighbouring property to the front elevation of the application site. There would be no significant impact upon the amenities of the occupiers of 7 & 9 Beckett Crescent, given the separation provided by the front gardens of the dwellings and the road in between (at least 20m). Furthermore, the existing windows in the front elevation of the applicant property already look towards these neighbours. Therefore, the new windows would have no further impact over and above the existing arrangements on site.

To the rear of the application site is an area of grassed open space. Therefore, there are no neighbouring properties directly to the rear that would be significantly impacted by the proposed development.

With regard to the House Extensions and Alterations SPD, Key Design Principle 3 states that “extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours.” Key Design Principle 4 states 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.” Key Design Principle 5 states that “extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a

neighbouring property.” Key Design Principle 6 states that "extensions and alterations should not unduly reduce the outlook from a neighbouring property.” In this instance, the current proposal would not result in any significant adverse impacts on privacy, natural light, or outlook for inhabitants, future occupants, and neighbours, as discussed above. The proposal thereby complies with Key Design Principles 3, 4, 5, and 6 of the SPD and Policy LP24 (b) of the Kirklees Local Plan.

Key Design Principle 7 states that “extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.” In this instance, the current proposal would primarily replace an existing garage at the property and the primary amenity space to the rear would be retained. The proposal thereby complies with Key Design Principle 7 of the SPD and Policy LP24 (b) and (c) of the Kirklees Local Plan.

In terms of the detailed guidance for side extensions set out in the Council’s House Extensions & Alterations SPD, the proposed two-storey side extension would have no significant additional impact on the neighbouring properties in terms of overshadowing or overlooking, as previously discussed. Although a gap of less than 1.0m to the boundary would be maintained, this is considered acceptable in this instance as the proposal would avoid a terracing effect and would not come too close to the neighbouring dwelling given that it no.8 is separated from the applicant property by a pedestrian highway and is angled away from the applicant property.

In terms of the detailed guidance for rear extensions set out in the Council’s House Extensions & Alterations SPD, the proposed single storey rear extension would comply as it would preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained, as discussed above; and would not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties, as discussed above. Furthermore, the proposed rear extension would not cover more than half the total area around the original house.

In terms of the detailed guidance for front extensions set out in the Council’s House Extensions & Alterations SPD, the proposed front extension would not unreasonably affect the neighbouring properties, as discussed above.

Having considered the above factors, it is considered that this proposal would not result in any significant adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5, 6 and 7 and the detailed guidance in the Council’s House Extensions and Alterations SPD, and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety:

The applicant is seeking permission for the erection of extensions and alterations. The number of bedrooms would appear to increase from 3 to 4. The proposed development is therefore likely to result in a modest intensification of the domestic use of the dwelling and would affect the existing parking arrangements at the site (as the existing garage would be demolished). However, the existing off-street parking to the front of the property would provide sufficient space to park 3 vehicles. As such, the proposal would maintain appropriate access and off-street 'in curtilage' parking post-development.

Therefore, the scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 and LP22 of the Kirklees Local Plan, Key Design Principle 15 of the Council's House Extensions and Alterations SPD, the guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Kirklees Council's Ecology officer was informally consulted on the previous application (2021/93497) as the site is located within a bat alert layer. During the site visit, the case officer noted that the building appeared to be well sealed and there was no evidence of bat roosts or bat roost potential was found. As such, a footnote will be added to the decision notice to provide the applicant with advice should bats or evidence of bats be found during construction. This accords with the aims of Policy LP30 of the Kirklees Local Plan, Key Design Principle 12 of the Council's House Extensions and Alterations SPD, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which would need to be adhered to as part of the construction process which would require compliance with national standards. For this reason, the proposed development is considered to comply with Policies LP51 and LP52 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations have been received.

7 – 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 proposed development harmonises with the host dwelling.
- Obscure glazing of en-suite window prior to use of the development.

Notes will also be added regarding bats, the recommended hours of work, and notifying the applicant that neighbours do not have to grant access to their land.

8 – Conclusion:

This application for erection of extensions and alterations at 10, Beckett Crescent, Dewsbury Moor, Dewsbury, 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 development is considered acceptable.

The National Planning Policy Framework has introduced a presumption in favour of sustainable development. The policies set out in the National Planning Policy Framework 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: 2022/90574
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 LP1, LP2, LP21, LP22, LP24, LP30, LP51, and LP52 of the Kirklees Local Plan, the principles and guidance within the Council's House Extensions and Alterations SPD, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building. The materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, the principles and guidance within the Council's House Extensions and Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

4. The development shall not be occupied until the first floor en-suite window in the western side elevation of the development hereby approved have been obscurely glazed (to a minimum Grade 4). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (2015) (as amended) (or any Order revoking or re-enacting that Order) the obscure glazing (to a minimum Grade 4) shall thereafter be retained.
Reason: So as not to detract from the amenities of occupants of the neighbouring properties (8 Beckett Crescent) by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

NOTE: The property is within the Bat Alert Zone. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence for anyone to 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.

NOTE: Please note that the granting of planning permission does not overrule private legal 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 or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

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 can 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
Grouped Plans and Elevations	HH-21-104-Qasim WF13 Beckett Crescent-001-Site Plan	28/04/2022
Grouped Plans and Elevations	HH-21-104-Qasim WF13 Beckett Crescent-002a-Floor Plan	28/04/2022
Grouped Plans and Elevations	HH-21-104-Qasim WF13 Beckett Crescent-003a-Elevation	28/04/2022
Grouped Plans and Elevations	HH-21-104-Qasim WF13 Beckett Crescent-003b-Elevation	28/04/2022
Grouped Plans and Elevations	HH-21-104-Qasim WF13 Beckett Crescent-002b-Floor Plan	28/04/2022

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.

Officers raised concerns regarding inconsistencies in the submitted plans and the 1.8m projection of the proposed front extension. Amended plans were received resolving the inconsistencies and reducing the projection of the front

extension to 1.5m, which officers consider acceptable. The amended plans were not subjected to any formal new publicity since they represented a reduction in size overall and were not considered to raise substantial new planning issues.

Report Dated: 13/05/2022