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:	**2022/62/91292/E**
Site Address:	29, Lee Road, Ravensthorpe, Dewsbury, WF13 3AX
Description:	Erection of single storey side 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.

Emma Thompson

AUTHORISED OFFICER

Date: 04-Aug-2022

Officer Report

Site Description

29 Lee Road is a two-storey semi-detached dwelling in Ravensthorpe, Dewsbury. The property has a garden to the front, rear and side of the dwelling. There is a single storey outbuilding attached the north-eastern corner of the property which serves an outbuilding and has covered access to the rear garden. The property is finished in red brick with tiled roofing.

The property is located on a corner plot, adjacent to the roundabout which serves Lee Road and The Crescent. It is in a predominantly residential area surrounded by other properties of a similar design, age and size. The application is located within the Strategic Green Infrastructure Network within the Kirklees Local Plan.

Description of Proposal

The applicant is seeking permission for the erection of a single storey side extension.

The proposed extension would project 3.1 metres out the side elevation of the host dwelling, partially build on the footprint of the existing outbuilding. The proposed would be the entire depth of the existing house and would have a gable end roof with a total roof height of 3.6 metres.

The proposed would be constructed from materials to match the existing dwellinghouse.

History of negotiations/amendments received

No amendments were sought or received.

Relevant Planning History

No relevant planning history.

Representations

The application was advertised by neighbour letter. Final publicity expired 30/05/2022.

No representations were received.

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

Consultation Responses

No consultees were considered necessary.

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).

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates 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 (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

The site is unallocated on the Kirklees Local Plan. However, it is located within the Strategic Green Infrastructure Network.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP31** – Strategic Green Infrastructure Network

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 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 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 application site is recorded as being located within the Strategic Green Infrastructure Network on the Kirklees Local Plan.

LP31 of the Kirklees Local plan states that proposals should ensure that the function and connectivity of green infrastructure networks and assets are retained, replaced or provided where appropriate, incorporating or providing new walking, cycling and ecological links.

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.

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

2 – Impact on visual amenity

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring ‘extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details’.

Key design principles 1 (local character and street scene) and 2 (impact on the original house) given in the Kirklees Householder extensions SPD reflect the above.

The property is located on a corner plot which has a prominent position in the street scene. Taking this into consideration, and given the orientation of the host dwelling, the proposed side extension would also be in a prominent location. The proposal would be flush with the front elevation of the existing house. As the proposal would be single storey in nature and would be less than half the width of the original dwelling, it is considered that the proposal would remain subservient to the host dwelling, and therefore the lack of setback is considered acceptable in this instance. The proposed would be in

keeping with the host dwelling in terms of material and design and therefore would not cause significant harm to the visual amenity of the host dwelling.

It is noted that the adjoining neighbouring property has had a two-storey side extension erected which is also flush with the front elevation of the property. The proposal would be significantly smaller than the approved extension at the adjoining property and it is noted that other properties in the street scene have had single storey extensions erected to the side of their properties. It is therefore considered, on balance, that the proposal would not cause significant harm to the visual amenity of the wider street scene.

Having taken the above into account, the proposed extension 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 (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out in terms of policy LP24 c), which states that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

Impact on 27 Lee Road
27 Lee Road is the adjacent property located north-east of the application site. The property is oriented at an angle away from the host dwelling. The proposed extension would project towards the shared boundary with no.27. Due to the orientation of the properties, the extension would remain a significant distance from the neighbouring property. The proposal would be shielded from the neighbouring property by the existing outbuildings at both properties. Taking this into consideration, and as the proposal would be single storey, no significant overbearing or overshadowing harm is considered to be caused to the amenity of no.27. There would be no openings proposed in the side elevation of the extension so no overlooking harm would be caused.

The proposed extension would be to the side of the host dwelling and would remain a significant distance from the other adjacent properties. Therefore no significant harm is considered to be caused to residential amenity in this instance.

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 Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety

The extension would serve an additional lounge area and is, therefore, considered not to result in any intensification in the domestic use of the dwelling so the existing parking provision is acceptable. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extension SPD.

5 – Other matters

Flood risk
This application site is within flood risk zone 2. The applicant has submitted a flood risk assessment which states that the floor levels of the proposal will not be set below the existing dwelling and that flood resilient and/or floor resistance measure have been incorporated where appropriate. As this is a small-scale residential development, this is considered acceptable, and no harm is considered to be caused in terms of flood-risk. The proposal therefore complies with LP24 of the Kirklees Local Plan.

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 will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

6 - Representations

No representations were received.

7 – Conclusion

This application to erect a single storey extension to the side of 29 Lee Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Design SPD, 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: 2022/91292

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 and LP31 of the Kirklees Local Plan, Key Design Principles of the House Extension SPD 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, Key Design Principles of the House Extension SPD 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 13.00hours, 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	Version	Date Received
Site plans	Sheet 1		12/04/2022
Existing floor plans	Sheet 2		12/04/2022
Proposed floor plans	Sheet 3		12/04/2022
Grouped elevations	Sheet 4		12/04/2022
Grouped elevations	Sheet 5		12/04/2022
Flood risk assessment			12/04/2022

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 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 acceptable, no changes were sought.

Report Dated: 01/08/2022