

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:	2022/62/93172/E
Site Address:	29, Lee Road, Ravensthorpe, Dewsbury, WF13 3AX
Description:	Erection of single storey front, rear and side extensions, dormer window to front
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: 05-Dec-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 front, rear and side extensions, dormer window to front.

Front extension

The proposed front extension would project 1.5 metres out the front elevation of the host dwelling. The proposed would be the entire width of the host dwelling and would have a lean-to roof design.

Rear extension

The proposed rear extension would project 3 metres out the rear of the host dwelling. It would be the entire width of the host dwelling and would have a lean-to roof with a total roof height of 3.8 metres.

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 3.7 metres.

Front dormer

The proposed front dormer would be 3 metres wide, 2.8 metres deep and 1.9 metres high. The proposed would have a flat roof design and would be within the existing roof face.

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

History of negotiations/amendments received

The original plans stated that the rear dormer was to be completed under permitted development and therefore it has been removed from the scheme. Amended plans were received to reflect this. This was not readvertised as the amendment poses less detriment to residential amenity than the original proposal so therefore, less likely to receive representation.

Relevant Planning History

2022/91292 Erection of single storey side extension. Conditional full permission.

Representations

The application was advertised by neighbour letter. Final publicity expired 10/11/2022.

No representations were received.

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
- 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.

Front Extension

Paragraph 5.14 of the Kirklees House Extensions and Alterations SPD states that single storey front extensions will not normally be permitted unless:

- "The house is set well back from the pavement or is well screened; and
- The extension is 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 match the existing features of the original house"

The proposed front extension would project 1.5 metres out the front elevation of the property, which is considered an appropriate projection and would remain subservient to the host dwelling. The front extension would be set a minimum of 4.8 metres from the pavement which is considered an appropriate set back. The materials and design would be in keeping with the host dwelling. It is also noted that the adjoining property has also had a front canopy erected with a similar projection and design so the proposal would be in keeping with the immediate building group.

Rear Extension

Paragraphs 5.1 and 5.2 of the Council's House Extensions and Alterations SPD state that rear extensions should:

- "[be] set behind the original building, and not projecting beyond the sides;
- ... respect the original house and garden in terms of its size and scale;
- use appropriate materials which match or are similar in appearance to the original house"

Paragraph 5.6 states that single-storey rear extensions should:

- "be in keeping with the scale and style of the original house;
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;"

The proposed rear extension would project 3 metres out the rear of the host dwelling which is considered an appropriate projection for a semi-detached

dwelling. It would be the entire width of the host dwelling and would have a total roof height of 3.8 metres. The proposal would be in keeping with the host dwelling in terms of design and materials. It would align with the existing extension erected at the adjoining property.

Side extension

Paragraph 5.15 of the Council's House Extensions and Alterations SPD states that "Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch, materials and detailing."

Paragraph 5.17 states that single-storey side extensions should:

- "not extend more than two thirds of the width of the original house;
- not exceed a height of 4 metres; and
- be set back at least 500mm from the original building line to allow for a visual break."

It is noted that the proposed side extension has been carefully considered and approved under application 2022/91292, which is a material consideration. The side extension was considered acceptable given the moderate projection and as the proposal was in keeping with the character of the host dwelling and wider street scene. A more detailed assessment is outlined in the officer's report for application 2022/91292. Taking this into consideration, the side extension is considered acceptable in terms of visual amenity.

Front dormer

Paragraph 5.27 of the House Extensions and Alterations SPD states that dormer windows should:

- "relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the ridge of the house; be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant."

The proposed front dormer, although relatively large in scale, would sit well within the existing roof face of the host dwelling. It would be finished in materials to match the existing dwelling. It is noted that the properties in the immediate building group have not had front dormers erected and therefore the proposal cannot be aligned with any existing dormer extension. It is noted however, that there is an example within the wider street scene of a flat roofed front dormer, similar in scale and design to the proposed (no.24). On balance, it is considered that a refusal of this element of the scheme could not be reasonably sustained in this instance.

Cumulatively the proposed development would significantly increase the footprint of the host dwelling. It would encroach on the amenity space to the rear of the property, although it is noted that the majority of the amenity space for the property is located to the front of the dwelling and would therefore not be significantly affected by the scheme. The adjoining neighbouring property

has been extended significantly, covering a larger footprint than the proposal. There have also been significant extensions to other properties in the surrounding area, and therefore a precedent has already been set for this scale of development. It is therefore considered that a refusal of this element of the scheme could not be reasonably sustained in this instance.

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. With regard to the House Extensions and Alterations SPD, Key Design Principles 3, 4, 5, 6 & 7 reflect this.

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 side extension would project towards the shared boundary with no.27. The impact of the side extension on residential amenity was carefully assessed under application 2022/91292 and considered acceptable given the separation distance and existing outbuildings. A more detailed assessment is outlined in the officer's report. Taking this into consideration, the proposed side extension is considered acceptable in terms of residential amenity.

The proposed rear extension would project towards the boundary shared with no.27. The proposed would-be single storey and would have a lean-to roof which would take the vertical emphasis away from the neighbouring property. Given the orientation of the properties, and the scale of the proposed development, the proposal is considered to not cause significant overshadowing or overbearing harm to the neighbouring property. There would be openings in the rear elevation of the proposed extension which would face the rear amenity space of no.27. The extension would be single storey and would likely be shielded by boundary treatment. It is also noted that the existing rear elevation has openings which also face the amenity space. Therefore, the proposal is considered to not cause any significant harm to visual amenity, over and above the existing arrangements on site.

Impact on 31 Lee Road

31 Lee Road is the adjoining property located due south of the application site. The proposed front extension would be small in scale and would not cause any significant harm to the amenity of the occupants at no.31.

The proposed rear extension would project 3 metres out the rear elevation of the host dwelling and would be flush with the boundary with no.31. No.31 has a two storey extension erected to the rear of the property which has a similar projection to the proposed. This would shield the proposal from the neighbouring property and therefore the proposal is considered to have no significant impact on the amenity of the neighbouring occupants.

The proposed development would remain a significant distance from the other neighbouring properties. Therefore, no significant harm is considered to be caused to visual 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 proposed extensions would result in an additional bedroom, taking the property from a two-bedroom to a three-bedroom dwelling. In terms of parking provision, this level of intensification does not require additional parking spaces. It is noted that the existing site has no clearly marked off-street parking provision. As the proposal does not require additional parking, it is considered that it would be unreasonable to request off-street parking provision at the property. It is also noted that the soft landscaping to the front of the dwelling would have to be removed to provide any parking provision which would be at the detriment of visual amenity. 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 front, side and rear extension and front dormer to 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: 2022/93172

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 extensions hereby approved shall in all respects match those used in the construction of the existing building and thereafter be retained.

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	22-5030 Sheet 1	Rev.A	24/11/2022
Existing floor plans	22-5030 Sheet 2		26/09/2022
Proposed floor plans	22-5030 Sheet 3	Rev.A	24/11/2022
Grouped elevations	22-5030 Sheet 4	Rev.A	24/11/2022
Grouped elevations	22-5030 Sheet 5	Rev.A	24/11/2022
Flood risk assessment			26/09/2022

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.

The original plans stated that the rear dormer was to be completed under permitted development and therefore it has been removed from the scheme. Amended plans were received to reflect this.

Report Dated: 30/11/2022