

**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:	<b>2023/62/90279/E</b>
Site Address:	641, Hunsworth Lane, East Bierley, BD4 6PU
Description:	Erection of front porch and ramp access
Recommending Officer:	Katie Wilson

**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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 23-Jun-2023**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2023/90279	
<b>Location</b>	641, Hunsworth Lane, East Bierley, BD4 6PU	
<b>Proposal</b>	Erection of front porch and ramp access	
<b>Publicity end date</b>	08.05.2023	
<b>Number of representations received</b>	0	
<b>Kirklees Local Plan Allocation/Designation</b>	Unallocated	
<b>Extension to Time (EoT)</b>	<b>Yes</b>	<b>EoT Date: 26.06.2023</b>
<b>Recommendation</b>	Conditional Full Permission	

	<b>NO</b>	<b>YES</b>
<b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b>	✓	
<b>Contrary to previous decision</b>	✓	
<b>Called in by Ward Member</b>	✓	
<b>Significant number of Representations received</b>	✓	

### If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

### Policy

#### National

National Planning Policy Framework (NPPF) July 2021  
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

## Local

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 51** – Protection and improvement of air quality

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	No	n/a
Parish/Town Council comments sought	No	n/a
Planning History	Yes	98/90066 – Erection of rear extension. Conditional full permission
Consultations required	No	n/a

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### **Assessment**

The Kirklees SPD sets out that single storey front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

<b>Single storey front extensions should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
The house is set well back from the pavement or is well screened; and	Yes – the extension would be set in from the back of the pavement, around 3.5m, with narrow strip of garden and front wall approximately 1.0m high along the boundary. The pavement is quite wide and there is a grass verge so the distance to the edge of carriageway is approximately 7.5m.	
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	Yes – the extension would appear subservient and has been designed with a ridged and hipped roof together with external materials all to match roof design of host dwellinghouse. It would also be positioned roughly in the centre of the front elevation with low rise access ramp to northern side. It is considered that it would have no harmful impact upon the character of the bungalow or the surrounding area.	

The materials and design match the existing features of the original house; and	Yes – materials would match existing	
The extension would not unreasonably affect the neighbouring properties.	Yes – the modest scale would result in minimal impact on neighbouring property.	

**Design and Visual Amenity:** Are the considerations in the following table acceptable?

*Summary of local street scene/character:*

*A detached bungalow, possibly built in 1930's/40's, with natural stone front wall and pale coloured render elsewhere. Dual pitched and hipped roof surfaced in grey/blue slate tiles, and red brickwork chimney to one side. Single storey extensions at the back.*

*There is a similar bungalow on adjacent land to the southern side with more recent 2-storey semi-detached houses beyond lining the western side of Hunsworth Lane. On adjacent land to the north is a much older white washed bungalow within East Bierley Conservation Area, with trees and village green in the distance.*

*This stretch of Hunsworth Lane is a relatively wide dual track road with pavement and grass verge to one side (infront of the houses) and open grassy recreation area on the opposite side of the road.*

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on the Local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	The extension is modest in scale and due to the set back position of the property, together with the pavement and grass verge, it is considered that it would not appear overly prominent within the street-scene.	✓

		The design and appearance of the proposed porch would also be in-keeping with the host bungalow and have very limited, if any impact upon the character of the surrounding area.	
Impact on original house	<ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The original bungalow would remain the dominant feature and in officers' opinion the proposed porch and ramp would not harm the appearance of it.	✓
Height, scale and massing	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	As above. The porch and ramp would project across part of the frontage of the property. They are considered subservient and acceptable in terms of height, scale and massing.	✓
Facing materials and detailing	<ul style="list-style-type: none"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Facing and roofing materials would be to match existing.	✓
Roof style	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Dual pitched and hipped roof design in-keeping with host property.	✓
Window proportions	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	One small window in both front (east facing) elevation and south facing side elevation, each with sill and header in line with existing windows. As such they are considered in	✓

		keeping with appearance of the host bungalow.	
Accessibility for all users	<ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Private domestic extension which would provide a small ramped and stepped access into the bungalow.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

**Residential Amenity:** Are the considerations in the following table acceptable?

*The main properties affected are:*

- No.639, Hunsworth Lane (to southern side) – This is a similar detached bungalow on adjacent and slightly lower land to the southern boundary. They share the same front building line and on the mutual boundary is a low wall with railings above and various shrubs.
- No. 643, Hunsworth Lane (to northern side) – This property is an older detached bungalow with two-storey element at the back. Its front elevation looks onto the north facing side elevation at the application site at an angle, such that it is closer at the back (approximately 8.0m gap) and further apart at the front (approximately 14.0m separation distance). In between is a close boarded fence around 2.0m high along the mutual boundary.
- There are no properties immediately to the front.
- Due to the position of the extension, there would be no impact to the properties located to the rear.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	The porch is relatively small and an unlikely space for people to stay in for prolonged periods of time. Its side door and window are also set in	✓

		<p>from the mutual boundaries to 639 and 643, Hunsworth Lane at least 3.5m and there is screening in the form of fencing or railings with shrubs along each side boundary. There would also be no direct relationship between windows in the neighbouring properties and this proposed porch.</p> <p>As such the proposal is considered to be acceptable in terms of invasion of privacy, for the reasons set out above.</p>	
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Given the diminutive scale of the proposed porch and its distance of at least 3.5m from the neighbouring properties, it is considered that it would have no significant overbearing or overshadowing impact on them.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> <li>• KDP 7 of the SPD</li> <li>• Policy LP24 Design (b) and (c)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Rear garden would be unaffected by the proposed extension. Some of the curtilage would be retained to the frontage too.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

**Highways and Parking:** Are the following acceptable?

	<b>Relevant key design principle (KDP) of the SPD, Policy in</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
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	<b>the Kirklees Local Plan and the NPPF</b>		
Impact on highway safety	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The proposed porch and access ramp would not impinge on the current parking layout and would not amount to an intensification of current use requiring further parking space.	✓
Parking provision	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Please see above.	✓
Provision for waste storage	<ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	Household waste bins appear to be stored in the front garden adjacent to the driveway. The current proposal would not affect these arrangements.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

**Other matters:** Are the following acceptable?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>	n/a	n/a
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> </ul>	n/a	n/a

	<ul style="list-style-type: none"> <li>• Chapter 15 of the NPPF</li> </ul>		
Carbon budget	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	Small scale domestic development to an existing dwelling. As such, no special measures 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.	✓
Drainage and Flood Risk	<ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

**Representations, including Parish/Town Council comments:**

None received.

Conclusion:

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.

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:**

**CONDITIONAL FULL PERMISSION**

**Decision Authorisation - Delegated Powers**

**Application Number: 2023/90279**

**Officer Recommendation: CONDITIONAL FULL PERMISSION**

**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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

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

**Reason:** In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

**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 3.00hours, 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 Location plan			27.01.2023
Block plan as proposed	ref: 23/11		27.01.2023
Existing and Proposed Plans and elevations	Dwg no. 23/11		27.01.2023

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. No amendments/further information were sought during the course of the application.

**Report Dated:** 22.06.2023