

**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:	2023/62/91227/E
Site Address:	22, Savile Place, Mirfield, WF14 0AJ
Description:	Demolition of existing conservatory and erection of replacement single storey extension and first floor dormer extension
Recommending Officer:	Nicole Helliwell

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: 19-Jun-2023

Officer Report

Reference No. 2023/62/91227/E

Site Address: 22, Savile Place, Mirfield, WF14 0AJ

Proposal: Demolition of existing conservatory and erection of replacement single storey extension and first floor dormer extension.

Site Description

The application relates to 22 Savile Place, a detached bungalow located in Mirfield. The dwelling is predominately faced in render with elements of red brick and incorporates a dual-pitched roof finished in concrete tiles. The property benefits from off road parking to the front, an integral garage and gardens to the front and rear. The neighbouring properties are of residential use and comprise bungalows and two storey dwellings of varying materials, scales and architectural styles.

Description of Proposal

The applicant seeks planning permission for a single storey extension and a first floor dormer extension. The existing conservatory will be demolished to allow for the proposed development. The proposed works are as follows:

- Single storey extension (projection approx. 5m, maximum height approx. 3.25m and eaves height approx. 3.25m)
- First floor dormer extension (width approx. 4.35m, depth approx. 4.14m and cumulative height approx. 6.1m with the proposed single storey element)

Relevant Planning History

93/02421: Erection of conservatory. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

86/02196: Extension to form kitchen, bathroom and bedroom. [Planning application details | Kirklees Council](#) – **Granted Conditionally**

Representations

The application was advertised by neighbour notification letters, which expired on 2nd June 2023. As a result of the above publicity, no representations have been received.

Consultation Responses

Not Applicable.

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 Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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.

In this case, the following SPDs are applicable:

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

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 the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Visual amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

First Floor Dormer Extension

The proposed extension would be a first floor addition to the proposed single storey element of the property and would provide additional living space at first floor level. The extension would incorporate a dual pitched roof finished in concrete tiles and would be faced in cladding to match the appearance of the existing front dormer extension. Although the dormer would not be set back from the existing eaves line, it would feature a lower ridge height and would have some form of subservience to the host property. The dormer windows would also be of an appropriate size and design and would generally align with the existing fenestration. On this basis, the proposed development would not have any significant visual impact on the character and appearance of the host property and surrounding area.

Single Storey Extension

The proposed single storey extension would have a projection of approximately 5m. Whilst the enlargement would have a larger projection than generally allowed, it is noted that property is oriented such that it has no distinct front or rear elevations and faces onto an access road. The extension would also be finished in a material palette to match the appearance of the host property and would incorporate a flat roof. Although this would generally constitute poor design, the extension would match the architectural style of the original build and would have limited visibility from public vantage points. Furthermore, the enlargement would appear

subservient and would maintain a sense of space within the plot. Therefore, the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Summary

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 (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 Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

The submitted plans confirm that no properties located north and east of the application site would be affected by the proposed works.

Impact on Garstone Croft

Garstone Croft is a detached bungalow located west of the application site. It is noted that the proposed first floor dormer extension would occupy a position approximately 23.5m to the front elevation of the neighbouring property. Furthermore, the plans confirm that the dormer windows would serve a bathroom which is a non-habitable room. Therefore, given that the separation distance retained would be sufficient, it is considered that the proposal would be acceptable with regard to overlooking, overshadowing and overbearing impact.

Impact on 19 Lee Green

The proposed single storey extension and first floor dormer extension would be positioned approximately 8.2m away from the boundary line shared with 19 Lee Green. Although the enlargement would contain windows on the side elevation, it is noted that these would not directly face towards no.19 and are not considered to unduly harm the neighbouring occupant's residential amenity.

Occupier Amenity

It is noted that sufficient outdoor amenity space of a functional layout would be retained at the application site. As such, the proposed development would ensure an acceptable standard of amenity for existing and future occupants.

Summary

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 Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3. Highway Safety

The proposed development would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

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 relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. Negotiations

No amendments were sought or received during the course of the application.

7. Conclusion

This application for a single storey extension and first floor dormer extension at 22 Savile Place has been assessed against relevant policies in the

development plan as listed in the policy section of the report, the House Extensions and Alterations 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: 2023/91227

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 Policy LP1, LP2, LP21, LP22, and LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walling material of the extension hereby approved shall be rendered to match the existing building, and the facing material of the first floor dormer shall be of a colour to harmonise with the existing dormer extension.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for

neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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	Date Received
Location Plan & Site Plan	JW/01	26/04/2023
Existing and Proposed Plans	JW/02	26/04/2023
Climate Change Statement	-	26/04/2023

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 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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 15/06/2023

