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:	**2023/62/91375/E**
Site Address:	207, Wakefield Road, Earlsheaton, Dewsbury, WF12 8AW
Description:	Demolition of existing outbuilding and erection of replacement single storey rear extension
Recommending Officer:	Elenya Jackson

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: 11-Jul-2023

OFFICER REPORT

Site Description
207, Wakefield Road, Earlsheaton, Dewsbury, WF12 8AW is a two storey semi-detached dwelling.
The property is constructed from brick.
The dwellings that form the street scene are not uniform in appearance or scale. However, the area is predominantly residential in nature and constructed of a similar material palette.

Description of Proposal
This application has been received for the removal of an existing outbuilding and the erection of a single storey extension to the rear elevation of the existing dwelling.
The proposed extension would extend 3.9m beyond the rear elevation of the existing dwelling (matching to the existing projection on site) and have a width of 4.5m
The proposal would feature a lean-to roof with a height of 4.5m and an eaves height of 3.1m
The proposal would be constructed with brick matching the existing dwelling.

Relevant Planning History
86/03266: Erection of detached garage. Granted Conditionally
Representations
The application was advertised by neighbour notification letters, which expired on 22/06/2023.
No representations were received as a result of site publicity.

Consultation Responses
None required

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. National Planning Policy 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

predates 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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **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.

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, and 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 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) Negotiations

7) Conditions
8) 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 the House Extensions and Alterations SPD and Chapter 12 of the NPPF, 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:
Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) 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 HEASPD 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.
The proposal would not be visible from the street scene as it relates to the rear of the existing dwelling. The proposal would be single storey in scale, the materials of the proposal would be in keeping with the host dwelling and it would not extend beyond the existing projection on site.
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.

3 – Impact on 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 size of the extension would cover some of the amenity space of the application property. It is considered that, the proposal would not take up a significant amount of useable amenity space and sufficient amenity space

would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.
The proposal would adjoin an existing projection on the dwelling and would therefore be screened from no.205 Wakefield Road.
Impact on 209 Wakefield Road: adjoins the application property to the east.
The proposal would be of similar projection to an existing extension at no.209. Therefore, the proposal would be predominantly screened from 209 Wakefield Road. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
Impact on 222-224 Old Bank Road: are situated to the rear of the application property.
There is approximately 12.2m between the rear of each dwelling. The proposal would be single storey and enclosed by the boundary treatment between the dwellings. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the key design principles of the House Extensions and Alterations SPD.

4 – Impact on highway safety:
The proposals would result in some intensification of the domestic use of the property. However, the proposal would not alter parking arrangements on site or create any additional bedrooms.
Therefore, the proposal 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 Extensions and Alterations SPD.
5– 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.

6 – Representations:
No representations received.

7 – Negotiations:
No alterations were requested during the course of the application.

8 – Proposed 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 condition

9 – Conclusion:

This application to erect a single storey rear extension to 207, Wakefield Road, Earlsheaton, Dewsbury, WF12 8AW 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.
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: 2023/91375
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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.
3. The external facing 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 Extensions and Alterations SPD and the aims of chapter 12 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
Proposed 3d Views	715-004-REV A	16.05.2023
Proposed design option 1	715-003-REV B	16.05.2023
Existing 3D views	715-002 REV	16.05.2023
Existing	715-001 REV	16.05.2023

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.
No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.