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:	**2023/62/91650/E**
Site Address:	14A, Hey Beck Lane, Woodkirk, Dewsbury, WF12 7QY
Description:	Erection of single storey side extension
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: 05-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91650
Location	14a, Hey Beck Lane, Woodkirk, Dewsbury, WF12 7QY
Proposal	Erection of single storey side extension
Publicity end date	11th August 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Green Belt
Extension to Time (EoT)	yes EoT Date: 30th August 2024
Recommendation	Conditional Full Permission

	NO	**YES**
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

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) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 13 – Protecting Green Belt land
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

<u>Local</u>

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
- **LP57** – Extensions, alterations or replacement of existing buildings in the Green Belt

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

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	no	

Parish/Town Council comments sought	N/A	
Planning History		2017/91317 – Erection of 2-storey side and single storey rear extensions. Conditional full permission. Planning application details | Kirklees Council 2017/93045 – Erection of 2-storey side and single storey rear extensions. Conditional full permission. Planning application details | Kirklees Council
Consultations required	None carried out	

Assessment

The Kirklees SPD sets out that side extensions in general should include consideration of the criteria set out in paragraphs 5.15 and 5.16 on page 28, and more specifically single storey side extensions should comply with certain parameters set out at paragraph 5.17 on page 28 (all listed below) and if they do not, they need to be justified:

Side extensions in general:	**Yes - COMPLY**	**No - JUSTIFY**
Should be located and designed to minimise impact upon local character	Yes.	No. The local character is a mixture of semi-detached and detached 2-storey houses and bungalows (that appear to date from the 1950's) and line either side of Heybeck Lane. All are set back from the pavement with front gardens and fairly

		consistent front building line. Most have red brickwork walls and red tiled roof, although some have elements of off white coloured render, and a few have grey coloured roof tiles. Many have narrow side gardens and have been extended in various ways. Several (on the same side of the road as the application site) have quite large extensions to the side and rear, filling the entire width of the plots and projecting beyond 4.0m at the back (eg. 16, Hey Beck Lane, 48 & 52, Hey Beck Lane.) The house at the application site already has a 2-storey side extension and single storey rear extension (projecting 4.0m) which wrap around the original house and form a footprint larger than the original. However, they were accepted as subordinate to the host dwellinghouse, albeit with a condition withdrawing permitted development rights for new outbuildings or extensions within the site boundary. This was in the interests of visual amenity and to protect the character of the Green Belt.

		It is acknowledged that the current proposal would increase the footprint and massing of the house, beyond that set out in the house extensions and alterations SPD. However the overall design is considered to be in keeping with the host dwelling and other houses in the same row. In officers' opinion the proposal, given it would be single storey and set back significantly from the front elevation, would have very limited impact on the openness and character of the Green Belt, or the visual appearance of the street-scene. It is considered that this provides justification for not complying with the SPD.
Should reflect the design of the original building in terms of roof style, pitch, materials and detailing.	Yes, part of the proposed side extension would have a mono-pitched roof inkeeping with the style and materials of the original building. A smaller part of the rear section would have a flat roof. An existing rear extension also has a flat roof and so in this respect the proposed design reflects the existing house.	

Maintain quality of environment for neighbours by ensuring reasonable levels of natural light to habitable room in neighbouring properties	Yes	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.	Yes – original house significantly extended, but the proposed extension would be single storey and a significant distance from neighbouring properties to either side.	

Single storey side extensions:	**Yes - COMPLY**	**No - JUSTIFY**
Not extend more than two thirds of the width of the original house		No. Whilst the proposed extension would not, the cumulative width of the existing 2-storey side extension together with the currently proposed side extension would be approximately the same as the width of the original part of the house. However, for the reasons stated above, it is considered that the design and scale of the proposed extension would not be harmful to visual amenity or the openness and character of the Green Belt.

Not exceed a height of 4.0m	Yes	
Be set back at least 500mm from the original building line to allow for a visual break.	Yes	

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

Summary of local street scene/character:

The application site is a two storey semi-detached dwelling constructed of brickwork walls, tiles for the roof and upvc for the openings. There is a recently built 2-storey extension to the side and a single storey extension at the back. All the front garden is tarmaced and there is a narrower area to the side of the dwelling together with an area of grassed amenity space to the rear.

The site is within a line of residential properties that line the northern side of Hey Beck Lane and there is a similar linear arrangement of houses and bungalows on the opposite side of the road. To the north (rear) of the site is a woodland of protected trees (TPO 01/87/W1) and more widely are open fields.

The application site together with all others lining the northern side of Hey Beck Lane together with woodland and fields to the rear are allocated Green Belt on the Kirklees Local Plan.

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

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP.	Heybeck Lane is a classified C road lined by a mixture of semi-detached and detached houses and bungalow	

	• LP57 - extensions and alterations in the Green Belt • Chapter 12 NPPF • Chapter 13 NPPF	thought to date from the 1950's. The principle of a domestic extension in this residential area is considered acceptable. Whilst the scale of the enlarged house would be somewhat sprawling and excessive, it is considered that the proposed side extension would have very limited impact on the street-scene, or local character, nor the openness and character of the Green Belt. This is due to it being single storey; set back from the front elevation around 2.0m; and its satisfactory design. There are also several other houses on the same side of the road with extensive side and rear elevations.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • LP57 – extensions and alterations in the Green Belt • Chapter 12 NPPF • Chapter 13 NPPF	The original part of the house is a 2-storey 3-bed semi with dual pitched and hipped roof. The previously approved (ref: 17/93045) 2-storey side extension and single storey rear extension wraparound design increased the footprint and volume significantly and permitted development rights for outbuildings and extensions were removed in the interests of visual amenity and to protect the character of the Green Belt.	

		However, whilst the current proposal would add some massing to the side and rear, in officers' opinion it would have very limited impact on visual amenity, street-scene or the openness and character of the Green Belt. Although this is contrary to LP24 and LP57, it is considered that if a condition withdrawing permitted development rights for further extensions is repeated it is felt that in this instance these demonstrate very special circumstances which out weigh the potential harm to the Green Belt, or visual amenity in general.	
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • LP57 – Extensions and alterations in the Green Belt • Chapter 12 NPPF • Chapter 13 NPPF	As above.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Policy LP57 – extensions and alterations in the GB	The proposed facing materials would be in keeping with the host dwellinghouse and the design detailing acceptable for a domestic extension.	

	• Chapter 12 NPPF • Chapter 13 NPPF		
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy LP57 – extensions and alterations in the Green Belt. • Chapter 12 NPPF • Chapter 13 NPPF	The proposed extension would be partly mono-pitched and partly flat roofed. The former would reflect the dual pitched and hipped design of the original part of the house is considered acceptable. The flat roofed element would reflect the existing single storey rear extension and on balance could also be considered acceptable.	
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy LP57 – extensions and alterations in the Green Belt • Chapter 12 NPPF • Chapter 13 NPPF	The proposed fenestration is also considered appropriate for this domestic extension.	
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension which would not change the existing access into / around the property.	

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:

- *14, Hey Beck Lane – This is a two storey semi-detached house to the west of the application site. It has single storey extensions to the front, side and rear, (not wraparound design). Its side elevation is parallel and faces the side elevation of the house at the application site.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on privacy of neighbours	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The proposed extension would have no windows in its facing side elevation except four roof lights. The existing side elevation of 14, Hey Beck Lane contains just one small window at first floor level. There would also be a separation distance of approximately 15.5m between this window and the facing elevation of proposed extension with track leading to woodland and fields in between. In these circumstances it is considered that the proposal complies with design principles 3 and 4 of the House extensions and alterations Supplementary Planning document, and there would be no significant invasion of privacy issues.	
Impact on light and outlook of neighbours	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Given the distance between the proposed extension and 14, Hey Beck Lane, and that the proposed extension would be single storey, it is considered that there would be no significant	

		overbearing or overshadowing impacts.	

- *No. 14b, Hey Beck Lane – This is the adjoining 2-storey semi-detached house attached to the eastern side of the application site. It does not appear to have been extended.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on privacy of neighbours.	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Part of the proposed extension would project beyond the rear elevation of the existing rear extension. It would also have a set of patio doors and a small window in its east facing elevation towards the garden of 14b, Hey Beck Lane. However, there would be a separation distance of approximately 9.5m and on the mutual boundary is fencing around 1.8m high together with some overgrown hedging around 2.0m high. In this context it is considered that there would be no significant overlooking impact.	
Impact on light and outlook of neighbours.	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Given the distance between the proposed extension and the boundary with 14b, Hey Beck Lane, it is considered that there would be no significant overbearing or overshadowing impacts.	

Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The proposal is for a side extension which would fill the space at the side of the house and extend into the back garden. In officers' opinion as a result of the development around 50% of the existing garden space would be retained and so it would comply with design policy & of the house extensions and alterations SPD.	

Neighbouring properties on the opposite side of Het Beck Lane would be in excess of 21.0m from the proposed development and so they are considered to be unaffected by the proposed development.

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?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposed extension would not affect the existing parking arrangements at the house nor would it amount to an intensification of the existing use requiring further parking provision. As such it is considered that it would have no impact upon highway safety.	

Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Same as above.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The proposal would not affect the existing arrangements for storage and collection of household wastes at the site.	

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?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	Woodland to the rear of the application site is subject to a Tree Preservation order, and is an ancient woodland The proposed extension would be approximately 4.5m from the boundary. It seems unlikely that the proposal would significantly impact the woodland trees and in this instance it is considered that a tree survey is not required.	
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	There are no ecological restrictions at the site.	

Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	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.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The specific site for the proposed extension 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:

Summary of Representation	**Officer response**	**Addressed ✓ / X / N/A**
Town Councils – N/A		
No representations received		

<u>Conclusion</u>:

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.

Decision Authorisation - Delegated Powers
Application Number: 2023/91650
Officer Recommendation: Approval

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 & Alterations 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 Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed on the eastern side elevation of the extension at any time without the prior written approval of the local planning authority.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and in the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework..

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order (with or without modification)) no buildings or extensions other than those expressly authorised by this permission shall be erected within the red line boundary of the application site shown on the approved plans at any time.
Reason: In the interest of visual amenity and protect the openness and character of the Green Belt in accordance with Policies LP24 and LP57 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapters 12 and 13 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**	**Version**	**Date Received**
Location plan			6th June 2023
Ground floor plan as existing	Dwg no. HL/100/1		6th June 2023
Front and rear elevations as existing	Dwg no. HL/100/2		6th June 2023

Plan Type	Reference	Version	Date Received
Side elevation as existing	Dwg no. HL/100/3		6th June 2023
Block plan as proposed	Dwg no. HL/100/7		6th June 2023
Ground floor plan as proposed	DWg no. HL/100/4		6th June 2023
Front and rear elevations as proposed	Dwg no. HL/100/5		6th June 2023
Side elevations as proposed	Dwg no. HL/100/6a		6th June 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 further extensions are considered appropriate to the house.

Report Dated: 05.08.2024