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:	**2023/62/91771/E**
Site Address:	112, White Lee Road, White Lee, Batley, WF17 8AF
Description:	Raising of roof height to form first floor living accommodation, erection of dormers to front and rear and erection of single storey front 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.

Emma Thompson

AUTHORISED OFFICER

Date: 07-Dec-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91771
Location	112, White lee Road, Batley, WF17 8AF
Proposal	Raising of roof height to form first floor living accommodation, erection of dormers to front and rear and erection of single storey front extension
Publicity end date	11/08/2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	Yes EoT Date: 08/12/2023
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) 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

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	Yes	The applicant supplied a street-scene drawing
Parish/Town Council comments sought	No	n/a

Planning History	No	2005/94452 – Erection of single storey extension and dormer with balcony to the rear. Conditional full permission. Planning application details | Kirklees Council
Consultations required	No	n/a

Assessment

The Kirklees SPD sets out that single storey front extensions and dormer window and roof extensions should comply with certain parameters set out at paragraph 5.14 on page 27, and paragraphs 5.24 to 5.27 on pages 31 & 32 respectively. Enlargements to bungalows stipulations are set out in paragraph 5.31 on page 33 of the same document. All are listed below and if they do not comply, they need to be justified:

Single storey front extensions should ensure:	**Yes - COMPLY**	**No - JUSTIFY**
The house is set well back from the pavement or is well screened; and	Yes – the extension would be set back from the pavement approximately 4.0m and be screened to some extent by perimeter fencing.	
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 – Although in this instance the appearance of the host dwelling house would be considerably altered at roof level by raising the ridge level, and replacing hipped roofs with half hip roof together with dormer windows to the front and back. However, the proposed front extension would be a small part of this and it is considered that it would not harm the appearance of the	

	altered bungalow or character of the area.	
The materials and design match the existing features of the original house; and	Yes – the wall materials would match existing and the whole roof would be resurfaced in dark grey concrete tiles. The use of these materials is considered acceptable.	
The extension would not unreasonably affect the neighbouring properties.	Yes – the modest scale would result in minimal impact on neighbouring property.	

Two storey and first floor extensions to bungalows should ensure:	**Yes - COMPLY**	**No - JUSTIFY**
They do not cause a negative impact on the street scene and character of the area through changing the height, rhythm or form of a roof in relation to the rest of the street scene.	Yes. In this instance White Lee Road is a relatively long straightish classified B road, for the most part lined by residential buildings on both sides most with front gardens, but no clearly defined building line. The application site is a corner plot at the junction with Dale Lane and the footprint of the existing bungalow is pivoted so that the front elevation faces the junction. Most of the houses in the street are either detached or semi-detached, but they vary	

	in scale from true bungalows to two storey houses and some are a combination. As such there is also no clearly defined roof line. The existing building at the application site is a true bungalow with dual pitched roof that is hipped to all sides, and a flat roofed extension at the back. The proposed roof enlargement would increase the ridge height by approximately 0.6m (new overall height 5.1m), but retain the same eaves level to front and rear, with increase of 1.6m (to 4.3m) at both sides so there would be half hips to each end. There is already a clear difference in ridge height between the subject bungalow and nearest neighbouring two storey semis detached properties at 108 and 110, White Lee Road. The currently proposed enlargements would retain a clear difference in height, and as such it is considered that it would not significantly affect the height, rhythm or form within the street-scene. The proposed half hips and dormers to front and rear would introduce uncommon	

	features to the street-scene, but given the existing variety, it is considered that it will fit in quite comfortably. The main building materials in the area are a combination of natural stonework, red brick and off white render. The footprint of the proposed first floor area would include the proposed front extension but not the existing flat roofed or subordinate out rigger at the back. Four new gabled dormer windows would also be formed in the enlarged roof (two at both front and rear)	
Increase the height of the property by amending the roof pitch or eaves height does not significantly affect the character and proportions of the building, or impact the surrounding street scene. This is usually unacceptable where the roof pitches and heights	Yes. The proposal would increase the ridge height and form new half gable ends together with dormers to front and rear. However, the footprint would remain almost the same as existing and the eaves level would be the same as existing apart from at	

in the street scene are consistent.	the sides where they are raised to form half hips. Furthermore, as described above on this stretch of White Lea Road the roof heights and pitches are not consistent. The proposal would also affect the character of the existing bungalow, but as described above, it is considered that this would be in a positive way, modernising and updating its appearance, and it would blend into the varied nature of the surrounding street scene quite comfortably.	

Dormer windows and roof extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Reflect the character of the area, surrounding buildings and the age, appearance and materials of the existing house;	Yes. It is acknowledged that front dormers are not a common feature of other houses in the street-scene. However, those proposed for the front and rear elevations would be relatively modest in scale and retain visibility of much of the enlarged roof slope. Their shape would reflect the half gables to some extent and the external wall materials would be dark grey to	

	match the new marley modern roof tiles proposed for the enlarged roof. As such it is considered that they would fit into the existing street quite comfortably.	
Ideally, dormers should be located to the rear of a house and should be small as possible with substantial area of the original roof retained.		No, the proposal includes two dormers to the front elevation. However they would be relatively modest in scale and in officers' opinion fit in well with the design of the enlarged roof and would make a positive contribution to the varied character of the area.
Consideration should be given to the surrounding buildings in the street. Traditional vertical dormers usually complement the character and roof pitch of the existing house and will normally be acceptable. Modern flat roof dormers may be considered acceptable if they are well designed, small in scale and appearance and are characteristic of the street-scene.	Yes. The design of the proposed gabled dormers on the front elevation reflect the front gable design features of neighbouring properties to either side, to some extent.	

Dormer window extensions should:	**Yes - COMPLY**	**No - JUSTIFY**

Relate to the appearance of the house and existing roof.	Yes – please see above.	
Be designed in style and materials similar to the appearance of the existing house and roof;		No. The existing bungalow is thought to have been built in the 1950's or 60's and has natural stone walls and dual pitched and hipped roof. The proposed alterations would update and enlarge the existing roof and this is considered to improve the appearance of the host bungalow. The use of dark grey cladding to the front and sides of the dormers would blend in with the new dark grey marley modern tiles for the enlarged roof. This is considered to provide justification for not complying fully with this part of the householder design guide SPD.
not dominate the roof or project above the ridge of the house	Yes – The dormers to the front and rear of the enlarged bungalow are considered subordinate to the enlarged roof slope.	
Be set below the ridgeline of the existing roof and within the roof plane; and	Yes, a little below the ridge level.	
Be aligned with existing dormer windows on neighbouring properties		No. Neighbouring roof planes are not aligned

in the same roof plane where relevant.		with the existing or proposed roof planes and so it is considered that in this instance it is not relevant.

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

Summary of local street scene/character:

In this instance White Lee Road is a relatively long straightish classified B road, for the most part lined by residential buildings on both sides most with front gardens, but no clearly defined building line.

The majority of the houses in the street are either detached or semi-detached, but they vary in scale from true bungalows to two storey houses and some are a combination. As such there is also no clearly defined ridge level.

Subordinate gables to the front elevation are quite common, whereas dormers and half hip roof designs are less commonly seen.

The main building materials in the area are a combination of natural stonework, red brick and off white render.

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 • Chapter 12 NPPF	The local character is predominantly residential in nature and many properties have already been extended in various ways. For the reasons given above, it is considered that the proposed development would have an acceptable impact	✓

		upon the varied character of the street-scene.	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would no longer remain the dominant feature. It would be replaced by a significant enlargement at roof level and different roof materials. However, the proposed alterations are considered to be an acceptable upgrade and improvement to the existing bungalow.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	As above.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing wall materials to match existing, but the existing red tiled roof would be replaced by dark grey marley plain concrete tiles. The dormer walls and cheeks would also be surfaced in dark grey cladding. The use of these materials is considered acceptable.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed new hip to half gable enlargement and dormer windows are considered acceptable for the reasons detailed before.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	New window proportions are considered to reflect those at ground floor level and would be	✓

	and (d) of the KLP • Chapter 12 of the NPPF	acceptable for the enlarged building.	
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension which would provide same access into the main house.	✓

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.110, White lee Road – This is a 2-storey semi-detached house to the south east of 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 facing side elevations of 110, White Lee Road and the enlarged bungalow at the application site are not parallel but at a slight angle, closer at the back and diverging towards the front. There are no new windows proposed in the facing side elevation at the application site and only small windows and a side door at 110, White Lee Road. As such it is considered that there would be no 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	As the proposed enlargement at the application site would be to the north east, with overall height remaining lower than the 110, White Lee Road, it is considered that there would be very limited overshadowing impacts. The outlook from the existing side windows at 110, White Lee Road, may be compromised to some extent, but the principal outlooks to the front and rear of this neighbouring property would be unaffected by this proposed development.	✓

- No.127, Hollinbank Lane – This is a 2-storey detached house with single storey extensions to the side and rear. It is positioned to the west of the application site and to its rear.

	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	There would be no direct relationship between proposed windows and those already in the side or rear elevation of the house at 127, Hollinbank Lane. There would also be a gap of at least 20.0m. As such it is considered that there would be no	✓

		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	As the overall height would be below this neighbouring property and the separation distance described before, it is considered that there would be no significant overshadowing or overbearing impacts.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Apart from the small footprint of the proposed front extension, there would be no significant reduction in the garden space around the house.	✓

- Other neighbouring houses would be more than 25.0m from the proposed development and as such it is considered that they would 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 site has two vehicular accesses, one to the front directly from White Lee Road and the other at the back from Holinbank Lane. Other properties in the same row have similar access arrangements.	✓

		At the officer site visit it appeared that the front access would not be used. Notwithstanding this it is considered that the proposed ground floor extension would not adversely affect the parking or turning arrangements at the front of the site. As such it is considered that the proposal would not harm highway safety.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The existing property has two bedrooms and the enlarged building would have six bedrooms. The enlarged property would require at least three on site parking spaces and it is considered that these could be accommodated at the back of the bungalow, with access taken from Hollinbank Lane. This would be acceptable in terms of parking provision.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Household waste bins are not shown on the proposed plans. However, at the site visit it was apparent that there would be sufficient space within the site boundary to provide space for waste bins to be discreetly stored and wheeled to roadside on collection days.	✓

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	n/a	n/a
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	n/a	n/a
Carbon budget	• 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. 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	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	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: **2023/91771**
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 wall 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 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.

4. The external roof materials of the extension hereby approved shall be constructed with a Marley plain concrete roof tile coloured dark grey and thereafter retained.
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.

5. The external surface of the front and side cheeks to the dormers hereby approved shall be constructed with dark grey cladding materials and thereafter retained.
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: 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 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
Location and Existing Site Plans	Sheet 1@A3		15.06.2023
Proposed site plan	Sheet 2@A3		15.06.2023
Existing and proposed ground floor plans	Sheet 3@A3		15.06.2023

Plan Type	Reference	Version	Date Received
Existing and proposed first floor / loft plan	Sheet 4@A3		15.06.2023
Existing and proposed elevations	Sheet 5@A3		15.06.2023
Existing and proposed street–scene (front and rear)	Sheet 5-A@A3		13.07.2023
Existing and proposed street-scene (sides)	Sheet 5-B@A3		13.07.2023

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. A street scene drawing was supplied during the course of the application.

Report Dated: 06.12.2023