

**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:	2023/62/91795/E
Site Address:	2, Enfield Drive, Carlinghow, Batley, WF17 8DY
Description:	Erection of two storey side extension and new porch with associated alterations
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: 21-Aug-2023

Officer Report

Reference No. 2023/62/91795/E

Site Address: 2, Enfield Drive, Carlinghow, Batley, WF17 8DY

Proposal: Erection of two storey side extension and new porch with associated alterations

Site Description

The application relates to 2 Enfield Drive, a two-storey semi-detached property situated in Carlinghow, Batley. The dwelling is sited on a corner plot at the junction where Enfield Close and Enfield Drive intersect. The property is faced in pebble dashed render and incorporates a dual pitched roof form finished in concrete tiles. The property currently benefits from off road parking to the front, a detached garage and gardens to the front, side and rear. The neighbouring properties are of residential use and comprise two storey properties of varying architectural styles and materials.

Description of Proposal

The application seeks planning permission to construct a two storey side extension, a front porch and external alterations to the original dwellinghouse. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed external alterations and extensions.

The proposed works are as follows:

- Two storey side extension (projection approx. 4.5m from the existing side elevation, maximum height of approx. 7.7m and a height to eaves ranging from approx. 4.95 to approx. 5.05m)
- Front porch with canopy (projection approx. 1.5m, projection with canopy approx. 2.1m, overall height approx. 3.4m and height to eaves approx. 2.6m)
- Installation of a new first floor window to the rear elevation of the property

Relevant Planning History

Not applicable.

Representations

The application was publicised by neighbour notification letters, which expired on 31st July 2023. As a result of the above publicity, one representation has been received. A summary of the neighbour's comments can be found under the 'Representations' section of the Officer's report.

Amended plans were requested and received, however these were not re-advertised as they resulted in a slightly smaller proposal than originally submitted.

Consultation Responses

KC Highways Development Management – No objections

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 on to 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.

Two Storey Side Extension

The proposed two storey extension would project approximately 4.5m from the side elevation of the original dwellinghouse. The enlargement would be faced in pebble dashed render and would incorporate a dual pitched roof finished in concrete tiles to match the appearance of the host property. Although the extension would be flush with the principal elevation and would feature a comparable ridge line to that of the host dwelling, given that the property occupies an end plot of an ample size, the extension would maintain a sense of space and would appear subservient in relation to the host property. Whilst it is noted that the enlargement would alter the scale and form of the original build, it would not represent an incongruous or unduly prominent feature or amount to overdevelopment. Furthermore, the plans confirm that the extension would retain at least a 1m gap to all property boundaries and would not give rise to any terracing effect. Therefore, it is considered that on balance, in this instance, the proposal would not have

any significant visual impact on the character and appearance of the host property and wider street scene.

Front Porch with Canopy

The proposed porch would be single storey in height and would extend approximately 1.5m from the front elevation of the original dwellinghouse. The enlargement would incorporate a dual-pitched roof finished in tiles and would be faced in pebble dashed render to match the appearance of the host property. The extension would be modestly proportioned and would appear subservient in relation to the original build. Furthermore, the enlargement would maintain a distance of approx. 3.4m to the pavement, which would reduce its prominence from public vantage points. For these reasons, it is considered that the proposed development would respect the character and appearance of the host property and wider street scene.

The proposed canopy would extend approximately 0.6m from the front elevation of the proposed porch extension. Whilst it is acknowledged that front canopies are not a common feature within the street scene, it is noted that the structure would have a modest scale and would appear subservient to the original build. Furthermore, the canopy would be set back from the pavement and would not appear overly prominent from public vantage points. Therefore, it is considered that the proposed development would be acceptable in terms of visual amenity.

External Alterations

The proposed external alterations would see a new first floor window installed within the rear elevation of the original build. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

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.

Impact on 4 Enfield Drive

4 Enfield Drive is a residential property located west of the application site. The submitted plans confirm that the proposed front porch would be positioned approximately 3m away from the common boundary shared with no.4 and would accord with the 45-degree rule in relation to the neighbour's ground floor fenestration. Furthermore, the proposed two storey side extension would be positioned east of the host property and would not project forward of the neighbour's front or rear elevations. Therefore, due to its siting, it is considered that there would be no undue harm to the neighbouring occupants with regard to overlooking, overshadowing and overbearing impact.

Impact on 75 Carlinghow Lane

75 Carlinghow Lane is a residential property located to the rear of the application site. It is noted that the neighbouring dwelling would occupy a position approximately 17.7m at ground floor level and approx. 20.4m at first floor level from the rear elevation of the proposed two storey side extension. Although the extension would fall short of the separation distances outlined within the SPD, the enlargement would not surpass the rear elevation of the original dwellinghouse and is not considered to result in any further harm to the neighbour's residential amenity given that the existing fenestration already looks towards the neighbour's rear elevation.

Impact on 1 and 3 Enfield Close

1 and 3 Enfield Close are a pair of two storey semi-detached dwellings located east of the application site. It is noted that the neighbouring properties would occupy a position approximately 21.5m from the proposed two storey side extension. Given that the separation distance retained would be sufficient, it is considered that there would be no undue harm to the neighbouring occupants with regard to overlooking, overshadowing and overbearing impact.

Impact on 1 Enfield Drive

1 Enfield Drive would occupy a position approximately 20.5m from the proposed front porch and approximately 23.1m from the proposed two

storey side extension. The plans confirm that the dwellings occupy angled positions and do not directly face one another. Therefore, given the offset relationship between the properties, it is considered that the extension would not cause any undue harm to the neighbouring occupants with regards to overbearing, overshadowing or overlooking.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, the proposed works 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 proposal would affect the existing parking arrangements on site and would create three additional bedrooms, which would intensify the domestic use at the dwelling. Therefore, KC Highways DM were informally consulted on the application.

The submitted plans confirm that the existing driveway would be extended to provide at least three off street parking spaces. Therefore, given that this would represent a sufficient provision, KC Highways DM raise no objections to the proposed scheme.

A condition will be added to the decision notice to ensure that the vehicle parking areas will be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded.

In view of the above, it is considered that the proposed development would not represent any additional harm in terms of highway safety 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.

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.

4. Representations

One representation was received following the statutory publicity. Concerns were raised regarding off street parking provision given that there are currently issues with on street parking in the area, in addition to the design of the extension. KC Highways DM have been informally consulted on the proposed scheme and have confirmed that the submitted plans demonstrate that at least three off street parking spaces would be retained on site. Therefore, it is considered that the proposal would not result in any harm with regard to highway safety. In relation to the design of the proposal, this is addressed within the 'Visual Amenity' and 'Negotiations' sections of the report.

5. Negotiations

Amendments were sought during the course of the application. A request was made to reduce the projection of the proposed two storey side extension, set it down from the existing ridge line and back from principal elevation in line with the House Extensions and Alterations SPD. Although the revised drawings submitted did not address all of the concerns raised, the agent did provide full justification as to why the proposed development would be acceptable. Therefore, on balance it is considered that the design of the proposed two storey extension would be appropriate from a visual amenity perspective (this is expanded upon in the visual amenity section of the report).

6. Conclusion

This application for the erection of a two storey side extension, a front porch and associated alterations at 2 Enfield Drive 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.

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: 2023/91795

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 Policies 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 walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building and retained thereafter.

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 Chapter 12 of the National Planning Policy Framework.

4. The development shall not be brought into use until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 (ISBN as amended or any successor guidance. The parking space shall be so retained, free of obstructions and available for the use thereafter.

Reason: In the interests of highway safety and to ensure satisfactory surface water drainage of the site in accordance with Policy LP21 and LP28 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

NOTE: Any changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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	-	21/06/2023
Existing Plans	23/81	21/06/2023
Proposed Plans	23/81	07/08/2023
Site Plan	23/81	07/08/2023
Climate Change Statement	-	21/06/2023

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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable in terms of visual amenity.

Report Dated: 17/08/2023