

**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:         | <b>2023/62/91866/E</b>                                     |
| Site Address:         | 256, Headfield Road, Thornhill Lees, Dewsbury,<br>WF12 9JN |
| Description:          | Erection of single storey front extension                  |
| Recommending Officer: | Edward Cheseldine                                          |

**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: 13-Oct-2023**

## **Officer Report**

2023/91866 - 256, Headfield Road, Thornhill Lees, Dewsbury, WF12 9JN

### **Site Description**

256 Headfield Road is a semi-detached, two-storey dwelling in the area of Thornhill Lees. The property has a red brick exterior, which is partially rendered on the first floor. Window frames are of a Upvc material. Within the application site there is a modest front and rear area with a shared access driveway down the side of the property. Currently, all areas of the land have been paved in concrete. The front and rear plot is used for vehicle parking with space for one car on each space.

Headfield road is a residential road with other semi-detached properties which are similar in age, size, and appearance to the application site.

### **Proposal Description**

The applicant is seeking permission to erect a single storey front extension. The extension would project a further 1.50metres from the existing front elevation. It would be to the length of the dwelling and include a lean-to roof.

There is a joint planning application for a mirroring design at the adjoining dwelling No. 254 Headfields Road.

### **Relevant Planning History**

2003/93269 – Erection of two storey extension – Full permission granted

2022/93833 - Prior notification for single storey rear extension – Refused

2022/94013 - Erection of single storey rear extension - Refused

2023/90665 – Erection of single storey rear extensions – Full permission granted

### **254 Headfield Road**

2023/91864 - Single storey front extensions – Pending consideration

### **Consultation Responses**

None.

## **Public Representations**

The application was advertised by neighbourhood notification letters that expired on the 22 September 2023, as a result of the publicity there were no representations.

## **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 27<sup>th</sup> February 2019).

The site is unallocated on the Kirklees Local Plan Proposals Map.

On 12<sup>th</sup> 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
- **LP 30** – Biodiversity

Kirklees Council adopted supplementary planning guidance on house extensions (House Extensions and Alterations Supplementary Planning Document) (SPD) on 29<sup>th</sup> 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 House Extensions and Alterations Supplementary Planning Document 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 20<sup>th</sup> July 2021, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

### **Assessment**

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

#### Principle of development:

Kirklees Council adopted supplementary planning guidance on house extensions (House Extensions and Alterations Supplementary Planning Document) on 29<sup>th</sup> 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 House Extensions and Alterations Supplementary Planning

Document (SPD) will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

#### Impact on visual amenity

Front extensions are highly visible additions which should be considerate to the architectural features, scale and size of the host dwelling as well as surrounding dwellings.

In consideration of the design proposal, the extension is an appropriate scale, by maintaining the height of the existing canopy and by projecting a modest 1.50metres. A lean-to roof is already present on the house frontage. Materials are proposed to be brick walls with concrete roof tiles which will have a similar appearance as the existing. There will be a minor loss of outdoor space due to the application, although unlike previous extensions, in this case the extension would be to the front of the property. It is considered the cumulative impact of extensions would not result in a cramped form of development as previous development was to the rear. In terms of building line, properties Headfields Road have a variety of bay windows, lean-to roofs and other projections that weaken the building line, therefore this change is acceptable. As the proposal is a joint application with the neighbouring property the semi-detached dwellings will not become unbalanced due to the alteration.

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, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 of the National Planning Policy Framework.

#### 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 House Extensions and Alterations Supplementary Planning Document goes into further detail with respect to outlining principles.

- Key Design Principle 3, *'extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours'*.

- Key Design Principle 4, '*extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.*'

#### *Impact on 254 Headfield Road*

254 Headland Road is the adjoining, semi-detached dwelling. As this is a joint application for an identical front extension with a matching projection, there will be no impact to privacy, loss of light or overbearing impact.

#### *Impact on 258 Headfield Road*

258 Headfield Road is the adjacent dwelling to the east of the application site. There are no side windows proposed on the front extension. There will be no additional side space taken up due to the extension, therefore there will be no impact to natural light or an overbearing impact from the proposed front extension.

#### *Impact on 241, 243, 245 Headfield Road*

These properties are on the other side Headfield Road to the application site. The closest habitable window is estimated to be ~ 21.1m from the windows of the extensions. Due to distance, it is deemed there would be no impact to privacy, impact to light or be overbearing.

#### Impact on highway safety

The development will encroach marginally into the existing parking area. Given the site specific circumstances and current parking arrangements that are restricted by boundary treatments it is considered that there will be no change significant to justify refusal. A space will be retained and whilst difficult to manoeuvre in and out, this is not materially different to the current situation.

The front extension will not add additional bedrooms to the property, side access for bin storage would remain.

Affording weight to the existing situation, it is considered, on balance, the development will not impact on matters of highways safety.

#### Other matters

#### *Biodiversity*

The proposal is for the construction of a single storey extension which will not affect the main roof of the existing dwelling. Although the site is not situated in an area that is known to include bat habitats, if signs of bat habitats were found, expert advice should be taken and the advice of a licensed bat worker sought.

### *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.

### **Conclusion**

This application for the erection of a front extension at 256 Headfield Road, has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations Supplementary Planning Document, 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**

## 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 LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations Supplementary Planning Document and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

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.

**Plans and specifications table: -**

| <b>Plan Type</b>                                        | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|---------------------------------------------------------|------------------|----------------|----------------------|
| Location and Existing -<br>Grouped Plans and Elevations | 01               | 1              | 18/08/2023           |
| Proposed - Grouped Plans and<br>Elevations              | 02               | 1              | 18/07/2023           |

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 Planning Authority has, 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 amendments were sought.