

**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:	2023/62/92335/E
Site Address:	95, Highfield Chase, Dewsbury, WF13 4DE
Description:	Erection of rear extension and alterations
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 28-Sep-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/92335
Location	95, Highfield Chase, Dewsbury, WF13 4DE
Proposal	Erection of rear extension and alterations
Publicity end date	18 September 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	No
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	No	
Parish/Town Council comments sought	No	
Planning History	2023/92334	HHPD Extension – NANR not required.

Consultations required	No	

Assessment

The Kirklees SPD sets out that two-storey rear extensions should comply with certain parameters set out at paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

	<u>Yes – COMPLY</u>	<u>No - JUSTIFY</u>
Be proportionate to the size of the original house and garden	<p>The extension is proposed to be a part two-storey, part single storey extension. It will have a footprint of ~4.80m (W) x 5.00m (D) at the single storey section with a height of 3.00m to the eaves with a dual pitched roof height of 4.00m.</p> <p>The measurements of the two-storey section are proposed to be ~3.15m(W) x 3.00(D), with a height of ~7.62m to the eaves with a maximum height of ~8.90m including the dual pitched roof.</p> <p>In this instance, prior approval has been granted for a 4.8m x 5.0m single storey rear extension at this property under application 2023/92334 which can be afforded weight in the decision-making process when considering the footprint. As such the size and scale of the</p>	

	<p>extension is considered acceptable.</p> <p>Adequate outdoor space would remain within the plot.</p>	
Not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;	<p>In this instance, prior approval has been granted for a 4.8m x 5.0m single storey rear extension at this property under application 2023/92334 which can be afforded weight in the decision-making process when considering the projection of the extension.</p> <p>The two-storey element would project 3.00m.</p>	
Not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;	N/A	
Be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre;	There is a ~1.76m gap between the two-storey section of the extension and the boundary shared with the neighbouring property, therefore the separation is acceptable.	
Not adversely affect habitable room windows where they adjoin a neighbour's boundary.	This will be considered in the residential amenity section of the report.	

Design and Visual Amenity:

Summary of local street scene/character: Highfield Chase is a residential cul-de-sac with properties of a similar style and age to the application dwelling.

These dwellings are built with stone exterior walls and are terrace type properties. No. 95 is an end terrace. To the rear of the property is a site which currently contains a garage/unit which is separated from the rear boundary by a back street. The application site holds a significantly higher ground height than the rear areas.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The extension will not project past a side elevation of the original dwelling house and will not be visible from the street. Two-storey extensions are commonly found in residential areas such as 95 Highfield Chase.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	The extension is considered to preserve the character of the dwelling as the extension is to the rear and has a residential character.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	In terms of height, the two-storey extension will match the eaves of the roof of the original dwelling and form a ridgeline which is placed below the ridgeline of the original roof. The scale of the extension has been assessed in consideration of the previously approved HHPD application and size of the two-storey element. It is considered that on balance the scale	✓

		is acceptable. In terms of massing there is a sufficient gap left to the rear so the rear extension will not dominate the original property, appearing subservient.	
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	Materials of the extension will match the materials of the existing property and are therefore acceptable.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	There will be a pitched roof with a gable end on the extension which will create a cross-gable roof. As the roof style is presently found on the dwelling, the roof style is appropriate.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	Window sizes will be increased in consideration of the existing on the rear elevation, however, the proportions are still considered to be appropriate and will not appear disproportionate to the dwelling.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	The proposal is considered to be compliant with Kirklees accessibility policy.	✓

Additionally, as part of the application there will be a balcony above the ground-floor rear extension. The balcony is to the rear of the property and will have a glass balustrade. The balcony will not alter the character of the property due to the location and material of the balustrade, appearing as a minimal design alteration.

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:

- 93 Highfield Chase

	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 (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	<p>There will be no side windows facing No. 93, therefore there will be no changes to privacy.</p> <p>There is a proposed balcony to the rear which will have views of the private outdoor space and the potential to observe rooms. It has been proposed that a 1.8m obscurely glazed glass will be installed on the west elevation of the boundary to prevent a negative impact to privacy. It will be conditioned that this privacy shield is installed to protect occupants of the neighbouring property.</p>	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	<p>There will be a 1.70m gap between the two-storey extension and the property boundary, therefore there will be no impact to outlook or light levels in the neighbouring property.</p>	✓

- 101a Halifax Road

	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 (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	The closest boundary of this property is situated ~34.60m from the newly proposed outlooks. Considering the distance, it has been assessed there will be no impact to privacy.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	Similarly, due to distance there will be no impact on light or outlook of this property.	✓

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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	N/A	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD 	The proposal will increase the number of bedrooms in the property, changing the	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	dwelling from a three bed house to a four bed house. There will be 3 off-street parking spaces which is adequate for the number of bedrooms in the property.	
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	Side access for the property will be maintained under the proposals.	✓

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	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	N/A	
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • 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. A Climate Change	✓

		Statement has been submitted with this application.	
Drainage and Flood Risk	<ul style="list-style-type: none"> KDP 14 of the SPD Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	N/A	✓

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
N/A		

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: 2023/92335

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 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 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 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 development shall not be occupied until a 1.8m obscurely glazed screen (to a minimum privacy level of Grade 4 or equivalent) has been placed on the west elevation of the balcony. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazed screen shall thereafter be retained.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped plans and elevations - Proposed	02A	A	09/08/2023
Grouped plans and elevations - Existing	01A	A	09/08/2023

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. It was not considered necessary to seek any amendments/further information during the course of this application.

