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:	**2023/62/93719/E**
Site Address:	992, Bradford Road, East Bierley, BD4 6PB
Description:	Erection of single storey rear extension
Recommending Officer:	Morgan Braithwaite

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: 28-Feb-2024

OFFICER REPORT

Site Description

992, Bradford Road, East Bierley, BD4 6PB is a two-storey detached dwelling. The property is constructed from stone.

The dwellings that form the street scene are uniform in appearance and scale. The area is predominantly residential and constructed of a similar material palette.

Description of Proposal

This application has been received for a proposed single storey rear extension. The proposed extension would be constructed of materials which shall match that of the existing dwellinghouse.

The proposed extension would project approximately 5m from the rear elevation of the existing dwellinghouse, with a length of approximately 6.5m.

The proposal would feature a pitched roof with a ridge height of 3.7m and an eaves height of 2.4m.

The proposal would be constructed with stone, matching the existing dwelling.

Relevant Planning History

2019/92531: Erection of single storey side and rear extension. Conditional Full Permission.

2023/92919: Erection of single storey rear extension. Conditional Full Permission.

Representation

The application was advertised by neighbour notification letters, which expired on 20.02.2024

No representations were received as a result of site publicity.

Consultation Responses

None required.

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.
On 12th 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

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.

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, and 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 12 – Achieving well-designed and beautiful places

Assessment
The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety

4) Other matters
5) Representations
6) Negotiations
7) Conditions
8) Conclusion

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 the 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 is considered acceptable, and the proposal shall now be assessed against all other planning considerations, including visual and residential amenity, as well as highway safety.
These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:
Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) state that extension and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area of the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes onto 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.
The proposal would not be visible from the street scene, as the proposal is to form a rear extension to the original dwelling. The proposal would create a single storey extension, the materials of the proposal would be in keeping with the host dwelling.
It is noted, however, that the proposal does not comply with Chapter 5 of the House Extensions and Alterations SPD, which states that the maximum projection from a detached dwelling is 4m. The proposal is for an extension which would project 5m from the rear elevation of the original dwelling. An application for a 4 metre extension has previously been approved and this has been extended to 5 metres which is considered large relative to the host. However, the host building would remain dominant within the plot, it is also set off both boundaries. The scale is beginning to appear obtrusive within the plot, however the garage is removed improving space around the dwelling as extended. It is to the rear of the site and screened by existing neighbouring development. As such, on balance, the projection proposed can be supported in this instance.
Having taken the above into account, the proposed extensions 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 and would not detract from the character of the area or street scene to the property in keeping with the existing building.

3 – 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 proposal 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 Principal 3 on privacy, Key Design Principal on overshadowing/loss of light, Key Design Principal 6 on preventing overbearing impact and Key Design Principal 7 for outdoor space.
The size of the extension would cover some of the amenity space of the application property. It is considered that whilst the extension would increase built form on useable amenity space, the removal of the garage off sets the provision and sufficient amenity space would be retained. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.
Impact on 811, Bradford Road, East Bierley, Bradford, BD4 6PQ
There is approximately 35.2m between the front elevations of each dwelling. The proposal is single storey in scale and relates to the north-east of the applicant site, while no.811 sits to the south-west. Due to the scale of the proposal, the screening of the proposal by the applicant property from no.811 and the satisfactory separation distance, no significant issues would arise from overlooking overshadowing/loss of light or overbearing impact.
Impact on 813, Bradford Road, East Bierley, Bradford, BD4 6PQ
There is approximately 36.5m between the front elevations of each dwelling. The proposal is single storey in scale and relates to the north-east of the applicant site, while no.813 sits to the south-west. Due to the scale of the proposal, the screening of the proposal by the applicant property from no.813 and the satisfactory separation distance, no significant issues would arise from overlooking overshadowing/loss of light or overbearing impact.
Impact on 990, Bradford Road, East Bierley, Bradford, BD4 6PB
There is approximately 4.8m between the side elevation of each dwelling. The proposal shall be single storey in scale and similar to the projections found at no.990. Due to the configuration of no.990 projections, the proposal would be predominantly screened from the amenity space of no.990. There are no windows shown in either of the side elevations.
As such, no significant issues would arise form overlooking, overshadowing/loss of light or overbearing impact.

Impact on 994, Bradford Road, East Bierley, Bradford, BD4 6PB
There is approximately 5.8m between the side elevations of the dwellings. The proposal shall be single storey in scale and be situated to the north-east of the applicant dwelling. No.994 sits to the west of the applicant property, separated by a boundary treatment between the dwellings along with dense vegetations and established trees which would screen the proposal from no.994.

As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

Impact on The Moorings, Westgate Hill Street, Bradford, BD4 6NP

There is approximately 28.8m between the rear elevation of each dwelling. The proposal is single storey in scale, enclosed by a boundary treatment between the properties and there is a significant separation distance between the dwellings. A such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 2, Westgate Hill Street, Bradford, BD4 6NP

There is approximately 32.9m between the rear elevation of each dwelling. The proposal is single storey in scale, enclosed by a boundary treatment between the properties and there is a significant separation distance between the dwellings. A such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principals of the House Extensions and Alterations SPD.

4 – Impact on highway safety:

The proposal would result in some intensification of the domestic use of the property. However, the proposal would not see the addition of further bedrooms but would see the demolition of the existing garage. This, however, would not remove a parking space as there is sufficient space for the required number of car parking spaces remaining.

Therefore, the proposal would not represent any additional harm in terms of highway safety and as such, complies with the Policy LP22 of the Kirklees Local Plan along with Key Design Principals 15 & 16 of the House Extensions and Alterations SPD.

5– 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.

6 – Representations:

No representations received.

7 – Negotiations:

No alterations were requested during the course of the application.

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials condition

9 – Conclusion:
The application to erect a single storey rear extension to 992, Bradford Road, East Bierley, BD4 6PB has been assessed against relevant policies in the development plan 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 Governments 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 therefore is recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers
Application Number: 2023/93719
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 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 and Alterations SPD and the aims of the National Planning Policy Framework.
3. The external facing 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 and Alterations SPD and the aims of 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 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**
Grouped Plans and Elevations – Existing and Proposed Plans and Elevations	102281	03.01.2024
Location Plan	1022799	03.01.2024

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.

No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 26.02.2024