

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:	2024/62/90552/E
Site Address:	73, Park View, Park Side, Flockton, Wakefield, WF4 4AF
Description:	Demolition of existing outbuilding and erection of single storey side extension with rear decking and external 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: 27-Jun-2024

Officer Report

Reference No. 2024/62/90552/E

Site Address: 73, Park View, Park Side, Flockton, Wakefield, WF4 4AF

Proposal: Demolition of existing outbuilding and erection of single storey side extension with rear decking and external alterations

Site Description

The application relates to 73 Park View, a two-storey semi-detached property situated in Flockton, Wakefield. The dwelling is faced in red brick and incorporates a hipped roof finished in concrete tiles. The property benefits from off road parking to the front and a sufficiently sized rear garden. The neighbouring properties are of residential use and comprise two storey dwellings of similar materials, sizes and architectural styles. The site is not within a conservation area, nor are there any listed buildings or public right of ways within close proximity.

Description of Proposal

The application seeks planning permission for the erection of a single storey side extension with rear decking and associated external alterations. The existing outbuilding will be demolished as part of the application. The submitted plans display a single storey extension to the rear of the dwelling, however, this has been approved via prior approval (2023/92990) and is not part of the current application. The existing and proposed plans also show a fence along the boundary between the host property and no.75 Park View. Whilst this does not currently exist, it could be erected under permitted development rights and would not require planning permission providing that it accords with the relevant criteria. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed external alterations and enlargement. The proposed works are summarised below:

- Single storey side extension (projection approx. 3.12m from side elevation, maximum height approx. 3.68m and eaves height approx. 2.68m)

- Application of render to the front, side and rear elevations of the original build
- Installation of decking to the rear of the application site (projection approx. 3m and a height ranging from 0.6m – 0.9m)

Relevant Planning History

2023/92990: Prior notification for single storey rear extension. [Planning application details | Kirklees Council](#) – Not Required

Representations

The application was publicised by neighbour notification letters, which expired on 17th May 2024. As a result of the above publicity, no representations have been received.

Consultation Responses

Not Applicable.

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
- **LP 51** - Protection and Improvement of Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality

Supplementary Planning Guidance/Documents:

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
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change

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. Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) states 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.

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

Single Storey Side Extension

The proposed single storey extension would project approximately 3.12m from the side elevation of the original dwellinghouse. The enlargement would be faced in red brick and would incorporate a mono-pitched roof finished in concrete tiles to match the appearance of the original build. The extension would be modestly proportioned and would have an acceptable scale relative to the host property. Furthermore, the enlargement would be set back approx. 1.7m from the principal elevation and approx. 7.7m from the public pavement, which would reduce its prominence from public vantage points. For these reasons, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Application of Render

The proposal seeks to apply render to the front, rear and side elevations of the dwelling. Although the use of render would alter the appearance of the host property, it is noted that render is prevalent within the immediate street scene. Whilst there is no planning history for the application of render at no.83 and no.89, render now forms a characteristic of the street scene. Therefore, in this specific context, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Rear Decking

The raised decking with a timber balustrade and steps would be located to the rear of the dwellinghouse. The decked area would project approximately 2m from the rear elevation of the property and would have a height ranging from 0.6m to 0.9m due to changes in topography. However, due to its siting, the proposed development would have limited visibility from public vantage points and is not considered to have a significant visual impact on the character and appearance of the host property and 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. 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 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 71 Park View

71 Park View is the adjoining property to the east of the application site. The proposed single storey side extension would not surpass the neighbour's front and rear elevations and would be acceptable in this regard. Furthermore, it is noted that the raised decking would be positioned approx. 0.8m from the boundary line. Due to its elevated position, the landing may create some additional overlooking. Therefore, to alleviate any undue harm, a condition has been added requiring a 1.8m high obscure glazed screen to be installed to the eastern side of the raised decking and retained thereafter.

Impact on 75 Park View

75 Park View is a two-storey semi-detached property located west of the application site. The submitted plans confirm that the proposed single storey side extension would be positioned in close proximity to the common boundary shared with no.75. Whilst it is noted that the enlargement would surpass the 45 degree angle in relation to the neighbour's ground floor fenestration, it is taken into account that the existing dwellinghouse is already set forward of the neighbouring property due to the staggered building positions, and has some existing small outbuildings to the side in a similar position to that of the proposed extension. On this basis, it is considered that the proposed development would not result in any further harm to the neighbour's residential amenity over the existing. Furthermore, the submitted plans also show that the raised decking would not surpass the rear elevation of the neighbouring property and would be acceptable in this regard.

Impact on 87 Park View

87 Park View is a residential property located north and is sited on higher ground relative to the application site. The submitted plans confirm that a distance of approximately 29.5m would be retained between the proposed single storey side extension and the front elevation of the neighbouring

dwelling. Given that the separation distance retained would be substantial, it is considered that the proposed development would have an acceptable impact on the neighbour's residential amenity.

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 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. Therefore, the development is considered acceptable 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.

4. 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.

5. Representations

No representations were received following the statutory publicity.

6. Negotiations

Amendments were sought during the course of the application. A request was made to set the raised decking to the rear of the property approx. 0.8m from the common boundary shared with 71 Park View to prevent a harmful overlooking relationship. Revised drawings were received which were considered acceptable with regard to residential amenity.

7. Conclusion

This application for the erection of single storey side extension with rear decking and external alterations at 73 Park View 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development 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. 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: 2024/90552

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 Policy LP1, LP2, LP21, LP22, LP24, LP51 and LP52 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. Notwithstanding the submitted plans and information, the external walls of the original dwellinghouse shall be faced in white render 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 external walls of the single storey extension hereby approved shall be faced in red brick for the external walls and concrete tiles for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

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.

5. Upon first construction, a 1.8m high privacy screen shall be installed to the eastern side of the raised decking and retained thereafter in perpetuity.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and Principle 3 of the House Extensions and Alterations Supplementary Planning Document.

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	Revision	Date Received
Site Location Plan, Existing Block/Floor and Roof Plan	EX-01	-	20/03/2024
Existing Elevations	EX-02	-	20/03/2024
Proposed Block Plan, Floor/Roof Plan	PL-01	A	13/06/2024
Proposed Elevations	PL-02	A	13/06/2024
Climate Change Statement	-	-	20/03/2024

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. The Case Officer undertook negotiations with the agent to secure amended plans. Revised drawings were submitted which were considered acceptable with regard to residential amenity.

Report Dated: 21/06/2024