

**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>2024/62/90869/E</b>                                |
| Site Address:         | 74, Bradbury Street, Ravensthorpe, Dewsbury, WF13 3AT |
| Description:          | Erection of single storey side and rear extensions    |
| Recommending Officer: | Edward Cheseldine                                     |

**DECISION – FULL CONDITIONAL 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 30-May-2024**

## HOUSEHOLDER DELEGATED REPORT

|                                                   |                                                       |
|---------------------------------------------------|-------------------------------------------------------|
| <b>Application Number</b>                         | 2024/90869                                            |
| <b>Location</b>                                   | 74, Bradbury Street, Ravensthorpe, Dewsbury, WF13 3AT |
| <b>Proposal</b>                                   | Erection of single storey side and rear extensions    |
| <b>Publicity end date</b>                         | 20-May-2024                                           |
| <b>Number of representations received</b>         | None.                                                 |
| <b>Kirklees Local Plan Allocation/Designation</b> | N/A                                                   |
| <b>Extension to Time (EoT)</b>                    | No                                                    |
| <b>Recommendation</b>                             | Conditional Full Permission                           |

|                                                                                                       | <b>NO</b> | <b>YES</b> |
|-------------------------------------------------------------------------------------------------------|-----------|------------|
| <b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b> | ✓         |            |
| <b>Contrary to previous decision</b>                                                                  | ✓         |            |
| <b>Called in by Ward Member</b>                                                                       | ✓         |            |
| <b>Significant number of representations received</b>                                                 | ✓         |            |

### 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) December 2023  
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development

- NPPF Chapter 12 – Achieving well-designed places and beautiful 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

|                                                      | <b>YES / NO</b> | <b>SUMMARY</b>                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Negotiations/Amendments during course of application | Yes             | The development falls outside of the guidance outlined in the House Extensions & Alterations Supplementary Planning Document, therefore, stated in para. 1.11 a justification for the development was sought. The planning agent offered an example of an extension located 3.2km from the site which did not |

|                                     |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                     |    | <p>conform to design standards but was approved. Such an example was offered minimal weight within the decision as the property is not within the building group of this site.</p> <p>The officer conducted a site visit. After a visual assessment of the property, its grounds and the spatial surroundings of the site, the Officer concluded a marginal increase in size compared to the House Extensions &amp; Alterations Supplementary Planning Document would be acceptable given the layout of the area and relatively uniform design.</p> |
| Parish/Town Council comments sought | No |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Planning History                    |    | <p>2001/91455 – Erection of two-storey extension – Full permission granted</p> <p>2023/91806 – HHPD extension – Refused – Appeal dismissed</p>                                                                                                                                                                                                                                                                                                                                                                                                      |
| Consultations required              | No |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

### **Assessment**

The Kirklees SPD sets out that single-storey rear extensions should comply with certain parameters set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

|                                                                    | <b><u>Yes - COMPLY</u></b>                                           | <b><u>No - JUSTIFY</u></b> |
|--------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------|
| Not extend more than two thirds of the width of the original house | Yes – side extension is 3.00m, width of the original house in 5.20m. |                            |
| Not exceed a height of 4 metres                                    | Yes, maximum height is 3.80m                                         |                            |

|                                                                                                                                                          |                                               |                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Be set back at least 500mm from the original building line to allow for a visual break                                                                   | Yes – extension is behind the rear elevation. |                                                                                                                                                                                 |
| Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties |                                               | No, the extension projects 3.30m, whilst it is beyond the outlined guidance, the distance is only marginal and would not represent disproportionate additions.                  |
| Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters                                                                   |                                               | No, the eaves of the dwelling are 2.80m in height. Whilst it is beyond the outlined guidance, the distance is only marginal and would not represent disproportionate additions. |
| Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.                                                               |                                               | No, the extension is single storey, with a sloped pitched roof which mitigates the height.                                                                                      |

The Kirklees SPD sets out that single-storey side extensions should comply with certain parameters set out at paragraph 5.17 on page 28 (and listed below) and if they do not, they need to be justified:

|                                                                                        | <b><u>Yes - COMPLY</u></b>                                           | <b><u>No - JUSTIFY</u></b> |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------|
| Not extend more than two thirds of the width of the original house                     | Yes – side extension is 3.00m, width of the original house in 5.20m. |                            |
| Not exceed a height of 4 metres                                                        | Yes, maximum height is 3.80m                                         |                            |
| Be set back at least 500mm from the original building line to allow for a visual break | Yes – extension is behind the rear elevation                         |                            |

|                                                                          |     |  |
|--------------------------------------------------------------------------|-----|--|
| The extension would not unreasonably affect the neighbouring properties. | Yes |  |
|--------------------------------------------------------------------------|-----|--|

**Design and Visual Amenity:** Are the considerations in the following table acceptable?

*Summary of local street scene/character:* 74 Bradbury Street is a two-storey, end-terrace house. It is built with brick external wall which fall under a pitched roof. The building is of a traditional terrace vernacular, it has simplistic fenestration. The property is adjacent to Holroyd Park. It has a modest residential garden to the side and rear. Properties on the street are part of the same terrace row as the host dwelling, therefore they have a similar design.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

|                                                | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                      | <b>Further comments</b>                                                                                                                                                                                                                               | <b>✓ /<br/>X /<br/>N/A</b> |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Impact on the Local character and street scene | <ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>        | The side element of the extension will be visible from the public domain, including the park. It is set towards the rear of the plot, behind the rear elevation of the dwelling. It has a simplistic design which is in keeping with the streetscene. | ✓                          |
| Impact on original house                       | <ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | The extension is modest, single storey and a relative scale to the host dwelling.                                                                                                                                                                     | ✓                          |
| Height, scale and massing                      | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> </ul>                       | Eaves height of the extension is 2.8m to a maximum height of 3.80m including the pitched roof. Scale of development is                                                                                                                                | ✓                          |

|                                |                                                                                                                                                                  |                                                                                                                |   |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|---|
|                                | <ul style="list-style-type: none"> <li>Chapter 12 of the NPPF</li> </ul>                                                                                         | appropriate to the host dwelling. The additional massing will appear pedestrian considering the host dwelling. |   |
| Facing materials and detailing | <ul style="list-style-type: none"> <li>KDP 9 of the SPD</li> <li>Policy LP24 Design (d) (iii) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul>              | Facing and materials are in keeping with the existing dwelling. Proposed openings are modest in size.          | ✓ |
| Roof style                     | <ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul> | The chosen pitched roof style is consistent with the pitched roof of the host dwelling.                        | ✓ |
| Window proportions             | <ul style="list-style-type: none"> <li>KDP 1 and 2 of the SPD</li> <li>Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>Chapter 12 of the NPPF</li> </ul> | Window proportions are in keeping with the existing dwelling.                                                  | ✓ |
| Accessibility for all users    | <ul style="list-style-type: none"> <li>KDP 17 of the SPD</li> <li>Policy LP24 Design (f)</li> <li>Chapter 12 of the NPPF</li> </ul>                              | This proposal is compliant with Kirklees accessibility policies.                                               | ✓ |

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:*

- 72 Bradbury Street

|  | Relevant key design principle (KDP) of the SPD, Policy in | Further comments | ✓ /<br>X /<br>N/A |
|--|-----------------------------------------------------------|------------------|-------------------|
|--|-----------------------------------------------------------|------------------|-------------------|

|                                                                      | the Kirklees Local Plan and the NPPF                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Impact on privacy of neighbours (to sides, rear and front)           | <ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul> | There are no openings that will face toward this dwelling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ✓ |
| Impact on light and outlook of neighbours (to sides, rear and front) | <ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>        | <p>The extension will run along the boundary of No. 72, it will have an eaves height of ~2.80m and a projection of ~3.30. There is currently a wall and fencing that serves as a boundary treatment.</p> <p>The extension runs along the boundary, however it is single storey in height. In terms of openings on No 72, there is an opening on the side nearest the application dwelling, however it has been bricked up. The slope of the pitched roof will allow a flow of light to enter the windows and garden.</p> <p>If the openings was to be reused, there would be a sufficient outlook considering the relationship it has with the extension.</p> | ✓ |

There are no other properties to consider.

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?

|                             | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                 | <b>Further comments</b>                                                                                                                                                                                                                                                                       | <b>✓ /<br/>X /<br/>N/A</b> |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Impact on highway safety    | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | No impact.                                                                                                                                                                                                                                                                                    | ✓                          |
| Parking provision           | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | The extension will add habitable living space to the dwelling, however the number of bedrooms will not increase as a result of the development. Cars are currently parked in the side section of the garden. Although reduced, there will still be room for two vehicles which is sufficient. | ✓                          |
| Provision for waste storage | <ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>        | No impact.                                                                                                                                                                                                                                                                                    | ✓                          |

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?

|                 | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>       | <b>Further comments</b> | <b>✓ /<br/>X /<br/>N/A</b> |
|-----------------|-------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------|
| Impact on trees | <ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i)</li> </ul> | No impact.              | ✓                          |

|                                          |                                                                             |                                                                                                                                                                                                                                             |   |
|------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
|                                          | (iv) Policy LP33 Trees<br>• Chapter 12 of the NPPF                          |                                                                                                                                                                                                                                             |   |
| Impact on ecology                        | • KDP 12 of the SPD<br>• Policy LP30<br>• Chapter 15 of the NPPF            | No impact.                                                                                                                                                                                                                                  | ✓ |
| Carbon Budget / Climate change statement | • KDP 8, 9, 10 & 11 of the SPD<br>• Policy LP51<br>• 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                  | • KDP 14 of the SPD<br>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP    |                                                                                                                                                                                                                                             | ✓ |

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:**

| <b>Summary of Representation</b> | <b>Officer response</b> | <b>Addressed<br/>✓ / X / N/A</b> |
|----------------------------------|-------------------------|----------------------------------|
| 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

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**Decision Authorisation - Delegated Powers**

**Application Number:**

**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.

Plans and specifications schedule:-

| Plan Type                     | Reference | Version | Date Received |
|-------------------------------|-----------|---------|---------------|
| Location plan                 | LP        | -       | 25 March 2024 |
| Block plan                    | BP        | -       | 25 March 2024 |
| Grouped plans and elevations. | 02        | -       | 25 March 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 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 development falls outside of the guidance outlined in the House Extensions & Alterations Supplementary Planning Document, therefore, stated in para. 1.11 a justification for the development was sought. The planning agent offered an example of an extension located 3.2km from the site which did not conform to design standards but was approved. Such an example was offered minimal weight within the decision as the property is not within the building group of this site.