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:	**2024/62/92039/E**
Site Address:	24, Purlwell Avenue, Batley, WF17 7NY
Description:	Erection of two storey side and single storey front extensions
Recommending Officer:	Jennifer Booth

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: 24-Sep-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92039
Location	24, Purlwell Avenue, Batley, WF17 7NY
Proposal	Erection of single storey front and two storey side extension
Publicity end date	06/09/2024
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	**N/A**
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.

<u>Policy</u>

<u>National</u>

National Planning Policy Framework (NPPF) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development

- NPPF Chapter 12 – Achieving well-designed and beautiful places
- Chapter 15 – Conserving & enhancing the natural environment

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
- **LP30** - Biodiversity

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	No
Parish/Town Council comments sought	N/A	
Planning History	Yes	2008/92910 - Erection of single & two storey side extensions - Refused

		2009/92008 - Erection of single & two storey side extensions - Refused 2020/92387 - Erection of single storey front & two storey side extensions - Approved
Consultations required	No	

Assessment

The Kirklees SPD sets out that two storey side extensions should comply with certain dimensions set out at paragraphs 5.15 to 5.20 and if they do not, they need to be justified:

Two-storey side extensions should:	**Yes - COMPLY**	**No - JUSTIFY**
Not take up all or most of the space to the side of a house	Yes – the property occupies a corner plot and has a generously proportioned garden to the front, side and rear. Although the proposed extension is relatively wide in relation to the host property, due to the size of the plot, the proposal would appear subservient in relation to the host dwelling. Furthermore, in this instance there is a previous 2020 expired permission on the site for a similar size and design to that submitted.	
Maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property	Yes – there is no neighbouring property on that side of the house.	

Be set back at least 500mm from the front wall of the house.		No – however, there are other side extensions in the street which have no set back
Ideally be visually smaller in relation to the original house	Yes	
Have a roof design that follows the form of the existing roof	Yes – the proposal would continue the existing hipped roof	

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

Site Description

24 Purlwell Avenue is a brick built, end terraced property located on the corner of Purlwell Avenue and Purlwell Crescent. The property has gardens and a drive to the front and side of the dwelling with gardens to the rear.

There are residential properties of a similar age and style to the front, sides and rear.

Description of Proposal

The application is seeking permission for a single storey front extension and a two storey side extension.

The front extension is proposed to project 1.6m from the original front wall of the dwelling with a width of 6.9m across part of the original dwelling and the front of the proposed side extension. The roof form is proposed to be lean to.

The two storey side extension would project 4.7m from the original side wall of the dwelling, lying flush with the front and rear of the property and with a hipped roof form.

The walls of the extensions are proposed to be constructed using brick with tiles for the roof covering.

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

	Relevant key design principle (KDP) of the SPD, Policy in	**Further comments**	**✓ / X / N/A**

	the Kirklees Local Plan and the NPPF		
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The front extension would be modest in size and there are other such extensions in the area. The proposed side extension would be clearly visible. However, neighbouring properties within the wider estate also already have a variety of two storey side extensions. As such it is considered that the proposal would be sympathetic to the character of the area.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension would appear subservient in relation to the host dwelling by virtue of its design, and the external materials would be to match, as would the roof design. The window and door openings would also be generally similar to those on the original part of the house or a slightly more modern version. These are considered to be appropriate and would not harm the visual amenity of the host dwellinghouse.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The front extension is modest in terms of its footprint. The two storey side extension, whilst neither set back nor set down would have a lesser width than the main house.	✓

		The application site also has a quite generously proportioned garden to the front, side and rear, and much of it would be retained. In these circumstances it is considered that the height, scale and massing of the proposed development is acceptable.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing and roofing materials would be to match the existing.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The lean to roof over the front extension is considered to be suitable given the style of the host property. The roof over the side extension would be a continuation of the existing hipped roof which matches the design of the existing. The proposal also retains a significant amount of garden space to the front and rear.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Proportions match the existing property.	✓

Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension	✓

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?

- 22 Purlwell Avenue is the adjoining dwelling. The front extension would be set back from the shared boundary and given the limited projection together with the single storey nature of the extension, there would be no impact on the amenities of the occupiers of the adjoining dwelling. Furthermore, the side extension would be constructed on the opposite side of the host property to the adjoining dwelling.
- There are no properties directly to the rear which could be affected by the works proposed.
- 27 Purlwell Crescent occupies a position to the south of the host property with no direct alignment between the properties.
- 23 Purlwell Avenue is the property on the opposite side of the road with a separation of approx. 22m. Given the distance between the properties, the works proposed would have no impact on the amenities of the neighbouring property opposite.

Given the spatial relationship between the host property and the neighbours, the proposed front and side extensions would have no significant opportunity to result in any overlooking, overshadowing or overbearing.

	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)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Acceptable for the reasons set out above.	✓
Impact on light and outlook of neighbours (to	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b)	As above.	✓

sides, rear and front)	• Chapter 12 of the NPPF		
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The proposal would retain significant areas of garden space to the front and rear.	✓

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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The site has a dropped kerb and off street parking to the front which would provide sufficient off street parking provision.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As above.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

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	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	n/a	n/a
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	The site does not fall within the Bat Alert Layer on the Council's GIS mapping system, however the building is well sealed in any case	✓
Carbon Budget / Climate change statement	• 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. 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.	✓

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:

None received.

<u>Conclusion</u>:

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: 2024/92039
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.

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 3.00hours, 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**	**Web ID**	**Date Received**
Location plan	-	1050806	01/08/2024
Site plan	-	1051781	01/08/2024
Proposed and existing plans	-	1050808	01/08/2024
Climate change statement	-	1051547	01/08/2024

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

Report Dated: 23/09/2024