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:	**2024/62/92197/E**
Site Address:	62, Moorcroft Drive, Dewsbury Moor, Dewsbury, WF13 4DY
Description:	Demolition of existing outbuilding and erection of part two storey and part single storey rear extension, single storey side extension and loft conversion with front dormer
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 15-Nov-2024

OFFICER REPORT

Site Description

62, Moorcroft Drive, Dewsbury Moor, Dewsbury, WF13 4DY is a two-storey demi-detached dwelling faced in brick. The property benefits from parking provision to the front of the dwelling along with amenity space to the rear.

The dwellings that form the street scene are similar in appearance, scale and material palette. The area is predominantly residential with access to schools, sports clubs, recreation areas, places of worship and a hospital within close proximity.

Description of Proposal

The application seeks permission for the demolition of an existing outbuilding and the erection of a part two and part single storey extension. A single storey extension shall project 1.6m from the side (north) elevation of the existing dwelling. The proposed side extension would have a width of 3.4m and shall be set back from the principal elevation by 3.2m. This portion of the proposal would feature a pitched roof with a heigh of 3.6m and an approximate eaves height of 2.8m. An external door shall feature to the north-east elevation to form the proposed porch.

A single and first floor extension is proposed to the rear of the existing dwelling. The single storey rear extension has received permission for a 6m extension under a larger homes notification (application reference no. 2024/90986). The proposed first floor extension would project 3m from the rear of the existing dwelling with a width of 4.6m, set in from the boundary with the adjoining dwelling by approximately 1.2m. The proposal would have a pitched roof with overall height of 7.2m with an approximate eaves height of 5.3m. A singular window shall feature on the rear elevation at first floor level.

The proposed extensions would be faced in red brick with roof tiles to match the existing. White uPVC windows and black uPVC doors shall be installed to match that presented by the existing dwellinghouse.

A front dormer is proposed to the front elevation of the applicant property. The dormer is to project approximately 2.4m from the plane of the original roof, which would span 2.9m and have a height of approximately 1.7m. The proposed dormer would be clad in tiles to match that of the existing roof. A window would feature to the front elevation of the dormer.

Relevant Planning History
2024/90986: Prior notification for single storey rear extension. NANR – Not Required.

History of Negotiations
During the course of the application, concern was raised by officers in relation to the amenity of the occupier of the existing bedroom 02 due to its close proximity to the side elevation of the proposed rear extension, and subsequent poor outlook. An amended plan was received which showed an amendment to the proposed first floor layout of the dwelling which addressed officers' concerns.

Representations
The application was advertised by neighbour notification letters which expired on 20.09.2024.
No representations have been 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
- **LP2** – 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) Conditions
7) Conclusion

1) Principle of development

The site is without notation of 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 and Alterations supplementary planning document (SPD) state that extensions 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 dwellinghouse and should be in keeping with the existing building in terms of scale, materials, and details.
The single storey rear extension has received permission for a 6m extension under a larger homes notification (application reference no. 2024/90986). As such, the principle of this has previously been established as being acceptable.
Due to the appearance, scale and design of the proposal, the first-floor extension has been deemed acceptable. The ridge is set below that of the ridge height of the existing dwelling, does not dominate the rear elevation of the dwelling, and has been designed to be set in from the boundary with the adjoining dwelling, therefore in keeping with the character of the host property.
The design of dormer windows and roof extensions should reflect the character of the area, the surrounding buildings and the age, appearance, and materials of the existing house. Ideally, dormers should be located to the rear of a property as well as being as small as possible. When assessing a dormer window to the front elevation of a dwelling, consideration is given to other dwellings within the street scene. Modern flat roof dormers may be considered acceptable if they are well-designed, small in scale and appearance and are characteristic of the street scene.
Whilst dormers are not a common feature within the street scene, other works to roofs within the street scene have been noted and include solar panels as well as roof lights. The proposed dormer is small in scale, flat roofed and is to be constructed of materials which are characteristic of the street scene and host dwelling.
Having taken the above into account, the proposed extension 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.

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 of Key Design Principle 3 on privacy, Key Design Principal of overshadowing/loss of light, Key Design Principal 6 on preventing overbearing impact and Key Design Principal 7 for outdoor space.

Impact on 23, Moorcroft Drive, Dewsbury, WF13 4DX

There is approximately 19.8m between the principal elevation of each dwelling. The side extension, while set back from the street scene has the potential to be visible from no.23. However, there should be no detrimental impact due to the single storey scale of the proposal, along with being constructed of materials matching that of the existing dwellinghouse.
The rear extensions are to be located to the rear (west) of the applicant dwelling while no.23 is located to the north-east. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

Impact on 25, Moorcroft Drive, Dewsbury, WF13 4DY

There is approximately 20.2m between the principal elevation of each dwelling. The side extension, while set back from the street scene has the potential to be visible from no.25. However, due to the proposal being set back, its single storey scale and being constructed from materials matching that of the existing dwellinghouse, no detrimental impact is anticipated.

The rear extensions are located to the rear (west) of the applicant dwelling while no.25 is located to the east. As such, no significant issues would arise from overlooking, overshadowing/loss if light or overbearing impact.

Impact on 27, Moorcroft Drive, Dewsbury, WF13 4DY

There is approximately 20.1m between the principal elevation of each dwelling. The side extension, while set back from the street scene has the potential to be visible from no.27. However, due to the proposal being set back, its single storey scale and being constructed from materials matching that of the existing dwellinghouse, no detrimental impact is anticipated.

The rear extensions are located to the rear (west) of the applicant dwelling while no.27 is located to the east. As such, no significant issues would arise from overlooking, overshadowing/loss if light or overbearing impact.

Impact on 60, Moorcroft Drive, Dewsbury, WF13 4DY

There is approximately 2.1m between the side elevation of each dwelling, with no.60 located to the north of the applicant property. The side extension is located to the north of the applicant property also; however, it has been set in from the boundary between the dwellings and is to be single storey in scale.

The single storey rear extension has received permission for a 6m extension under a larger homes notification (application reference no. 2024/90986). As such, the principle of this has previously been established as being acceptable. With regards to the first floor rear extension, the proposal would be set in from the shared bourndary. The projection of the first-floor extension is compliant with the SPD in terms of its projection along with the 45-degree rule; ensuring there is no overshadowing/loss of light experienced by no.60. It is further noted that the relationship between the two dwellings is splayed rather than a linear pattern, again mitigating any detrimental impacts.

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

Impact on 64, Moorcroft Drive, Dewsbury, WF13 4DY

No.64 is the adjoining dwelling to the applicant dwelling, which is located to the south. The single storey side extension is located to the north of the applicant property and therefore should have no direct impact upon the residential amenity of no.64.

The single storey rear extension has received permission for a 6m extension under a larger homes notification (application reference no. 2024/90986). As such, the principle of this has previously been established as being acceptable. Any impact from the first-floor rear extension would be mitigated by being set in significantly from the boundary between the dwellings. The proposal is compliant with the SPD with regards to its overall height, projection and which have reduced the risk of overlooking, overshadowing/loss of light or overbearing impact; as such residential amenity has been considered and maintained in the design of the proposal.

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. The proposal sees no alterations to the parking provision held by the dwelling and as a result of the amended plans would not result in additional bedrooms.

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

5) Other matters

Carbon Budget

The proposal is a small-scale 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

The application was advertised by neighbour notification letters which expired on 20.09.2024.

No representations have been received as a result of site publicity.

As the amended plans related only to the internal layout of the dwelling, it was not considered necessary to re-advertise in this instance.

7) 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 demolition of an existing outbuilding and the erection of a part two and part single storey extensions at 62, Moorcroft Drive, Dewsbury Moor, Dewsbury, WF13 4DY 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.

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 is therefore recommended for approval.

Recommendation APPROVE

Decision Authorisation – Delegated Powers

Application Number: 2024/92197

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	Version	Date Received
Grouped Plans and Elevations	62 Moorcroft Drive – PLN-EXET A3L-1	1053066	05.08.2024
Grouped Plans and Elevations	62 Moorcroft Drive – PLN-EXT A3L-2	1053067	05.08.2024
Grouped Plans and Elevations	62 Moorcroft Drive – PLN-EXT A3L-3	Rev A	13.11.2024
Grouped Plans and Elevations	62 Moorcroft Drive – PLN-EXT A3L-4	1053070	05.08.2024
Grouped Plans and Elevations	62 Moorcroft Drive – PLN-EXT A3L-5	1053069	05.08.2024
General	Climate Change 62 Moorcroft Drive	1053071	05.08.2024

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 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.

During the course of the application, concern was raised by officers in relation to the amenity of the occupier of the existing bedroom 02 due to its close proximity to the side elevation of the proposed rear extension, and subsequent poor outlook. An amended plan was received which showed an amendment to the proposed first floor layout of the dwelling which addressed officers' concerns.

Report Dated: 15.11.24