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:	**2024/62/92245/E**
Site Address:	45, Ravens Crescent, Scout Hill, Dewsbury, WF13 3QG
Description:	Erection of two storey side extension and single storey front and rear extensions, hip to gable conversion with dormer to the rear
Recommending Officer:	Jennifer Booth

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: 13-Jan-2025

OFFICER REPORT

Site Description

45 Ravens Crescent is a brick built, semi-detached dwelling with a hipped roof form. The property has gardens to the front, a path at the side and gardens to the rear.

The properties surrounding are similar in terms of age and style although some have been extended and altered.

Description of Proposal

The applicant is seeking permission for single storey front extension, two storey side extension with hip to gable enlargement, rear dormer and a single storey rear extension.

The front extension is proposed to project 1m from the original front wall of the dwelling and would extend across the width of the property including to the front of the proposed side extension with a lean to roof form for the most part and a pitched detail over the front door.

The two storey side extension is proposed to project 2.5m from the original side wall of the dwelling and would flush with the front and rear elevations at first floor. The roof form would be hipped.

The dormer proposed would have a width of 4.9m and a height of 2.2m with horizontal boarding.

The single storey rear extension is proposed to project 3.6m from the original rear wall of the dwelling extending across the width of the property including to the rear of the proposed side extension. The roof form would be lean to with roof lights.

The walls would be constructed using brick with tiles for the roof covering.

Relevant Planning History

None

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The initially submitted proposals failed to comply with Policy

LP24 of the KLP and the House Extensions & Alterations SPD in terms of visual amenity given the lack of setback, set down and gap to the boundary along with the alterations of the roof form from a hip to a gable. Amended plans have been sought and received. As the alterations reduced the level of development, the amendments have not been advertised.

Representations

The application was advertised by neighbour letters, which expired on 02/10/2024

As a result of the above publicity, 1 representation has been received. The material planning matters raised are summarised as follows: -

- Overlooking.
- Overshadowing.
- Noise & disruption.

The application has since been amended but has not been readvertised due to the amended design and scale of the scheme.

Consultation Responses

None

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

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 2024, 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 places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

<u>Principle of development</u>:

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 & 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 material planning considerations, including visual and residential amenity, as well as highway safety.

<u>Impact on visual amenity</u>:

Key Design Principle 1 of the House Extensions & Alterations SPD does state 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 House Extensions &

Alterations SPD 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 under consideration consists of four distinct elements which shall be addressed below.

Single storey front extension

Paragraph 5.13 of the House Extensions & Alterations SPD states that front extensions are highly prominent in the street scene. As per paragraph 5.14 of the House Extensions & Alterations SPD, careful consideration needs to be given to ensure that they are carefully designed to limit the potential for them to erode the character, they should be small and subservient to the main house and constructed using appropriate materials.

The single storey front extension proposed is limited in terms of its projection and as such is considered to be acceptable in terms of its scale. There are also other examples within the street scene and as such, this would not be out of character with the wider area. The materials proposed include the use of brick for the walling with tiles for the roof covering which would match the main house. The front extension is therefore considered to be acceptable in terms of visual amenity.

Two storey side extension and roof alterations

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as the require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

It is noted that the side extension proposed has neither a set back nor a set down. However the plans have been amended to provide a 0.5m gap between the side extension and the boundary and the roof form has been amended to continue the hipped roof design of the main house which is considered to form justification as a sense of space would be retained. Due to the varied design in the street scene and changes to front elevations it is considered that this will further mitigate the scale to the side in avoiding a terracing impact. Furthermore, the materials which include the use of brick for the walling with tiles for the roof covering is considered to be appropriate. Therefore the side extension is considered to be acceptable in terms of visual amenity.

Single storey rear extension

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The extension is of a size which is appropriate to the scale of the host property and would not significantly reduce the amenity space. The materials proposed include the use of brick for the walling with tiles for the roof covering. The rear extension is therefore considered to be acceptable in terms of visual amenity.

Rear dormer

In point 5.25 of the House Extensions & Alterations SPD, it does suggest that rear dormers can be considered to be appropriate dependent upon design and size.

The rear dormer would not be particularly prominent given the position to the rear of the dwelling. Furthermore, the use of grey boarding to clad the dormer would soften the appearance. On balance, the rear dormer is considered to be supportable in terms of visual amenity.

Cumulative impact

Cumulatively the elements of the proposals, whilst substantial, are considered to be justifiable given the size of the plot, the idiosyncrasies of the surrounding area and the planning history of neighbouring developments.

Having taken the above into account, the proposals 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 & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

<u>Impact on residential amenity</u>:

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 House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

There are no properties to the front of the dwelling which could be affected by the works proposed.

Impact on 43 Ravens Crescent

The front extension proposed would be limited in terms of its projection and as such would result in no overshadowing, overbearing or overlooking of the adjoining neighbouring property.

The side extension would be located on the opposite side of the host property to the adjoining dwelling and as such would result in no overshadowing, overbearing or overlooking.

The single storey rear extension would project 3.6m from the original rear wall of the property which is a little larger than would normally be supported in terms of the SPD. However, there is a substantial hedge between the properties which, together with the single storey nature of the extension would limit the potential for any overbearing or overshadowing. Furthermore, there would be no opportunities for overlooking.

The dormer would be set up within the roof and as such would result in no overshadowing or overbearing. The window would have no further potential for overlooking than the existing first floor windows.

With regards to the impact on the adjoining, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 135 of the NPPF and the proposals are considered to be acceptable.

Impact on 47 Ravens Crescent

The front extension is limited in terms of its projection and as such would have no significant impact on the adjacent property to the south west in terms of overlooking, overshadowing or overbearing.

The neighbours side elevation has a single landing window, which is not considered to be habitable and as such, there are no concerns regarding the proximity and potential overshadowing of the internal space. The side extension would result in no overlooking or overbearing or loss of amenity as a consequence.

The rear extension would be single storey and there is a hedge between the properties which would minimise the potential for any overshadowing, overbearing or overlooking.

The dormer would be set up within the roof and as such would result in no overshadowing or overbearing. The windows which serve a bedroom and ensuite would result in no further potential for overlooking than the existing first floor windows of existing bedroom windows.

With regards to the impact on the adjacent 47 Ravens Crescent, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD,

policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 135 of the NPPF and the proposals are considered to be acceptable.

Impact on 34 Ravens Lodge Terrace

The property to the rear occupies a position some 20m from the host property. Given the separation, the extensions proposed would have little opportunity for any overshadowing, overbearing or overlooking.

With regards to the impact on the neighbouring 34 Ravens Lodge Terrace, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12, paragraph 135 of the NPPF and the proposals are considered to be acceptable.

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 & Alterations SPD and Paragraph 135 (f) of the National Planning Policy Framework.

<u>Impact on highway safety</u>:

The proposals will result in some intensification of the domestic use. It is noted that the property only has a single space to the front. However, with onstreet parking, this is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme 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 & Alterations SPD.

<u>Other matters:</u>

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 for consideration.

<u>Representations</u>:

1 representation has been received. The material planning matters raised are summarised as follows: -

- Overlooking of the adjacent property – **Response:** *this is a material consideration relating to residential amenity. The rear windows in the side extension would have a closer relationship than the existing first floor windows. However, these would still have views mainly into the applicant's own amenity space with only angled views of the neighbour's amenity space and the dormer would have no further potential for overlooking than the existing first floor windows.*
- Overshadowing of the adjacent property – **Response:** *this is a material consideration relating to residential amenity. The extension would be to the side of the host property parallel to the neighbour's side elevation – which has limited openings and path to the side. Due to the relationship and non habitable accommodation at this side of the house it would not result in a loss of amenity significant to justify refusal.*
- Noise & disruption- **Response:** *Although this is a material consideration relating to residential amenity, there is an expectation that there will be such effects as part of the activities associated with construction and such effects would be transient. This would not therefore form a reason for refusal. A note would be added to any subsequent approval reminding the applicant of the appropriate hours of work in line with Environmental Legislation.*

<u>Proposed conditions</u>

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 to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

<u>Conclusion</u>:

This application to erect extensions to the front, side and rear of 45 Ravens Crescent has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & 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 proposals are 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.

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: 2024/92245
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 & Alterations SPD and the aims 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & 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	Web ID	Date Received
Location plan	PL01	1054079	08/08/2024
Existing site plan	PL02	1054078	08/08/2024
Existing floor plans	PL10	1054080	08/08/2024
Existing elevations	PL11	1054081	08/08/2024
Proposed site plan	PL03	1054077	08/08/2024
Proposed floor plans	PL20a	1068896	09/12/2024
Proposed floor plans	PL21a	1068897	09/12/2024
Proposed elevations	PL22a	1068898	09/12/2024
Climate change statement	-	1054087	08/08/2024

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.

The initially submitted proposals failed to comply with Policy LP24 of the KLP and the House Extensions & Alterations SPD in terms of visual amenity given the lack of setback, set down and gap to the boundary along with the alterations of the roof form from a hip to a gable. Amended plans have been sought and received. As the alterations reduced the level of development, the amendments have not been advertised.

Report Dated 10/01/2025