

**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:	2024/62/92385/E
Site Address:	10, Centenary Square, Thornhill Lees, Dewsbury, WF12 9HJ
Description:	Erection of single storey front and single and two storey rear extensions and detached outbuilding
Recommending Officer:	Morgan Braithwaite

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: 19-Nov-2024

OFFICER REPORT

Site Description

10, Centenary Square, Thornhill Lees, Dewsbury, is a mid-terrace dwelling faced in brick. The property benefits from a small area of amenity space to the front as well as the rear of the property, however, no parking provision is assigned to the dwelling.

The properties which form the street scene are somewhat similar in scale, design and material palette. The area is predominantly residential with access to a pharmacy, community centre, school as well as having access to a large area of green space. It is also noted that the property lies in close proximity to the Calder and Hebble Navigation Canal and an industrial state.

Description of Proposal

The application seeks planning permission for the erection of a single storey front extension, single and two-storey rear extension and a detached outbuilding. The proposed front extension would project 1.5m from the front elevation of the existing dwelling and span the width at approximately 5m. This element of the proposal shall feature a mono-pitch roof with a maximum height of 3.4m with an approximate eaves height of 2.8m. An external front door and window would be included in the proposed new elevation.

The proposed rear extension at ground floor level would project 5.7m with a width of 4.9m. Again, a mono-pitch roof would feature to the ground floor rear extension with a maximum height of 3.8m and an approximate eaves height of 3m. Two roof lights would be placed in the roof, along with two windows and an external rear door.

The proposed first floor rear extension is to project 3m beyond the rear elevation of the host dwelling with a width of 3.4m as well as being set in 1.5m from the boundary with no.11. This element would feature a pitched roof which would reach a height of approximately 6.9m and an eaves height of approximately 5.4m. This would not exceed the ridge height of the host dwelling.

The proposed outbuilding would have a length of 3m and a width of 2m. The outbuilding would feature a pitched roof with a maximum height of 3.6m and an approximate eaves height of 2.6m.

All elements of the proposal would be constructed of materials matching that of the existing dwelling.

Relevant Planning History

2024/92387: Prior notification for a single storey rear extension. Prior notification not required.

History of Negotiations

No alterations were requested during the course of the application.

Representations

The application was advertised by neighbour notification letters which expired on 11.10.2024

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.

Front extensions are highly prominent in the street scene and can have detrimental impact on the character of the area if not considerably designed. Often front extensions are considered unacceptable unless:

- The extension is well set back from the pavement or is well screened

- The extension is small and sub-servient as well as being well-designed and would not harm the character of the original house or the area
- The materials and design match the existing features of the original dwellinghouse
- The extension would not unreasonably affect the neighbouring properties

The proposed front extension complies with above on all points. Firstly, the front extension would be set back from the pavement, the materials and design would match the existing features of the original dwellinghouse, and finally would not unreasonably affect the neighbouring properties. It is noted that there are examples of single storey front extensions within the street scene, however, the proposal would be the largest of these examples.

With regard to rear extensions, they should maintain the quality of the residential environment and relate well to neighbouring buildings. Generally, rear extensions should not be visible from the street scene and should retain a reasonable living environment for the property being extended. Consideration is therefore given to preserving back gardens and aiming to maintain at least half the garden area. A rear extension should not project beyond the side of the building and access to the rear garden should be maintained. The scale, appearance and material palette of rear extensions should be respectful of the existing dwelling and have no adverse impact in terms of overshadowing or loss of outlook for neighbouring properties.

The proposal is to be constructed of materials matching that of the existing property and would retain amenity space to the rear of the property. It is however noted that due to the design of the housing development, the proposal would be visible from the street scene. Additionally, while the proposal does not initially appear to comply with the HEASPD due to exceeding the 3m projection from the rear; the principle of the development has been established under a Prior Notification Application, reference 2024/92387 of which provides a realistic fall-back position. As such, it would be unreasonable for the application to be refused on this basis.

Two storey rear extensions are to be considered on the basis of the extent to which they would overshadow or cause a loss of privacy and/or outlook for neighbouring properties. Generally, two-storey rear extensions should:

- Be proportionate to the scale of the host dwelling and garden
- Should not exceed 50% of the total area of land surrounding the original house
- Not project more than 3m from the rear wall of the original house (4m if the dwelling is detached)
- Should not exceed a height at the eaves of 3m where the extension is within 1.5m of the property boundary

- Is to be separated from the property boundary by at least 1.5m
- Should not adversely affect habitable room windows where they adjoin a neighbour's boundary

The proposed two-storey component would be proportionate to the scale of the host dwelling and garden and would not exceed 50% of the total area of land surrounding the original house. The first-floor extension shall not project more than 3m from the rear wall and would be within 1.5m of the property's boundary, being acceptable in visual amenity terms.

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 9, Centenary Square, Thornhill Lees, Dewsbury, WF12 9HJ

No.9 is the adjoining dwelling to the east of the applicant property. The proposal sees the erection of a single storey front, single and two storey rear extension along with an outbuilding. Due to the orientation and relationship between the two properties, it is not anticipated that the rear extensions would cause any loss of light or overshadowing. The proposed first floor extension does not exceed 3m in projection, however, is not set in from the boundary between the two dwellings. Any impact of this is mitigated by no.9 being an end-of-terrace, therefore reducing the feeling of the property being enclosed.

Whilst the ground floor element exceeds the parameters of the SPD, the principle of the development has been established under a Prior Notification Application, reference 2024/92387 of which provides a realistic fall-back position. As such, it would be unreasonable for the application to be refused on this basis.

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

Impact on 11, Centenary Square, Thornhill Lees, Dewsbury, WF12 9HJ

No.11 is the adjoining dwelling to the west of the applicant property. The proposal sees the erection of a single storey front, single and two storey rear extension along with an outbuilding. Due to the orientation and relationship between the two properties, it is not anticipated that the rear extensions would

cause a significant loss of light or overshadowing. The proposed first floor extension does not exceed 3m in projection but has been set in from the boundary between the dwellings by 1.5m, mitigating any detrimental impact.

Whilst the ground floor element exceeds the parameters of the SPD, the principle of the development has been established under a Prior Notification Application, reference 2024/92387 of which provides a realistic fall-back position. As such, it would be unreasonable for the application to be refused on this basis.

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

Impact on 31, Navigation Gardens, Thornhill Lees, Dewsbury, WF12 9HZ

There is approximately 14.3m between the rear elevation of each dwelling. The single storey front extension would not be visible to no.31 due to its location to the north of the applicant dwelling while no.31 resides to the south. The rear extensions are not anticipated to have a significant impact due to the satisfactory separation distance between the dwellings, along with the orientation and geographic locations of the dwellings. No impact is anticipated from the outbuilding.

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

Impact on 32, Navigation Gardens, Thornhill Lees, Dewsbury, WF12 9HZ

There is approximately 14.3m between the rear elevation of each dwelling. The single storey front extension would not be visible to no.32 due to its location to the north of the applicant dwelling while no.32 resides to the south. The rear extensions are not anticipated to have a significant impact due to the satisfactory separation distance between the dwellings, along with the orientation and geographic locations of the dwellings. No impact is anticipated from the outbuilding.

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

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 property would see no alterations to parking provision as there is no allocated parking for the property. However, the proposal would see the addition of a third bedroom.

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 11.10.2024.

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

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 application to erect single storey front, single and two storey rear and a detached outbuilding at 10, Centenary Square, Thornhill Lees, Dewsbury, WF12 9HJ, 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: 2024/92385

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
Existing Plans and Elevations	S01A_Existing	1055444	23.08.2024
Proposed Plans and Elevations	S02D_Propsoed	1055443	23.08.2024
Flood Risk Assessment	-	1055874	02.09.2024
Flood Risk Assessment	Pt 2	1055875	02.09.2024
General	S03_Work Specification	1055448	23.08.2024
Design and Access Statement	-	1055447	23.08.2024
Climate Change Statement	-	1055446	23.08.2024

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.

No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 15.11.2024