

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:	2024/62/92732/E
Site Address:	4, St John Parade, Westtown, Dewsbury, WF13 2QN
Description:	Erection of single and two storey rear extension
Recommending Officer:	Faiza Bano

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: 10-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92732
Location	4, St John Parade, Westtown, Dewsbury, WF13 2QN
Proposal	Erection of single and two storey rear extension
Publicity end date	5 th November 2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	UNALLOCATED, Bat Alert, LB Airport Consult 1, DEVELOPMENT_HIGH_RISK_AREA
Extension to Time (EoT)	YES Date: 10/12/2024
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.

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 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

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought	No	N/A
Planning History	Yes	<u>Planning Ref: 2022/92397</u>

		Location: 4, St John Parade, Westtown, Dewsbury, WF13 2QN Proposal: The proposal is for erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.66m, the height of the eaves of the extension is 2.62m Decision: RF - REFUSED Decision Date: 2022-08-23 Planning Ref: <u>2022/93478</u> Location: 4, St John Parade, Westtown, Dewsbury, WF13 2QN Proposal: Demolition of existing single storey rear extension and erection of two storey rear extension and installation of 2 side windows Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2023-02-16 Planning Ref: <u>2024/90621</u> Location: 4, St John Parade, Westtown, Dewsbury, WF13 2QN Proposal: The proposal is for erection of single storey rear extension. The extension projects 4.5m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.6m, the height of the eaves of the extension is 2.8m Decision: RF - REFUSED Decision Date: 2024-04-16 Planning Ref: <u>2018/90013</u> Location: 1, St John Parade, Westtown, Dewsbury, WF13 2QN Proposal: Erection of single and two storey rear extension Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2018-02-22 Planning Ref: <u>2015/94121</u>
--	--	---

		Location: 12, St John Parade, Westtown, Dewsbury, WF13 2QN Proposal: Erection of two storey and single storey rear extensions Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2016-02-24 Planning Ref: <u>2004/93833</u> Location: 60A HIGH STREET, Proposal: ERECTION OF FIRST FLOOR EXTENSION Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2004-10-11 Planning Ref: <u>2018/92675</u> Location: 58, High Street, Westtown, Dewsbury, WF13 2QF Proposal: Erection of two storey rear extension Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2018-10-09
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out that two storey rear extensions should comply with certain parameters set out in paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

Two Storey Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be proportionate to the size of the original house and garden;	Yes - the extension is not considered to cause detriment to the street scene. There are several dwellings with similar extensions and as such in this case it is considered	

	there is sufficient justification present such that refusal on the basis of the impact of the two-storey element to the rear could not be substantiated in this case.	
not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	Yes – the extension does not cover more than half of the total area around the original house. Considered acceptable due to neighbouring properties having a similar extension.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;		No – whilst the proposed first floor extension projects out by approximately 3m which is in keeping with the SPD, the ground floor element would have a projection of 4.0m. However, the proposals are considered acceptable in this case due to neighbouring properties having a similar extension. Ample garden space will be retained to the rear of the house.
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;		No - The proposed first floor extension projects out by 3m and has an eaves height of approximately 5m. Despite the 300mm separation distance between the application site and adjacent semi, number 2, this is considered acceptable as the openings closest to the shared boundary line are considered non-habitable. Regarding the shared boundary with number 6, it is considered acceptable as the two-storey extension is separated from the shared boundary line by just over 2 metres.

		It is noted that a 3m, two storey extension was previously approved here in 2022 which had a similar relationship with neighbouring properties, and a significant amount of weight can be given to this as a material consideration in the assessment of the current application.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and		No – The proposed two-storey rear extension retains a 300mm gap between the application site and adjacent semi, number 2 St John Parade. However, this is considered acceptable as the rooms/openings closest to the shared boundary line are considered non-habitable rooms and there are neighbouring properties with similar extensions closer to the boundary line. The application site has over 2 metres separation distance from neighbouring property number 6 St John Parade, as such, no issues regarding loss of outlook and loss of light arise. In addition, the previous 2022 approval is a material consideration on which significant weight can be placed.
not adversely affect habitable room windows where they adjoin a neighbour's boundary	Yes – the two-storey extension is designed to retain a gap from the boundary and does not cause any issues in terms of loss of outlook and overshadowing in respect	

	of neighbouring habitable room windows.	
--	---	--

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraph 5.2 on page 23 (and listed below) and if they do not, they need to be justified:

Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
respect the original house and garden in terms of its size and scale	Yes – the extension does not cover more than half of the total area around the original house. The proposed development would have an eaves height of 2.4m, which is acceptable due to neighbouring properties having a similar extension. Ample garden space will be retained to the rear of the house.	
use appropriate materials which match or are similar in appearance to the original house; and	Yes - to match existing	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	The proposed extension will not overshadow neighbouring properties. Due to the modest scale of the proposed extension, there will be no impact on the loss of outlook of neighbouring properties.	

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

Summary of local street scene/character:

The site to which the application site relates to is number 4 St John Parade. The property is a two-storey semi-detached dwelling constructed from brick and is roofed with concrete tiles. The property benefits from a garden to the front and rear, with an accessible driveway. The property is situated within a residential area and the street scene encompasses several dwellings of similar character size, design and scale.

Similar extension to the proposed at number 1 and 12 St John Parade and 62 – 52 High Street.

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

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
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 extension is generally modest in scale and due to neighbouring properties having similar extensions, the proposed development would not appear overly prominent. The proposed development would be located to the rear of the property and will not impact the character or street scene across the frontage of the property.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would remain the dominant feature.	✓
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	As above. The extension would project across the rear of the property. The proposed development consists of a single-storey and a two-storey extension to the rear	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials to match 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	Pitched and lean-to roof style to extensions. All roof styles are acceptable as they are in-keeping with the original roof style of the host property and/or match the character of the street scene.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Modest size windows in extensions, which would be in-keeping with existing building.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension which would provide easy access into the main house.	✓

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:

- 2 St John Parade – Adjacent semi, shall see an alteration to the appearance of the rear elevation. The proposed rear extension does not surpass the rear single storey elevation of this property. The shared boundary is met by openings that are hosts to non-habitable rooms and as such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
- 6 St John Parade – This property is located to the northwest of the application site and shall see the addition of a rear projections to the existing dwelling, as such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.
- There are properties to the rear, however, the proposed extension is the set back from the boundary and it will not impact the properties behind.

	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 sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As above.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	As above.	✓

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	Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring houses – off the main through-fare. The property also has a driveway big enough to fit	✓

		a car after the construction of the proposed extension.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Maintains appropriate access and off-street in-curtilage parking.	✓
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	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	✓
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. A Climate Change Statement has been submitted with this application.	
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

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:

The application was advertised via neighbour notification letters.

Final publicity date expired: 5th of November 2024

As such, no representations received.

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**

Decision Authorisation - Delegated Powers

Application Number: 2024/92732

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
Grouped Plans and Elevations	Proposed Plans and Elevations		26-Sep-2024
Grouped Plans and Elevations	Existing Plans and Elevations		26-Sep-2024
Location Plan	Location Plan		26-Sep-2024
General	Climate Change Statement		26-Sep-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: 06/12/2024

