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:	**2024/62/92997/E**
Site Address:	137, Headfield Road, Savile Town, Dewsbury, WF12 9JJ
Description:	Erection of single storey side and rear extensions with front and rear dormers and raised platform to front elevation to form parking area with retaining walls and dropped kerb
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: 21-Feb-2025

OFFICER REPORT

Site Description

137 Headfield Road is a semi-detached brick built bungalow which is set down from the level of the road. The property has a parking area to the front and an enclosed garden to the rear with a detached outbuilding.

The property backs onto a large business premises and has similarly aged residential properties to the front and sides although there have been significant changes to some of the neighbouring properties.

Description of Proposal

The applicant is seeking permission for extensions and alterations.

- Hip to gable enlargement,
- Front dormer – 2.6m wide, height 1.7m,
- Single storey side extension – 1.2m projection, full depth including to side of rear extension, lean to roof form – 1m gap to boundary retained,
- Single storey rear extension – 3m projection, full width including to rear of side extension with pitched roof,
- Rear dormer – 5.4m wide, height 2.9m,
- Raising front garden to form parking platform.

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 plans raised concerns in terms of the size of the dormer. Amended plans have been sought and received which reduced the width of the dormer. As the alteration reduced the level of development, the amended plans have not been advertised. Further plans have been provided which correct the side elevation to show the roof of side element.

Representations

The application was advertised by neighbour letters, which expired on 02/12/2024

As a result of the above publicity, one representation has been received raising the following concerns:

- Raising the garden for a street level platform will lead to raised platforms/walls on both sides of no.133.
- Proposal would reduce light from the garden as well impact upon outlook with cars parked and the raised platform too.

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
- **LP28** - Drainage
- **LP 30** – Biodiversity
- **LP 53** - Contaminated land

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 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

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 six distinct elements which shall be addressed below.

Hip to gable

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations”. Paragraph 4.6 states “where extensions seek to differ from the existing materials, design, **roof pitch** or detailing, proposals will be considered on a case by case basis.”

Although the property is in a row of similar dwellings with hipped roof forms, the wider street scene including the bungalow at the opposite end of this row (161) have pitched roof forms and as such, this would not be out of character with the wider street scene a. It is also noted that there is potential for such works to be carried out under permitted development. As such and on balance, the hip to gable enlargement can be considered to be acceptable in terms of visual amenity.

Front dormer

Paragraph 5.26 of the House Extensions & Alterations SPD requires consideration of the wider area and surrounding buildings when considering whether a front dormer is appropriate. Dormers should be well-designed and small in scale.

The front dormer appears to be modest in its size and there are others within the row of bungalows. As such, this would not be out of character with the area and can be considered to be acceptable in terms of visual amenity.

Single storey side extension

Paragraphs 5.15 & 5.16 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.

Whilst the extension would lie flush at the front, it is limited in terms of its width and allows for a gap of 1m to be retained to the boundary with the adjacent dwelling. Moreover, there is another such extension at the end of this row of properties. The side extension would therefore be likely to be considered to be acceptable in terms of its scale. The materials indicated would match the main house and the detailing would appear to be similar. The proposed side extension is therefore 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 projection of the rear extension does allow for the retention of amenity space and as such, the scale can be considered to be acceptable. The materials proposed will match the main house with the use of brick for the walling and 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 be a box like structure built out of the roof plane. The dormer would be similar in appearance and scale to the others within the row of bungalows which helps to prevent the development detracting from the host and to ensure that this is not out of character with the area.

Raised parking platform

Paragraph 4.43 of the House Extension & Alterations SPD requires consideration when providing parking to the front of a dwelling in terms of the appearance. These should retain as much of the garden and soft landscaping as possible to ensure that the street scene does not be dominated by hard surfacing.

The property has a drive at present. The proposals are to widen the parking area to ensure an adequate parking provision. Given the topography of the site, this would require a raised platform. The works are similar to existing development within the street and would not detract from the street scene or character of the area. The submitted plans show the provision of soft landscaping to the sides and abutting the house which is in line with the SPD and would result in a satisfactory appearance in terms of visual amenity.

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.

The dwelling backs onto a business complex and as such there are no neighbours to the rear of the property which could be affected by the proposed extension. The properties on the opposite side of Headfield Road are situated some 27m from the site and as such, the works proposed would have no significant impact on the amenities of the property's opposite.

Impact on 135 Headfield Road

The roof alterations together with the side extension and parking platform would have little impact on the amenities of the occupiers of the adjoining property given the spatial relationship between the dwellings.

The rear extension however would be constructed along the shared boundary with potential to form an overbearing impact. Given the limited projection of 3m, there would be no significant impact in terms of overbearing, overshadowing or overlooking.

The raised platform would be raising what is currently sloping land. This slopes downwards towards the dwelling; at its highest point the raised platform would be 0.85m above the existing ground level. Above which retaining walls are proposed, which would be 1.14m in height. As a result of the works, the raised platform would see a retaining wall 1.99m in height (at its highest point) along the shared boundary with the adjoining property. Whilst greater in height than the existing boundary wall, weight is afforded to the fact a boundary treatment up to 2m in height above ground level could be implemented to this boundary. A gap is maintained to the front elevation which maintains openness ensuring any impact on the front window is minimised. It is not considered that any parking or manoeuvring will result in any greater loss of amenity than the current arrangements as well as from the main highway due to the proximity. The side elevation shows the relative height of the wall which would assist in screening movements and headlights. Due to the space maintained, the PD fall back, as well as design of the parking area to the front it is considered, on balance, acceptable.

With regards to the impact on the adjoining 135 Headfield Road, 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 139 Headfield Road

The roof alterations would be set up within the roof plane and as such would have limited potential to impact on the amenities of the occupiers of the adjacent property

The side extension would be 1m from the shared boundary with the neighbours drive between the properties. It is noted that there are windows in the side of the neighbouring property. However, these serve as a secondary window to the kitchen and a bathroom. Given the relationship between the properties together with the limited dimensions of the extension proposed, there is unlikely to be any significant effect upon the amenities of the occupiers of the adjacent property in terms of overbearing, overshadowing or overlooking.

The works to the front would be set in off the boundary, maintaining a cars width to the neighbouring boundary. There is an existing wall that will further mitigate the works and use and as such will not materially impact the occupants.

With regards to the impact on the adjacent 141 Headfield Road, 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. However, the plans also show the provision of parking to the front which is considered to represent a sufficient provision. A condition requiring surfacing and drainage is imposed to ensure the development is carried out in accordance with Policy LP28 and to prevent any detriment to the highway due to surface water run off.

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>

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

Contaminated Land

The property is close to a potential source of contaminated land. However, given the limited scale of the domestic development, it is considered to be sufficient to include a condition regarding the reporting of unexpected contamination to comply with LP53 of the KLP.

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.

Representations:

One representation has been received raising the following concerns:

- Raising the garden for a street level platform will lead to raised platforms/walls on both sides of no.135.
- Proposal would reduce light from the garden as well impact upon outlook with cars parked and the raised platform too.

Response: *The raised platform would be levelling what is currently sloping land. This slopes downwards towards the dwelling; at its highest point the raised platform would be 0.85m above the existing ground level. Above which retaining walls are proposed, which would be 1.14m in height. As a result of the works, the raised platform would see a retaining wall 1.99m in height (at its highest point) along the shared boundary with the adjoining property.*

Whilst greater in height than the existing boundary wall, weight is afforded the fact a boundary treatment up to 2m in height above ground level could, in any event, be implemented to this boundary. Space to the front elevation is maintained ensuring openness to the front.

As such it is considered that the impact of the proposed works to the front amenity space, creating a parking area is acceptable having regard to the scale of the works proposed and the level of works possible by utilising pd rights.

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

A condition requiring the dormers to be dark grey is also recommended.

Given the proximity to a source of potential contamination, a condition regarding the reporting of unexpected contamination.

Conclusion:

This application for extensions and alterations to 137 Headfield Road 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: 2024/92997
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 extensions and works to create the hip to gable alteration hereby approved shall in all respects match those used in the construction of the existing building. The external walls of the retaining walls of the platform to front to form parking area hereby approved shall in all respects match those used in the construction of the existing building. The external materials of construction approved by this condition shall be retained thereafter.
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.

4. The dormers to front and rear hereby approved shall be of a dark grey colour finish which shall be thereafter retained.
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.

5. The drives and parking area shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.
Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

6. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: So as to protect the development from any potential contaminated land and to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11* (CLR11), National
Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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
Existing plans	S01	1063483	25/10/2024
Proposed plans	S02F	1076209	13/02/2025
Specifications	S03	1063485	25/10/2024
Design & access statement	-	1063493	25/10/2024
Climate change statement	-	1063494	25/10/2024

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 plans raised concerns in terms of the size of the dormer. Amended plans have been sought and received which reduced the width of the dormer. As the alteration reduced the level of development, the amended plans have not been advertised. Further plans have been provided which correct the side elevation to show the roof of side element.

Report Dated 18/02/2025