

**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:	2024/62/93193/E
Site Address:	19, Hawthorn Avenue, Batley, WF17 7BT
Description:	Erection of single storey side extension and alterations
Recommending Officer:	Joshua Merriman

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: 07-Jan-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/93193
Location	19, Hawthorn Avenue, Batley, WF17 7BT.
Proposal	Erection of single storey side extension and alterations.
Publicity end date	19/12/2024
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	No allocation in the Kirklees Local Plan.
Extension to Time (EoT)	No
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	✓	

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 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed 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

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 9: Construction materials
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	
Consultations required	No	

Assessment

The application seeks permission for a single storey side extension.

The proposed side extension is proposed to project 2.48m from the side elevation of the original building, with a maximum height of 3.56m, eaves height of 2.44m, and a depth of 3.29m.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified.

Side extensions	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
------------------------	----------------------------	----------------------------

Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Due to the limited scale of the proposed extension, there will be no significant effect on natural light to habitable rooms in the neighbouring property.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	There are no proposed side or rear windows in the extension, therefore, it is considered that no overlooking into neighbouring properties will be facilitated. The proposed ensuite window in the front elevation will need to be obscured as per the condition added to the end of the report to prevent conflict with opposing neighbours.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The extension does not extend more than two thirds of the width of the original house.	
not exceed a height of 4 metres	The maximum height of the extension is 3.56m.	
be set back at least 500mm from the original building line to allow for a visual break		The proposal is set to lie flush with the front elevation of the property, however, due to the location within an existing row of terraced properties this design

		will not detract from the street scene, and is considered acceptable.
--	--	---

Design and Visual Amenity:

Summary of local street scene/character:

19 Hawthorn Avenue is a terraced property, located on the end of its terrace row. The property is constructed mainly from brickwork walls and a tiled roof, and is surrounded by houses of a similar style, character, age, and size. The dwelling benefits from garden space to the rear and amenity space to the side and front of the house.

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	As the extension is subservient to the original building and is to be constructed using materials to match the existing property, it is considered that there will be no significant impact on the local character or street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Due to the limited scale of the proposal, there will be no significant impact on the original house.	✓

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	The extension is subservient to the original building in terms of height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The walls of the extension are proposed to be constructed using brickwork to match the existing building.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The roof is to be constructed using tiles to match the original dwelling.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The window proposed in the front elevation is proportionate to those existing in terms of size and positioning.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangements required.	✓

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:

The main properties affected are:

- 21, Hawthorn Avenue, Staincliffe, Batley, WF17 7BT – Neighbouring property to the West.
- 21A, Hawthorn Avenue, Staincliffe, Batley, WF17 7BT – Neighbouring property to the West.
- 20, Hawthorn Avenue, Staincliffe, Batley, WF17 7BT – Opposing neighbour.

	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	The only window in the extension will be conditioned to be obscured as it is an ensuite window, therefore, it is considered there will be no significant impact on the privacy of neighbours.	✓
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	Due to the limited scale of the extension, there will be no significant impact on light and outlook of neighbouring properties.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b)	As aforementioned, due to the limited scale of the proposal there will be no significant impact in	✓

	Chapter 12 of the NPPF	terms of overbearing or overshadowing.	
Remaining garden space of application property	- KDP 7 of the SPD - Policy LP24 Design (b) and (c) - Chapter 12 of the NPPF	The property will retain all of its rear garden space which is deemed acceptable.	✓

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:

	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	Due to the small scale of the extension, it is considered that there will be no significant impact on highway safety.	✓
Parking provision	- KDP 15 of the SPD - Policy LP22 Parking (f) of the KLP - Chapter 12 of the NPPF	The number of bedrooms at the property will not increase as a result of the proposal and the current parking provision at the property will not be affected, therefore, the proposal is considered acceptable from the viewpoint of parking provision.	✓

Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed in the submitted plans, there will be adequate space on the application site for waste storage.	✓
-----------------------------	--	---	---

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:

	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	The development is adequately spaced from any mature trees to have any impact.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	The extension is not located in an area of ecological interest.	✓
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	✓

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 development shall be completed using materials to match and thereafter be retained.

Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Application Forms	-	13/11/2024
Climate Change Statement	-	13/11/2024
Grouped Plans and Elevations	24.2772.01 – Existing	13/11/2024
Grouped Plans and Elevations	24.2772.02A – Proposed	13/11/2024

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: 19/12/2024