

**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:	2024/62/93283/E
Site Address:	Fox Hollow, 26, Linefield Road, Batley, WF17 0ES
Description:	Erection of infill front extension and two storey side extension with attached garage extension and external alterations (within a Conservation Area)
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.

Emma Thompson

AUTHORISED OFFICER

Date: 23-Jan-2025

OFFICER REPORT

Site Description

The site in which the application relates to is Fox Hollow, 26, Linefield Road, Batley, WF17 0ES; a detached bungalow located within a Conservation Area. The dwelling is constructed from artificial stone and roofed with slate tiles. The dwelling is set back from the street scene and the area is low density with few residential properties within the vicinity.

The dwelling benefits from large amenity areas surrounding the property as well as a large driveway and in-curtilage parking.

Description of Proposal

This application has been received for the erection of infill extensions across the front elevation, a two-storey side extension, a single storey side extension and external alterations. The proposal would be constructed from materials that match the existing dwellinghouse and house windows looking to various amenity areas of the dwelling. The materials along the front elevation will be replaced with natural coursed stone. The measurements of the scheme are as follows:

Single Storey Front Extensions

Facing the front elevation, the infill extension on the right-side projects approximately 1.5m, while the left side extends about 2.3m. These infill extensions will be inline with the front building line of the dwelling. The roof structure of the infill extensions will integrate with the existing hipped roof and will maintain the original eaves height. The materials along the front elevation will be replaced with natural coursed stone.

Two Storey Side Extension

The proposed two-storey side extension features a lower ground floor and projects approximately 4m, spanning the entire length of the house. The design integrates the roof structure with the original roof and maintains an eaves height of 3.34m from ground level, consistent with the original eaves height. The overall eaves height from lower ground level would be 5.42m, matching the existing two-storey section of the house.

Single Storey Side Extension

The single-storey side extension will form the attached garage. The proposed extension is set back by 7.3m from the front building line and aims to join the dwelling and detached garage. The extension will span a width of 6m, extending up to the rear building line (approximately 6.74m). The additional

length will be 7.7m, making the attached garage 13.3m in total length. The attached garage will feature a hipped roof with an eaves height of 2.8m and an overall height of 4.3m.

External Alterations

The external alterations of the scheme are described as though facing the front elevation and are as follows:

Front Elevation

- Additional window to 'right side' infill extension, to be a part of the proposed reception
- Replacing the existing bathroom window with a smaller window, to be part of the proposed en-suite for bedroom 1
- Additional small window to the 'left side' infill extension, to be a part of proposed en-suite for bedroom 2

Right Side Elevation

- Blocking up the window of the existing dining room

Rear elevation

- Replacing the left window of the garden room with bifold doors, to be part of the proposed lounge
- The right window of garden room to be a part of proposed bedroom 5.

Left Side Elevation

- Six new window openings across ground floor level:
 - o Three small windows to be a part of the proposed en-suites for bedrooms 3, 4 and 5
 - o One small window to be a part of the proposed walk-in wardrobe for bedroom 5
 - o Two large windows to be part of bedrooms 3 and 4
- Two sliding doors at lower ground level to be a part of the proposed gym

Relevant Planning History

Planning Ref: 2024/90575

Location: Fox Hollow, 26, Linefield Road, Batley, WF17 0ES

Proposal: Erection of an infill front extension, attached garage extension and external alterations (within a Conservation Area)

Decision code: FC

Decision: FC - CONDITIONAL FULL PERMISSION

Decision Date: 2024-06-14

Representations

The application was advertised by neighbour notification letters, and a site notice which expired on 01/01/2025.

No representations were received as a result of site publicity.

Consultation Responses

KC Conservation and Design – no objections

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 located within a Conservation Area 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
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP35** - Heritage

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, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development

- 1) Impact on openness of Green Belt and visual amenity
- 1) Impact on residential amenity
- 2) Impact on highway safety
- 3) Other matters
- 4) Representations
- 5) Negotiations
- 6) Conditions
- 7) Conclusion

1 – Principle of development:

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 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area. Any impact on heritage assets will be given consideration having regard to Policy LP35 of the Kirklees Local Plan, and Chapter 16 of the National Policy Planning Framework.

These issues along with other policy considerations will be addressed below.

Background

A similar proposal was submitted and approved under application 2024/90575. This application includes modifications to the previous application, including a two-storey side extension.

2 –Impact on Visual Amenity and Historic Environment:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) states 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 HEASPD 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 infill extensions, single-storey side extension, and external alterations will be visible from the street scene as they pertain to the principal elevation of the dwelling. The proposed extensions are single-storey and do not exceed the eaves height of the original house. The roof of the proposed two-storey side extension, which includes a lower ground and ground floor level, will integrate with the existing roof structure. As with the previous application, the height of the garage roof does not comply with the House Extensions and Alterations SPD, as it exceeds the stated 4 metres. However, this non-compliance is justified since the height of the proposal does not exceed the height of the original dwelling's roof and would appear subservient. Additionally, the roof height was approved in the previous application, providing no grounds for refusal on this basis.

Historic Environment

It is acknowledged that the site is within a conservation area. However, it is believed that the proposed development will not harm the historic environment. The existing late 20th-century bungalows on Linefield Road contribute little to the character of the Conservation Area, which is characterised by a mix of Victorian villas, late Victorian industrial buildings, and cottages. Similar works have been approved for other nearby dwellings. The proposals are single-storey and will be constructed with materials that match the existing dwelling. The materials along the front elevation will be replaced with natural coursed stone.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (SPD) states 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 HESPD 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.

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 proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions and Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 22 Linefield Road:

There is approximately 10.2m between the side elevation of the application site and the rear elevation of number 22. An established hedge serves as a boundary treatment between the two dwellings, effectively screening the view of the proposal from the ground floor of number 22. However, the proposal will be visible from the first-floor rear windows of No. 22. The proposed developments are single-storey and will be constructed with materials matching those of the existing dwelling. Additionally, the garage will be set back approximately 2m from the boundary. Consequently, no significant issues related to overlooking, overshadowing, loss of light, or overbearing impact are anticipated.

Overlooking: The proposal does not include additional openings along the right elevation, ensuring that the outlook towards number 22 from the application site remains unchanged.

Overshadowing/Loss of Light/Overbearing: The proposal is single-storey, and the distance between the properties, along with their orientation, ensures that sun paths are not obstructed. Therefore, no significant issues related to overshadowing, loss of light, or overbearing impact are anticipated.

Impact on 24 Linefield Road:

There is a separation distance of approximately 11m from the side elevation of the application site and rear elevation of number 24. It is considered no significant issues would arise for the same reasons as above.

The extension would not cover the entire amenity space of the application property. It is considered that the proposal would not take up a significant

amount of useable amenity space and sufficient amenity space would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

In summary, due to the location of the existing dwelling and the scale of the proposed extension, there would be no significant harm to the residential amenity of neighbouring residents as a result of the proposal, in accordance with Policy LP24 of the KLP and the House Extensions and Alterations SPD.

4 – Impact on highway safety:

The proposals would result in some intensification of the domestic use of the property. It would also result in the creation of an additional bedroom, turning the dwelling into a five bedroom property. The Kirklees Highways Design Guide indicates that while Kirklees Council has not established specific local parking standards, it suggests that four-bedroom dwellings or larger should ideally provide three off-street parking spaces. However, factors such as the development's accessibility, public transport availability, and local car ownership levels should also be considered.

The addition of a single-storey side extension will result in the loss of two driveway spaces. However, as this extension is an addition to the garage, the parking spaces will be relocated within the garage. Additionally, there is sufficient in-curtilage parking available to mitigate any parking concerns.

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 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.

Ecology

The application site is located within a Bat alert layer on the Council's GIS mapping system. Due to the scale of the application, a note will be added to the application notifying the applicant, should permission be granted.

As such the application is considered to comply with guidance within Policy LP 30 of the KLP and Chapter 15 of the NPPF.

6 – Representations:
No representations received.

6 – Negotiations:
N/A

7 – Conclusion:

This application for infill extensions, single and two storey side extensions for Fox Hollow, 26, Linefield Road, Batley, WF17 0ES 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 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: 2024/93283

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.

1. 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.

2. 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	Date Received
Grouped Plans and Elevations	22254-D02-B GroupedPlansAndElevations	21-Nov-2024
Location Plan	22254-D01-A Location Plan	21-Nov-2024
Conservation/Heritage Assessment	22254 Heritage Impact	21-Nov-2024
General	Climate Change Site	21-Nov-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 amendments were requested in this instance.

Report Date: 20/01/2025