

PLANNING STATEMENT

94 - 96 Savile Road

Savile Town

Dewsbury

WF12 9LP

Proposal

Removal of unauthorised timber extension and erection of a replacement single storey side extension.

Prepared by

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1.0 INTRODUCTION

- 1.1 This Planning Statement is submitted by Mubeen Patel, a Chartered Town Planner on behalf of the applicant who is currently renovating the application site which has been vacant for a period of time. The property was previously used as a café/restaurant, the applicant is currently making significant beneficial internal changes to use it as a restaurant.
- 1.2 The building was recently purchased by the applicant with a timber side extension in situ for a period around 5 years, this element does not have the benefit of planning permission. Therefore, a Breach of Enforcement Notice dated 25th August 2025 was sent to the site address named to Nasim Akhtar Siddiq (previous owner), this was surprisingly picked up by the new owner.
- 1.3 The actual Enforcement Notice dated 5th November 2020 was served by the Council on the previous owner. During the sales process this Notice/charge was not picked up by the solicitor. Nevertheless, the new owner is determined and willing to remedy the breach in question, the reason for this application.
- 1.4 The Council's concerns are acknowledged that the timber materials of the unauthorised extension would not be supported. The applicant understands that this element needs to be removed as soon as possible.
- 1.5 The applicant has aspirations to create a more vibrant and welcoming eatery with additional seating space with a new improved extension design in the same position that would fit better with the character of the area. This would see the removal of the existing unlawful timber extension and its replacement with a solid well-designed addition that would enhance the street scene.
- 1.6 The council should be mindful that the owner since purchasing the property is working tirelessly to get the building into a functional use after a long period of vacancy. The applicant will be removing the unlawful extension at the same time as construction works start on a possible new solid extension given the difficulty of sourcing builders.

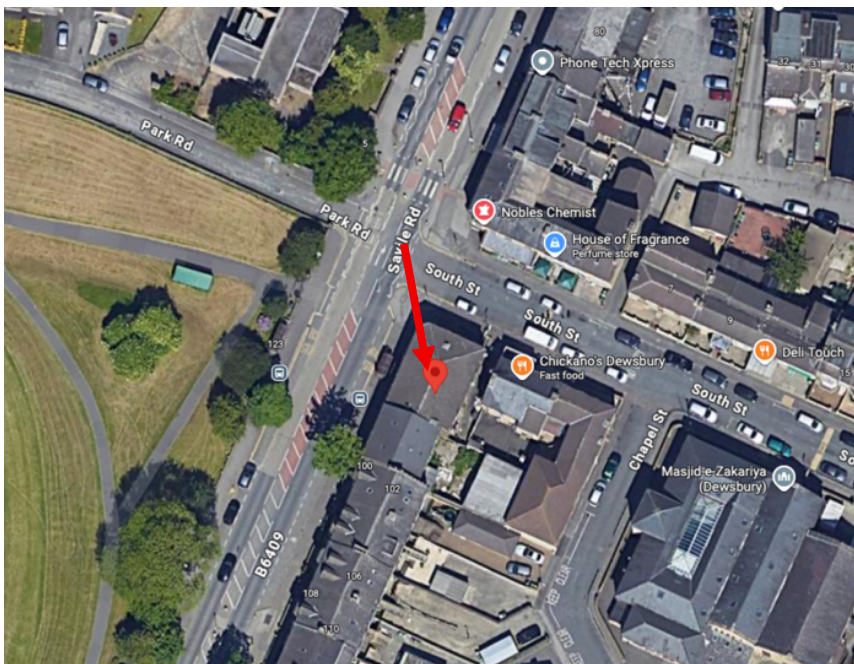
- 1.7 It is considered the proposal is acceptable and provides a conscious effort to engage and have an open dialogue with the Council to move towards an eventual positive solution to the outstanding Enforcement Notice.

2.0 SITE AND SURROUNDINGS

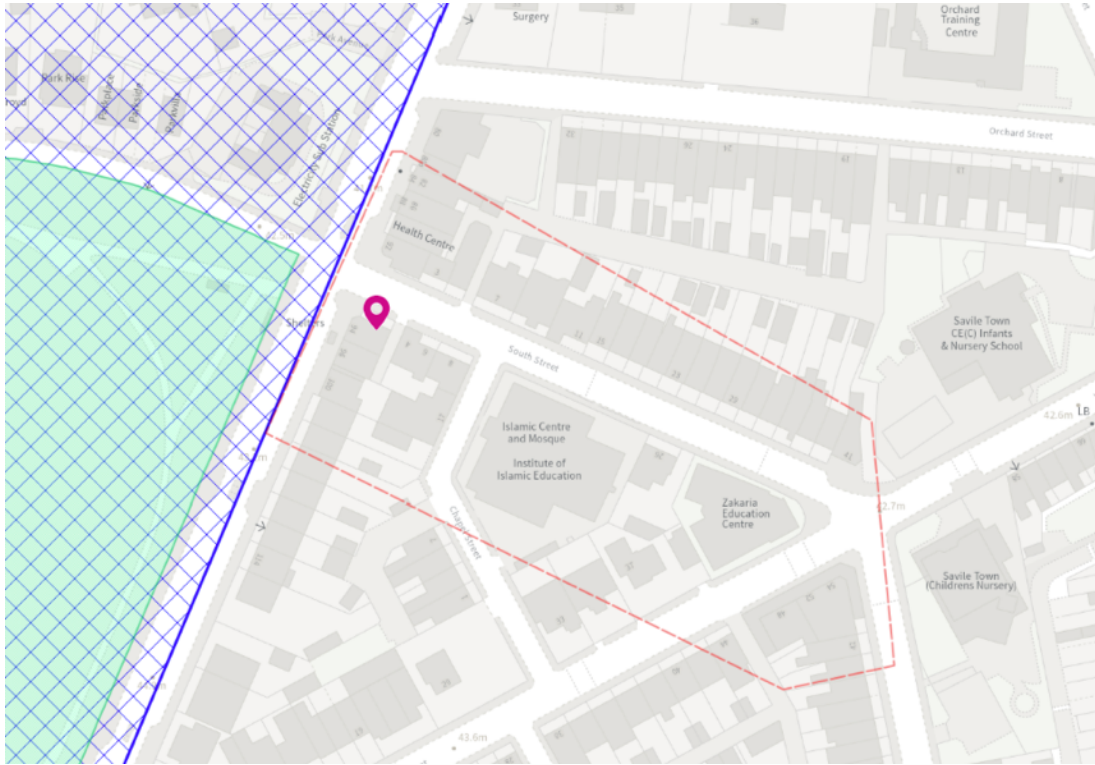
- 2.1 The application site was last used as a café/restaurant at ground floor with flats above. The building is a corner terrace, two stories in height and constructed of natural stone with a hipped slate roof. The ground floor includes a shopfront as part of its retail use with large windows fronting the highway of Savile Road. Customer access is provided from the traditional central doorway.

- 2.2 The building is positioned in a prominent location on the corner of Savile Road and South Street, Savile Town, Dewsbury. There is a Bus Shelter outside the site along Savile Road. The site has no dedicated parking although on street parking is available. Neighbouring properties are mainly similar in terms of their style and character, although some retail uses have been extended in the vicinity of the site and which differ from residential terraced properties.

- 2.3 The property is located in a mixed use area which includes retail uses as well residential. A pharmacy and retail unit is positioned on the opposite side of South Street, Chickano’s takeaway is to the rear. A large mosque is located further up South Street. The site is positioned within the Savile Town Local Centre, the building itself is not listed, nor is it positioned with a Conservation Area,



2.4 **Above:** The image indicates the application site on a corner plot location amongst a mixed-use area in Savile Town Local Centre.



2.5 **Above:** The image taken from the Proposals Map indicates the application site within Savile Town Local Centre (red outline).

3.0 PROPOSED DEVELOPMENT

- 3.1 The proposed application is for the removal of the unauthorised timber constructed side extension adhering to the Councils Enforcement Notice and proposing the erection of a solid single story extension in replacement.
- 3.2 The proposed single storey extension would be constructed of natural stone with a slate roof finish, and natural stone pillars. It would be set back from the main frontage and positioned along the side of the building facing South Street. Glazing would be centrally fitted to provide natural light into the separate private small dining area.



- 3.3 **Above:** Existing unauthorised timber extension – to be removed.



3.4 **Above:** Image of proposed sympathetic extension.

4.0 HISTORY

4.1 A check has been undertaken which has revealed the following relevant planning history;

Application 2023/92130

Variation condition 2 (plans) on previous permission 2022/92094 for demolition of public house and erection of education centre and prayer room

🏠 Nelson Inn, 145, Slaithwaite Road, Thornhill Lees, Dewsbury, WF12 9DW

Received on 17-Jul-2023

✗ Application refused, comment period has ended

Application 2022/92094

Demolition of public house and erection of education centre and prayer room

🏠 Nelson Inn, 145, Slaithwaite Road, Thornhill Lees, Dewsbury, WF12 9DW

Received on 21-Jun-2022

✓ Application approved, comment period has ended

Application 2021/93733

Non material amendment to previous permission 2020/92661 for change of use of public house to education centre and prayer room

🏠 Nelson Inn, 145, Slaithwaite Road, Thornhill Lees, Dewsbury, WF12 9DW

Received on 21-Sep-2021

✓ Application approved

Application 2020/92661

Change of use of public house to education centre and prayer room

🏠 Nelson Inn, 145, Slaithwaite Road, Thornhill Lees, Dewsbury, WF12 9DW

Received on 17-Aug-2020

✓ Application approved, comment period has ended

5.0 RELEVANT PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework (December 2024) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.3 The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). It states that 'Our vision needs to consider what Kirklees should be like in the future if the needs and aspirations of those who live, work in or visit Kirklees are to be met whilst retaining the characteristics that make it attractive and distinctive. It also needs to be flexible to allow us to respond to future challenges in a way that is right for Kirklees and its residents and businesses.'
- 5.4 The statement vision for Kirklees is that people will have access to a range of local facilities including services, healthcare and education provision, and adequate infrastructure. Places will be well-connected encouraging sustainable travel including increased opportunities for walking and cycling and improved links to other parts of the Region and beyond.
- 5.5 The following Local Plan policies have relevance to the proposal:
- LP 1 - Achieving Sustainable Development
 - LP 2 - Place Shaping
 - LP 7 - Efficient and Effective Use of Land and Buildings
 - LP 13 - Town Centres

LP 24 - Design

National Planning Policy Framework

- 5.6 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 5.7 The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

6.0 ASSESSMENT

- 6.1 The proposed extension has been carefully designed to take into consideration the surround nature of development and makeup of the area. It is acknowledged that the building is in a prominent location, however the extension is not positioned towards the front of the site facing Savile Road, but to the side facing the quieter South Street.
- 6.2 Nevertheless, the use of sympathetic materials that match those used on the original building helps the extension mould into its surroundings. Its set back position from the frontage and single storey design makes it a subordinate addition, whilst the glazing makes it a transparent light addition.
- 6.3 Furthermore, similar front/side extensions are visible in the vicinity of the site. It should be noted that the design characteristics of the proposed extension have derived and have been dictated by these various extensions. In addition, its height would be similar to these extensions.
- 6.4 The proposed extension would be positioned adjacent to the front extension at Chickano's, it would project in line with this neighbouring extension and would be in keeping with the existing building line, see below;



- 6.5 **Above:** Similar stone constructed extension at Chickno's with a lean-to roof design and large windows, lean to roof design is visible behind fascia signage.

- 6.6 A similarly designed extension is also visible across the road at Nobles Chemist. Most of the design characteristics of the extension including materials, height, and lean to roof design have derived from this extension.



- 6.7 **Above:** Nobles Chemist extension on right with application site to left, similar design characteristics are being used in the proposed extension.

It is evident that front/side extensions are also evident on some retail units along Savile Road in the vicinity of the site, see below;



- 6.8 **Above:** Front extension to retail unit along Savile Road next to Nobles Chemist.

- 6.9 Ultimately the proposed extension would be similar in design in terms of its height, eaves and angle of lean to roof design to other single storey extensions adjacent. In addition, matching materials would be used. The extension would appear of quality appearance and subordinate to the original building. The proposal therefore does not cause massing or have an overbearing impact on the street.
- 6.10 The plans and images provided show that the extension would not appear out of character and has a neutral impact on the visual amenity of the area. The proposed design is proportionate and compatible.
- 6.11 The proposed extension makes a positive change in bringing this empty property into a sustainable use in this prominent location and should be supported. It is considered this positive change improves the appearance of the building and is in accordance with local and national planning policy and guidance.

7.0 CONCLUSION

- 7.1 It has been demonstrated that the proposed development can be carried out in full compliance with the Council's policies in the Local Plan and the National Planning Policy Framework. The development would provide a good quality development which would bring a positive contribution into the area of Dewsbury without creating a significant detrimental impact on the visual amenity of the street.
- 7.2 In addition, the development would bring an existing property that requires investment back into an appropriate use, providing an enhancement to the building and the surrounding area. As such the proposal should be supported in full by the Council.
- 7.3 When considering future development, the Council should take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will work proactively with applicants jointly to find solutions, which means that proposals can be approved wherever possible, and to secure development that improves the economic, social, and environmental conditions in the area.