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**Report of the Head of Development and Master Planning**

**HEAVY WOOLLEN PLANNING SUB-COMMITTEE**

**Date: 25-Jul-2019**

**Subject: Planning Application 2019/91621 Erection of side extension and single storey rear extension 19, Staincliffe Road, Dewsbury, WF13 4ET**

**APPLICANT**

A Scargill

**DATE VALID**

23-May-2019

**TARGET DATE**

18-Jul-2019

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral Wards Affected: Dewsbury West**

Yes

Ward Members consulted  
(referred to in report)

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**RECOMMENDATION:**

**DELEGATE approval of the application to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report and issue the decision.**

**1.0 INTRODUCTION:**

1.1 This application is brought to the Heavy Woollen Planning Sub-Committee for determination at the request of Cllr Mussarat Pervaiz for the following reason:

*“Please can I ask that this is referred to planning committee as it is over intensification of the site, and will change the streetscape. I believe that whilst there are grounds for permitted development we should also ensure the surrounding neighbour’s views are heard and all development is in keeping with the area”.*

1.2 The Chair of the Sub-Committee has confirmed that Cllr Mussarat Pervaiz’s reason for making this request is valid having regard to the Councillor’s Protocol for Planning Committees.

**2.0 SITE AND SURROUNDINGS:**

2.1 19 Staincliffe Road, Dewsbury is a semi-detached brick built bungalow with a porch to the rear. The property has a garden to the front, drive to the side and a long garden to the rear.

2.2 The property is adjoining a similar bungalow with open land to the rear, a wooded area opposite and two storey dwellings adjacent to the north, which are separated from the application by a field access (this area forms a housing allocation on the Kirklees Local Plan).

**3.0 PROPOSAL:**

3.1 The proposal is for the erection of a side extension and a single storey rear extension.

- 3.2 The walls of the side extension would lie flush with the front and rear walls of the host bungalow and tie in with the existing roof plane with roof lights with a projection of 3.3m from the original side wall of the dwelling.
- 3.3 The single storey rear extension is proposed to project 3m from the original rear wall of the dwelling and would extend across the full width of the original house with a flat roof form including a parapet and lantern.
- 3.4 The walls of the extensions would be constructed using brick for the walls and tiles for the roof covering (of the side extension).

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 2019/90536 - erection of side extension, single storey rear extension and formation of rear dormer - refused

#### **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

- 5.1 Negotiations have been ongoing throughout the course of the application to reduce the rear extension in terms of its projection, alter the roof form so as to reduce its height and to remove the initially proposed rear dormer to form a more appropriate relationship with the host property and minimise the impact with the neighbouring property.

#### **6.0 PLANNING POLICY:**

- 6.1 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 27<sup>th</sup> February 2019).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (2019):

#### **6.2 Kirklees Local Plan Policies**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 24** - Design
- **LP 30** – Biodiversity

#### **6.3 National Planning Policy Framework:**

- **Chapter 12** – Achieving well-designed places
- **Chapter 15** – Conserving and enhancing the natural environment

#### **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 The initially submitted plans were advertised by neighbour letters and a site notice. No comments were received from any neighbouring occupants.

7.2 The amended plans did alter the scheme significantly and as such the plans and amended description were advertised by neighbour letter. Once again, no comments from members of the public were received.

7.3 Ward Councillor Mussarat Pervaiz has commented on the scheme; her comments are included in paragraph 1.1 above.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

None considered necessary

### **8.2 Non-statutory:**

None considered necessary

## **9.0 MAIN ISSUES**

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Conditions
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

10.1 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 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.

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

### Visual Amenity

10.3 The property is located on a residential street with a mix of house types on the same side of the road. There are open areas to the front and rear of the property. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

10.4 The proposal under consideration consists of two distinct elements which shall be addressed below.

- 10.5 *Side extension:* The host property does have reasonable sized gardens to the front, side and rear which could, in the opinion of officers, host the proposed side extension without amounting to overdevelopment. The extension is proposed to be constructed using brick which would form an acceptable relationship with the host property. Furthermore, the appearance of the extension to the front would form an appropriate relationship with the host property and the other bungalows in the row. The appearance and scale of the side extension can therefore be considered to be acceptable in terms of visual amenity.
- 10.6 *Rear extension:* The rear extension would cover only a modest proportion of the rear garden leaving a sufficient amenity space to serve the property. The material proposed would be to match the main house. It is appreciated that given the very open aspect to the rear, there is a degree of prominence for the rear extension and that whilst flat roofed designs are not generally considered to represent good design, in this instance, the style of rear extension would form a contemporary addition to the dwelling given the use of a parapet roof and lantern. This is considered to represent an acceptable addition to the dwelling in terms of its visual appearance. The rear extension is therefore considered to be acceptable given the appropriate scale and use of materials in terms of visual amenity.
- 10.7 Having taken the above into account, the proposed extensions to the side and rear of the property 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 and the aims of chapter 12 of the National Planning Policy Framework.

#### Residential Amenity

- 10.8 There are no properties to the front or rear of the dwelling which would be affected by the works proposed.
- 10.9 *Impact on 17 Staincliffe Road:* The single storey rear extension would be constructed along the shared boundary to the north of the adjoining property. Given the orientation, there would be no overshadowing however there would be the potential for the formation of an overbearing and oppressive impact. However, the extension proposed would have a projection of 3.0m which is generally considered to be acceptable. Further, the height has been limited by the use of a flat roof form. It is considered therefore that there would be no significant impact on the amenities of the occupiers of the adjoining 17 Staincliffe Road as a result of the proposed extensions.
- 10.10 *Impact on 35 Staincliffe Road:* The neighbour adjacent, 35 Staincliffe Road, occupies a position some 24m to the north-east of the host property. The neighbouring property is a two storey dwelling at a higher level given the sloping topography of Staincliffe Road. Given the substantial separation together with the land level difference, the proposed works to 19 Staincliffe Road would cause no significant harm to the amenities of the occupiers of the neighbouring 35 Staincliffe Road.

- 10.11 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 and Paragraph 127 (f) of the National Planning Policy Framework.

#### Highway issues

- 10.12 The proposals will result in some intensification of the domestic use. The parking area to the side of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. The scheme would not result in any additional harm in terms of highway safety and as such complies with Policy LP21 of the Kirklees Local Plan.

#### Representations

- 10.13 None
- 10.14 The comments received from Cllr Mussarat Pervaiz are noted and have been addressed in the assessment above.

#### Other Matters

- 10.15 *Ecology*: The development is for single storey extensions to the dwelling. Whilst the property is sited in an area which is known to include bat habitats, in this instance, as the works proposed are single storey and include no work to the main roof, then it is considered unlikely to have an impact on the bat population. The proposal is considered to comply with the aims of chapter 15 of the NPPF.
- 10.16 *Housing land allocation*: As set out in paragraph 2.2 above, the land immediately to the north provides access to a wider field, all of which is allocated for housing on the Kirklees Local Plan (Housing allocation reference H1660). In this instance, due to the design of the extensions and their position, officers are satisfied that there would be no adverse impact upon the potential future development of this land. It is acknowledged that there are windows in the proposed northern elevation of both the side and rear extensions however, the window in the rear extension would be at ground floor level and therefore mitigated by boundary treatment; the window at ground floor level in the side extension would once again be mitigated by boundary treatment and finally, the window proposed at first floor level in the side extension, which would serve a bedroom, is a second bedroom which would also be served by roof lights and therefore, on balance, the proposal is considered satisfactory.

## **11.0 CONCLUSION**

- 11.1 This application to erect a side extension and single storey extension to the rear of 19 Staincliffe Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.
- 11.2 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.

## **12.0 CONDITIONS**

1. Standard 3 year timeframe for commencement of development.
2. Development to be carried out in accordance with the approved plans.
3. The external walls and roofing materials of the extensions (excluding the roofing material of the rear extension) to match the host building.

### **Background Papers:**

2019/91621 – erection of site extension and single storey rear extension – undecided

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019/91621>

Certificate of Ownership –Certificate A signed and dated 15/05/2019

### **Application History:**

2019/90536 – erection of two storey side extension, single storey rear extension and rear dormer refused

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019/90536>