

**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: 2017/62/93316/E
Site Address: 5, Harewood Grove, Heckmondwike, WF16 0DD
Description: Erection of two storey side and rear extension
Recommending Officer: Olivia Roberts

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.

Julia Steadman

AUTHORISED OFFICER

Date: 24-Nov-2017

Officer Report

Site Description

The application relates to a two storey semi-detached dwelling in Heckmondwike, 5 Harewood Grove. It is constructed in red brick and is designed with a gable roof that is finished in roman pantiles. The dwelling benefits from a garage which is located to the rear of the property and is accessed via a drive that runs to the side of the property from Harewood Grove. The front of the dwelling is set back from the access road with a small garden area to the front, a drive to the side and a larger garden to the rear. Boundary treatment on site consists of fencing along the northern eastern and western boundaries. Treatment on the southern boundary comprises of fencing to the front of the property and a shared brick wall to the rear. Hedges also run along the boundary between the application site and no. 7 Harewood Grove.

The site is located in a residential area which comprises of properties of a similar a character, style and design to the application site with the predominant material of construction being red brick and roman pantiles. A number of two storey side extensions can be seen within the street scene.

Description of Proposal

The application seeks planning permission for the erection of a two storey side and rear extension which will serve a study, shower room and an extension to the existing kitchen and dining room at ground floor level. At first floor level the extension will create an additional bedroom, further bedroom space and an ensuite. The extension will project approximately 2.00 metres from the side elevation of the original dwelling and 3.00 metres from the rear elevation creating an 'L' shaped feature that will wrap around the host dwelling. The extension will be constructed in red brick to match existing. The extension on the side elevation of the dwelling will be designed with a gable roof which will extend the existing roof form with a ridge and eaves height match existing. The portion of the extension to the rear will form a gable roof that will slope north to south in comparison to the gable roof of the host dwelling which slopes east to west. A window is proposed at ground floor and first floor level on the front and rear elevations of the side extension. Two obscurely glazed windows which will serve the existing bathroom and proposed ensuite are proposed for the side elevation of the extension at first floor level. These will be finished to match existing.

The plans show the creation of an additional off-street parking space which will compensate for the loss of the existing parking space that will be lost due to the demolition of the existing garage. The proposed off-street parking space will be located in the existing front garden area of the property and will involve the extension of the dropped curb to allow for the new parking layout.

History of negotiations/amendments received

On the original plans, the front elevation of the proposed side extension sat flush with the front elevation of the host dwelling. Furthermore, the ridge height of the proposed extension matched that of the original dwelling. As the application site is a semi-detached property it was likely that the development could result in an undesirable terracing effect should the neighbouring property erect a similar extension. Amendments were sought to decrease the ridge height and set the front of the side extension in from the front elevation of the host dwelling to comply with policy BE14 of the UDP. The ridge height of the proposed extension has been set down from that of the host dwelling and the front of the extension has been set back from the front elevation of the host dwelling by 0.30 metres.

Relevant Planning History

No relevant planning history on site.

At Height Bungalow

2001/90032: Erection of extension. Conditional Full Permission.

Representations

Final publicity date Expires: 07 October 2017

A site notice was posted and neighbours were notified.

No representations were received.

Parish/Town Council comments – not applicable.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- K.C. Highways Development Management – Informal discussion, the proposed additional off-street parking space is considered acceptable and therefore no concerns were raised.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is Unallocated on the UDP Proposals Map and the Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway Safety
- **T19** – Parking Provision

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 21** – Highway safety and access

- **PLP 22** – Parking
- **PLP 24** – Design

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 7 – Requiring good design

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.

The general principle of extending and making alterations to a property are assessed against Policies BE1, BE2, BE13 and BE14 of the Unitary Development Plan and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

2 – Impact on visual amenity:

The proposed development would have some impact on visual amenity. The property will, as a result of the two storey side and rear extension, be significantly larger than the original dwelling. However, it is noted that the design of the proposed extension will be in keeping with the host dwelling. It will be constructed in materials that will match existing and will be designed with a roof form that will correspond well with that of the host dwelling. Although large in scale, it is not deemed that the proposed two-storey side and rear extension would result in overdevelopment of the site as amenity space will be retained to the front and rear of the property following the development.

Although the proposed two storey extension will be located to the side of the semi-detached property, an undesirable terracing effect will not be created due to the front of the extension being set back from the front elevation of the original dwelling. Furthermore, the ridge height of the proposed extension will be lower than that of the host dwelling. In addition, the application site is set forward slightly of the neighbouring property, no. 3 Harewood Grove which will further prevent an undesirable terracing effect. The proposal will therefore comply with policy BE14 of the UDP.

The overall visual impact of the proposed extension is acceptable. As such, the proposal complies with the aims of policies BE1, BE2, BE13, BE14 and D2 of the Unitary Development Plan, Policy PLP24 of the PDLP, and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

The proposed development may have an impact on residential amenity with the most likely property to be effected being no. 3 Harewood Grove. Although the proposed side extension could cause an overbearing impact as it projects 2.06 metres closer to the shared boundary, due to the location of the development to the side of the property, it is unlikely that the impact will be significantly detrimental. Due to the location of the site, the proposed rear extension has the potential to create an overshadowing impact. However, as the site is located to south east, it is unlikely that the development will be significantly detrimental. Other than two obscurely glazed windows that will be located on the side elevation of the side extension at first floor level, no openings are proposed for the side elevation of the side or rear extension which will eliminate the potential for overlooking. In the interest of residential amenity and privacy and to accord with Policy BE14 of the UDP, it is deemed acceptable to condition that no openings shall be erected in the side elevation of the extension in the future.

The proposed rear extension may have an overbearing impact on the adjoining property, no. 5 Harewood Grove. However, as the extension will extend 3.00 metres from the rear elevation of the dwelling and will not extend right up to the shared boundary, it is not considered that the impact would be significantly detrimental. Due to the site being located to the north west of the property, the development is not likely to have an overshadowing impact. No openings are proposed for the side elevation of the rear extension which will eliminate the potential for overlooking.

Due to the orientation of no. 6 Harewood Grove, it is unlikely that the proposed development will have a significant impact on the property. The proposed extension will not project any closer to the property than the host dwelling. This, along with the orientation of the property, will eliminate the potential for overlooking.

The overall impact on residential amenity is acceptable and therefore compliant with policies D2 and BE14 of the UDP.

4 – Impact on highway safety:

Due to the proposal resulting in the loss of a currently off-street parking space due to the demolition of the existing garage to allow for the proposed extensions, there is the potential that the development could have an impact on highway safety. The plans show the creation of an additional off-street parking space which will be located in the front garden area of the property. This would include the removal of a section of the existing boundary wall and the extension of the drop crossing. K.C. Highways Development Management was informally consulted over the suitability of the plans and note that they have no objections to the proposal. The proposal is therefore considered to comply with policies T10 and T19 of the UDP.

5 – Other matters:

None.

6 – Representations:

No representations were received.

7 – Conclusion:

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.

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: 2017/93316

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 Policies D2, BE13 and BE14 of the Kirklees Unitary Development Plan, Policy PLP24 of the Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions 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 BE13 of the Kirklees Unitary Development Plan, Policy PLP24 of Publication Draft Local Plan, as well as the aims of chapter 7 of the National Planning Policy Framework.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external walls of the side elevation of the side and rear extension at any time without the prior written approval of the local planning authority.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Kirklees Unitary Development Plan.

5. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained 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 (ISBN 9781409804864) as amended or superseded; and thereafter retained.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policy T10 of the Kirklees Unitary Development Plan.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

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 13.00 hours, 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	Version	Date Received
Existing Floor Plans & Elevations	17.2641.01A		28/11/2017
Proposed Floor Plans & Elevations	17.2641.02A		28/11/2017

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.

The case officer sought amendments to set the front of the side extension back from the front elevation of the host dwelling and to reduce the ridge height to comply with policy BE14 and to reduce the extent to which the development would result in an undesirable terracing effect.

Report Dated:

23/11/2017
