

**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: 2017/62/94192/E

Site Address: 2, Harewood Grove, Heckmondwike, WF16 0DD

Description: Erection of single storey rear extension and access ramp to front

Recommending Officer: Jennifer Booth

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: 15-Feb-2018

OFFICER REPORT

Site Description

2 Harewood Grove, Heckmondwike is a red brick semi-detached two storey dwelling. The property has a paved garden/drive to the front, a shared path along the side and a modest angled garden to the rear which is paved.

The property is located on a residential street with similar dwellings to the side and front and residential gardens to the rear. There is also a new dwelling adjacent, which has been built in the former side garden of the host property.

The land at the application site is relatively flat although houses on land to the back of the site are on lower ground.

Description of Proposal

The applicant is seeking permission for the erection of a single storey extension to the rear of the property.

The extension would project 5m along the common boundary with the adjoining property, angling down to 3.9m. The width of the extension is proposed to be 4.1m and the roof form over the extension would be pitched.

The walls of the extension would be constructed using brick for the walls and tiles for the roof covering.

The plans also show the formation of a ramp within the front garden of the dwelling which would be 1.2m wide and adjacent to the front elevation of the house; the mutual boundary with 4, Harewood Grove; and the front boundary wall of the front garden.

Relevant Planning History

2011/92743 – demolition of existing garage and erection of new dwelling – granted and built

Representations

The application was advertised by site notices and neighbour letters, which expired on 01/02/2018

As a result of the above publicity, no representations have been received.

Consultation Responses

K.C. Accessible Homes Team – support the proposal

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 Examination in Public began in October 2017. 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. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant 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 on the PDLP.

Kirklees Unitary Development Plan:

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

Kirklees Publication Draft Local Plan Policies

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 22** - Parking
- **PLP 24** - Design
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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
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

The site is unallocated within the Unitary Development Plan. As such, development can be supported providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area in line with the requirements of policy D2 (specific policy for development on unallocated land).

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

2 –Impact on visual amenity:

The properties on Harewood Grove are residential dwellings which are for the most part a similar age to the host property. Dependent upon design, scale and detailing, it may be acceptable to extend the host property.

The proposed extension would cover much of the rear amenity space of the property. However, the dwelling does have a reasonable amenity space to the front of the property and a very modest amenity space would be retained to the rear of the dwelling. The proposal would not therefore amount to overdevelopment of the dwelling and the scale can be considered to be acceptable. The materials proposed would be brick for the walling which would match the main house and the roof would be covered with tiles. The detailing would form an acceptable relationship with the host property. As such, the proposed extension would be considered to be acceptable in terms of visual amenity.

In relation to the proposed ramp at the front of the house, whilst it would be clearly seen within the street, it would be a relatively low structure which hugs the perimeter of the existing paved front garden and it is thought that it would not impose excessively upon the character of the host dwellinghouse or the surrounding area.

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 Policies D2, BE1, BE13 and BE14 of the UDP, Policy PLP24 of the PDLP and the aims of chapter 7 of the NPPF.

3 – Impact on residential amenity:

Impact on 2a Harewood Grove

The proposed extension would be set back from the boundary with the adjacent new dwelling. The neighbour has no usable amenity space to the rear and only a single obscurely glazed window which is set back from the boundary. Furthermore, the footprint of the proposed extension angles to a lesser projection towards the boundary with the adjacent 2a Harewood Grove. As such, the proposed extension is unlikely to cause any significant harm to the amenities of the occupiers of the adjacent 2a Harewood Grove.

Impact on 4 Harewood Grove

The adjoining property occupies a position to the south of the proposed extension. As such, the proposed extension would not cause any overshadowing. Although the neighbour's garden occupies an elevated position from the garden of the host property, the rear windows are on the same level as the windows within the rear elevation of the host property. There would be potential for the extension to form an overbearing and oppressive impact especially when taking into account the 5m projection.

Whilst policy BE14 does support extensions up to 3m, the proposal under consideration clearly exceeds the recommended projection. Given the topography of the site, the applicant would not be able to take advantage of the larger home notification procedure as the required height would exceed the limitations of permitted development. However, the neighbour does have their own structures in the rear garden which would screen some of the extension. Furthermore, the extension is single storey with a pitched roof which would take the vertical emphasis up and away from the neighbouring property. The circumstances on site together with the single storey nature of the proposed extension would go some way in mitigating some of the harm and as such this proposal would normally fail to comply with policy in terms of the projection proposed and the harm in terms of residential amenity.

However, the extension is proposed to provide ground floor bedroom and bathing facilities for a disabled resident and has been assessed by the Accessible Homes Team as being the only viable method of facilitating the needs of the disabled resident. It is considered therefore, that on balance, the benefits of the proposed extension would outweigh the harm in terms of the amenities of the occupiers of the adjoining 4 Harewood Grove.

24 Harewood Avenue

The neighbouring 24 Harewood Avenue occupies a position to the north of the garden area of the host property. The neighbouring property does occupy a lower position than the host property. Given the topography of the site

together with the separation between the properties, there would be no significant harm caused to the amenities of the occupiers of the neighbouring 24 Harewood Avenue as a result of the single storey extension proposed to the rear of 2 Harewood Grove.

22 Harewood Avenue

The land to the rear of the property does form the rear garden to the neighbouring 22 Harewood Avenue. However, given the single storey nature of the extension and the position relative to the neighbouring dwellings there would be no harm caused to the amenities of the neighbouring 22 Harewood Avenue.

Having considered the above factors, the proposals, whilst having an impact upon the neighbouring occupants is considered acceptable in this instance when taking into account the special circumstances that have been put forward which demonstrate that the scale of the extension proposed is needed by the applicant.

4 – Impact on highway safety:

The proposals will result in some intensification of the domestic use. However the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. The scheme would not represent any additional harm in terms of highway safety and as such complies with policies D2, T10 and T19 of the UDP and Policies PLP21 and PLP22 of the PDLP.

5– Other matters:

Personal Circumstances

The extension is required to provide ground floor bedroom and bathing facilities for a disabled resident. This has been confirmed by the Accessible Homes team and is the only viable method of providing the required facilities.

There are no other matters for consideration.

6 – Representations:

None

7 – Negotiations:

None

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

9 – Conclusion:

This application to erect a single storey extension to the rear of 2 Harewood Grove 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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: 2017/94192

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, BE1, and T10 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of the National Planning Policy Framework.

3. The external walls 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 Policies D2 and BE1 of the Kirklees Unitary Development Plan, Policy PLP24 of the Kirklees Publication Draft Local Plan, and the aims of chapter 7 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Location plan	-	668458	08/12/2017
Proposed site plan	17/205	668459	08/12/2017
Existing plans	17/205	668467	08/12/2017
Proposed plans	17/205	668468	08/12/2017

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 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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

14/02/2018