

**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: 2020/62/94418/W

Site Address: 21, Hill Grove Lea, Salendine Nook, Huddersfield,
HD3 3YD

Description: Erection of single storey infill extension

Recommending Officer: Lucy Taylor

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 22-Mar-2021

Officer Report.

Reference: 2020/94418

Location: 21 Hill Grove Lea, Salendine Nook, Huddersfield, HD3 3YD

Proposal: Erection of single storey infill extension.

Site Description.

21 Hill Grove Lea is a two-storey detached property located in Salendine Nook Huddersfield. The property is constructed from both brick and stone, with stone on the front facing of the dwelling and brick elsewhere. The dwelling is finished with a tiled gable roof. The property also benefits from a detached garage, fronting the driveway amenity space to the front elevation of the dwelling and extending back into garden amenity space along the side elevation of the property.

Within the streetscene of Hill Grove Lea there is a sense of similarity with regard to the construction materials that face the dwellings, however, there is a mix of property types present, all detached but differing between been single-storey and two-storey.

Description of Proposal.

Erection of single storey infill extension.

Single-storey Infill Extension:

The extension will be located to the southern side elevation of the dwelling, between the dwellinghouse itself and the detached garage. The extension will be built in two sections, the first section will completely infill the distance between both existing components at the application site, the second section will be built to the rear of the first section and will project 2.85 metres from the side elevation of the dwelling. The combined length of both extensions will be 5.35 metres, the same as the host dwelling. The extension will be constructed from stone to the front elevation and brick elsewhere, to match the existing appearance of the dwelling. The front section of the infill extension will have a height of 3.95 metres with a hipped style roof that overlaps onto the top of the existing detached garage and the second section has the same maximum height however, a lean-to roof will be erected. Both roofs will be infilled with tiles to match existing.

With regard to fenestration, the infill extension proposes a new access door to be located on the front elevation, bi-folding doors to the side elevation behind the garage, a long window with segmented sections next to the bi-folding doors and a window just below the lean-to roof on the rear elevation. In addition, roof lighting is proposed with the erection of four velux windows. All of these fenestration features will be constructed from MPVC to match existing.

History of negotiations.

Amended plans were sent by the applicant to set the infill extension away from the rear boundary of curtilage. The original plans showed the extension to be built onto the rear boundary. The recommendation made is based on these revised plans.

Relevant Planning History.

- **2007/94888** – *21 Hill Grove Lea, Salendine Nook* – Erection of single storey extension. *Granted 2008.*
- **2011/91204** - *21 Hill Grove Lea, Salendine Nook* – Erection of first floor extension. *Refused 2011.*
- **2017/93087** - *21 Hill Grove Lea, Salendine Nook* – Erection of single storey front extension. *Granted 2017.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on 16th March 2021.

Following the submission of revised plans from the applicant, the proposal was re-advertised, and new neighbour letter published. It was deemed appropriate to re-advertise the proposal as the impact of the development upon residential amenity had been altered as a result of modifications to the proposal.

1 representation was received.

The representation received was against the proposed development at 21 Hill Grove Lea. The objections made in this representation were focused on the effects of the extension been built onto the shared boundary line with neighbouring properties including, intensified bulking and roof overhanging. Additionally, the representation was not happy with the possibility of having to come onto neighbouring properties land to construct the proposed extension. The representation concluded that they had spoken to the applicant and arrangements were in place to try and amend plans to best suite the needs of residential amenity. Amended plans (re-publicised) were submitted.

Consultation Responses.

No consultations were deemed necessary.

Policy/Legislation.

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 Unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP24** – 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 February 2019, 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 12** – Achieving Well-Designed Places

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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 Kirklees Local Plan. Policy LP1 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.

Policy LP1 goes on further to state that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

1. Impact on visual amenity

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

The proposed extension is single storey in height and is to be constructed using materials that correspond positively with the existing appearance of the dwellinghouse and detached garage. As such, the infill extension will be subservient within the existing curtilage of the application site and will harmonise appropriately with both the host dwelling and streetscene. Additionally, the extension will not lead to undue bulking and massing with the style of roofing appropriate given the spatial context of development. The lean-to roof is of a subtle design that minimises visual impact and the frontal hipped style roof will not be obtrusive given that it will blend from the dwelling to detached garage, creating a positive relationship between the two components.

With regard to fenestration, other than the access door on the front elevation, which is of a simple form and in keeping with the dwelling, all other detailing will be set back from the immediate streetscene and therefore, is all acceptable visually. Additionally, the roof lighting is considered to be an appropriate contemporary addition to the dwellinghouse.

On balance, the proposal would not result in the overdevelopment of the site.

Taking into account all of the above, it is considered that the proposed infill extension would comply with local, national and emerging policies in relation to design.

2. Impact on Residential Amenity

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*”

The site shares its boundary with properties to the south and west. Therefore, development at 21 Hill Grove Lea has the potential to have some form of

impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- 56 Hill Grove – this property is located to the west of the application site. Following modifications to the proposed extension, it is to be set back from the shared boundary with this neighbouring property. Therefore, this separation distance, in conjunction with the single storey nature of the extension, will mean that no undue overbearing or overshadowing is caused from its erection. In addition, although a window is proposed on the elevation facing this property, given its height on the wall, it poses no detriment to neighbouring privacy and no overlooking will be caused as a result.
- 19 Hill Grove Lea – this property is located to the south of the application site. Given the separation distance present, the boundary treatment of a tall wooden fence and the single-storey nature of the proposed infill extension, no undue overbearing or overshadowing will be caused for the occupiers of 19 Hill Grove Lea. In addition, due to the presence of a tall wooden fence, the proposed fenestration facing this neighbouring dwelling will cause no impact to neighbouring privacy, with this boundary treatment completely mitigating any possibility of overlooking.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

3. Impact on Highway Safety

The proposed developments will not result in an increased domestic use of the property nor will they negatively detriment parking arrangements at the property or access to and from the adjoining highway. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

4. Other Matters

Climate Change

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.

In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures. It

should also be acknowledged that part of the extension will be constructed using natural stone which is available locally and which is wholly recyclable.

5. Representations

One representation was received.

The representation received was against the proposed development at 21 Hill Grove Lea. The objections made in this representation were focused on the effects of the extension been built onto the shared boundary line with neighbouring properties including, intensified bulking and roof overhanging. Additionally, the representation was not happy with the possibility of having to come onto neighbouring properties land to construct the proposed extension. The representation concluded that they had spoken to the applicant and arrangements were in place to try and amend plans to best suite the needs of residential amenity.

Response: Given the nature of the representation it is assumed that it is based on the first version of drawings submitted in conjunction with the application, as appended to the letter. However, to ensure the representation was assessed fairly, the comments made were acknowledged and the development was judged acceptable from a residential amenity perspective. The scheme, as revised is considered not to cause undue detriment to the amenities of nearby residents.

6. Conclusions

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: 2021/94418

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 Policy LP24 of the Kirklees Local Plan.

Note: The application site is located in a low coal risk area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	Mear – 9-02-2021	2	11.2.21

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. Revised plans were submitted by the applicant and no amendments were sought by the case officer.

Report Dated: 22.3.21