

**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:** 2021/62/90253/W

**Site Address:** 43 , Gramfield Road, Crosland Moor, Huddersfield,  
HD4 5QB

**Description:** Erection of single and two storey rear extension and  
side porch

**Recommending Officer:** Ellie Worth

**DECISION – Full Conditional 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.**

Neil Bearcroft

***AUTHORISED OFFICER***

**Date: 07-Apr-2021**

## **Officer report**

### **Site description**

43 Gramfield Road, Crossland Moor is a semi detached dwelling constructed from red brick at ground floor and render at first floor. The dwelling benefits from a canopy above the side door alongside a single storey extension to the rear. The front of the property is a driveway alongside a small, grassed area, along with private amenity space to the rear. Vehicular and pedestrian access can be taken onto Gramfield Road. Boundary treatment consists of walling and timber fencing.

The site is situated within a wider residential area, whereby the neighbouring properties vary in design and form. The site is also unallocated on the Kirklees Local Plan.

### **Description of development**

The applicant is seeking permission for the erection of a two storey and single storey rear extension, alongside a side porch. The measurements of the scheme are as follows:

#### *Two storey rear extension:*

- 3m in projection
- 4.8m in width
- 5.5m in height to the eaves; 7.9m in overall height

#### *Single storey rear extension:*

- 4.5m in projection
- 4.8m in width
- 2.7m in height to the eaves; 3.4m in overall height

#### *Single storey side extension:*

- 1.5m in projection
- 5.7m in length
- 2m in height to the eaves; 2.7m in overall height

The extensions will be constructed from brick and render with tiled roofs to match the materials used on the host property. The additional fenestration will be white UPVC to match. Internally the works will provide a larger kitchen at ground floor, alongside a third bedroom at first floor.

Parking will be provided for two vehicles to the front of the dwelling.

### **History of negotiations/amendments received**

Officers have entered into various discussions with the agent regarding the projections of the single and two storey rear extensions and the impact in which they propose to visual and residential amenity. As such, a compromise has been reached to reduce the first floor to 3m and the ground floor to 4.5m.

Final amended plans were received on 2<sup>nd</sup> April 2021 to also include a second on site parking space.

### **Relevant Planning History**

None at the application site.

#### *Neighbouring properties*

86/02709 Erection of single storey kitchen extension – Granted (45 Gramfield Road)

2012/90729 Erection of two storey rear extension – Granted (37 Gramfield Road)

### **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 the 10<sup>th</sup> March 2021. As a result of the above publicity, no representations have been received.

Given that the amendments sought were solely to reduce the bulk and massing at the site, officers did not consider it necessary to re-advertise the scheme. Nonetheless, it has been noted that the single storey side porch is 1m larger in length, however, this would not constitute to a material change and therefore would not prejudice neighbouring amenity.

### **Consultation responses**

None necessary.

### **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 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
- LP21 – Highway safety
- LP22 – Parking
- 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 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial 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 design places

## **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 highways
5. Other matters
6. Representations
7. Conclusions

### **1. Principle of development**

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. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

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

### **2. Impact on visual amenity**

The extensions would have some impact upon the amenity of the site, given the additional bulk and massing proposed. However, the two storey extension would benefit from a hipped pitched roof in order to mitigate some of the impact. The single storey rear and side extensions would also be relatively small in size and scale and would benefit from a lean to roofs. As such, the proposal on balance, would harmonise well with the host property and would not result in the overdevelopment of the site, as there would be a reasonable amount of amenity space retained to the rear.

In terms of design, the extensions have been considered acceptable, as they would all follow the simple form of the original dwelling. This would allow the host property to sit somewhat comfortable within its curtilage. The works will also be constructed from brick and render to keep in with the materials used on the host property.

With regards to fenestration, the submitted plans show additional windows and doors to be installed into the side and rear extensions. These would have a similar appearance to those that exist on the host property and therefore have been considered acceptable from a visual perspective.

Whilst it is appreciated that the majority of the works would extend beyond the rear elevation, it would not result in the overdevelopment of the site. Significant amendments have also been sought to reduce the footprint at ground floor from 6m to 4.5m. The single storey side extension would also

retain a separation distance to the shared boundary by 0.7m and would be significantly set back from the highway.

Having taken into account the above, it has been assessed that the proposal would harmonise, to an acceptable degree, with the host dwelling and surrounding development, the character of the area and the wider street scene, complying with the main elements LP24 of the KLP and Chapter 12 of the NPPF.

### **3. Impact on residential amenity**

The impact of the development on each of the surrounding properties will be assessed in turn.

41 Gramfield Road is the attached property to the North East of the application site. It has been assessed that there would be some additional impact upon these neighbour's amenity, including the single storey glazed conservatory.

However, in this case, any overbearing is not considered to be detrimental, given the amendments sought to reduce the first floor projection to 3m. The ground floor extension will also be retained at a length no greater than 4.5m. As such, any impact on balance would not be detrimental. In terms of overshadowing, the proposal would lead to additional overshadowing from afternoon to evening, however the impact is on balance considered to be acceptable given the 3 metre first floor protection, the use of a hipped roof at first floor and lean to roof aiding in reducing the bulk of the extension.

In terms of overlooking, the submitted plans do not show any new openings within the North Eastern facing side elevation. This will mitigate any loss of privacy and therefore this relationship can be supported. Future permitted development rights for ground floor openings within this elevation will also be removed. First floor side openings would be controlled under the GDPO.

There would also be no further impact on these neighbour's amenity, as a result of the single storey side extension.

45 Gramfield Road is the neighbouring property to the South West of the application site. It has been noted that there would be some additional impact upon these neighbour's amenity, however, the majority of the works would be mitigated by these neighbour's single storey extension and detached garage. As such, any overbearing from the additional bulk and massing would not be undue.

Nonetheless, officers have noted that there would be additional overshadowing, especially when compared to the existing relationship. However, this would only be evident within a morning and therefore would not be significant. The submitted plans also show no additional openings to be inserted within the side elevations of the rear extensions. However, future permitted development rights for ground floor openings within this elevation

will be removed. First floor side openings would be controlled under the GDPO.

With regards to the single storey side extension, this is considered to intensify development to the side of the host property, leaving a separation distance of only 0.7m to the shared boundary. As such, the additional built form is likely to have some impact upon these neighbours ground floor side opening. Whilst it is unclear to whether this opening serves a habitable room, officers have noted that any impact would not be detrimental given the close relationship between these properties.

The openings within the side elevation of the proposed extension are also likely to have a direct relationship with this window, however, given that this will serve a porch, any impact would not be detrimental. It has also been noted that the host property and these neighbours benefit from their permitted development rights whereby a 2m high boundary fence could be erected to mitigate any harm should either party wish to do so. The slight change in levels between these properties will also help restrict any impact.

In addition it is noted that a new bedroom window would be inserted at first floor level of the existing host dwelling. The window would look towards a blank elevation and on no.45 and therefore it is not considered that there would be a detrimental impact.

26, 28 and 30 Thornleigh Road are the neighbouring properties to the rear of the site. Given that there is a sufficient separation distance of approximately 35m, officers do not consider the works to have a material overbearing, overshadowing and overlooking impact upon these neighbour's amenity. As such, these relationships can be supported.

86 and 88 Gramfield Road are the neighbouring properties adjacent to the front elevation. Given that the majority of the works are to the rear of the site, along with the single storey side extension being set back from the highway, there would be minimal impact upon these neighbour's amenity.

Having taken into account the above, it has been considered that on balance, the impact upon neighbouring amenity would be acceptable. This is to accord with Policy LP24 of the KLP and Chapter 12 of the NPPF.

#### **4. Impact on highway safety**

Given that the proposal has the potential to intensify the domestic use at the site taking the property to a 3 bed, officers have requested that a second on site parking space is provided to the front of the dwelling. In this case, an amended plan has been sought to show this, with the new space being at least 2.4m in width by 4.8m in depth. As such, the additional on site parking is welcomed.

Alongside the above, a further condition will also be attached to the decision notice to ensure that the driveway is appropriately surfaced and drained in

accordance with standard guidance to ensure that the additional hard surface does not result in an increase in surface water run-off and flood risk. This would accord with Policies LP28 and LP34 of the Kirklees Local Plan.

It is also likely that the applicant will need to get permission to extend the dropped kerb and therefore a note will be attached to the decision notice, which states that 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.

Overall, the proposal has been considered acceptable from a highway and a drainage perspective, as the scheme will provide an additional off street parking in which will be laid and surfaced in a permeable substance. This is to accord with Policies LP21, LP22, LP28 and LP34 of the KLP and Chapter 14 of the NPPF.

## **5. 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 is not considered reasonable to require the applicant to put forward any specific resilience measures. However, it has been noted that the extensions would be partly constructed from brick in which is considered to be a durable material that can be locally sourced. The use of additional openings to habitable rooms would also reduce the need of artificial lighting and improve solar passive gain.

## **6. Representations**

As a result of the above publicity, no representations have been 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 materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

**Recommendation Approve**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2021/90253

**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 Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan and 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, in accordance with the details shown on the approved plan.

**Reason:** In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the side elevations at ground floor within the rear and side extensions hereby approved.

**Reason:** So as not to detract from the amenities of adjoining properties by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

5. Notwithstanding details set out on the approved plans and information, the hereby approved vehicle parking area shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' and thereafter retained.

**Reason:** In the interests of highway safety and to ensure that the additional hardstanding is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

**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) regarding 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:** 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 work may be carried out.

**NOTE:** Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

Plans and specifications schedule:

| <b>Plan Type</b>                                                 | <b>Reference</b> | <b>Version</b> | <b>Date Received</b>          |
|------------------------------------------------------------------|------------------|----------------|-------------------------------|
| Location plan, site plan and existing floor plans and elevations | 1539/01          | -              | 25 <sup>th</sup> January 2021 |
| Proposed site plan, floor plans and elevations                   | 1539/02A         | -              | 2 <sup>nd</sup> April 2021    |

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. In this instance, officers have entered into various discussions with the agent regarding the projections of the single and two storey rear extensions and the impact in which they propose to visual and residential amenity. As such, a compromise has been reached to reduce the first floor to 3m and the ground floor to 4.5m. Final amended plans were received on 2<sup>nd</sup> April 2021 to also include a second on-site parking space.

**Report Dated:** 7<sup>th</sup> April 2021