

**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: 2021/62/90531/W

Site Address: 6, Hill Grove, Salendine Nook, Huddersfield, HD3 3TL

Description: Erection of single and two storey extensions

Recommending Officer: Katie Chew

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: 13-Apr-2021

Officer Report

Site Description

6, Hill Grove, Salendine Nook, Huddersfield, HD3 3TL

The application site relates to a two-storey detached dwelling located off Hill Grove (adopted road) in Salendine Nook. The property benefits from an integral garage, car port and driveway, with garden/amenity areas to the side, front and rear. The site is not located within a Conservation Area and there are no Listed Buildings located in close proximity.

The host dwelling is constructed from brick, tile hanging and pebble dash, with concrete roof tiles and PVC windows and doors.

Description of Proposal

The application seeks planning permission for the erection of single and two storey extensions.

A single storey extension is proposed to the rear to provide a large open plan kitchen/dining/sitting area. The proposed extension is to measure approximately 2.9m x 13.1m, with a height of 2.8m (flat roof)

A two-storey side extension is also proposed to the southern elevation to provide a playroom, sitting area and master bedroom. This extension is to measure approximately 7.4m x 4m, with a ridge height of 7.3m.

The application also proposes a gable extension to be provided above the existing garage and porch this will create a void at first floor level and will measure approximately 2m x 5.4m, with a ridge height of 6.9m.

Alterations are also proposed internally to alter the layout of the dwelling.

Materials proposed include brick, render, concrete roof tiles, PVC windows and composite and aluminium doors.

History of negotiations/amendments received

Amendments were sought to reduce the ridge height of the proposed gable extension to ensure that it appeared subservient to the host dwelling.

Relevant Planning History

2000/90663 – Erection of extension to existing conservatory. Approved 20th April 2000.

98/92149 – Erection of conservatory. Approved 25th September 1998.

Representations

Final publicity date expires:

Neighbour Letters – Expired 12th April 2021.

No representations have been received to date.

Officer note: The Council are currently undertaking the legal 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, details of which are outlined above. The amended plan was not re-publicised as this reduced the proposed scale of the scheme.

Consultation Responses

No technical consultations required.

Planning Policy Background

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 application site is unallocated within the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and Access**
- **LP22 – Parking**
- **LP24 – Design**

Supplementary Planning Guidance:

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with

some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 2) Scale, design and visual impact of the proposed development
- 3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout this proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

As the site is without notation within the Kirklees Local Plan (KLP), it is considered that the principle of development in this instance would be acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 124 provides a principal consideration concerning design which states:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...

c. extensions are subservient to the original building, are in keeping with the existing building in terms of scale, materials and details...”

The application site is surrounded by a number of other residential dwellings that are of a similar age and design. These properties consist of two storey and single storey detached dwellings and whilst there is a somewhat uniform design within the streetscene there is some variation as to house type and roof form and a number of properties have been extended or altered in some way over the years which has altered the appearance of Hill Grove. It is therefore considered that dependent on design, scale and detailing it may be acceptable to extend the host property.

The proposed alterations will be visible from the public domain of Hill Grove however, the proposed rear extension is to be single storey in height and is to replace the existing conservatory (albeit it will be larger in size). The proposed two storey side extension will be large in scale and size and be visible from the public domain however, it will be viewed against the existing two storey dwelling and will be similar in scale and design to other extensions and properties found within Hill Grove and Hill Grove Lea, It is therefore considered that the proposals would not dominate the street scene or detract from it. In regard to the proposed front gable extension, whilst it is noted that this will change the appearance of the front of the host dwelling, these types of additions and this style of dwelling can be found throughout Hill Grove and

therefore would not appear as an alien feature in the streetscene. It was requested however that the ridge height of the gable extension be dropped down from the ridge of the host dwelling to ensure that it is subservient and to slightly reduce the overall scale and massing.

Moreover, the host property and its associated curtilage are of a sufficient size to support the proposed extensions and alterations without amounting to overdevelopment. However, it is noted that any further additions may result in the site being overdeveloped, therefore it is considered reasonable and necessary to remove permitted development rights at the property in the interests of visual amenity. This is discussed again further into the report.

In terms of detail and design, the indicative plans show that the applicant has been sympathetic to the host dwelling and that the design of the proposed extensions are in keeping with the area and therefore would not appear incongruous in this location. Furthermore, the materials proposed within the extensions include some materials that are to match the host dwelling and others which will differ. Whilst render and aluminium and composite doors are not currently found within the host dwelling, it is in officer's opinion that these differing materials would be sympathetic to the host dwelling and adjacent neighbouring properties and would not detract from the character and appearance of the area in this instance.

To conclude, the site is not within a Conservation Area or located in close proximity to any Listed Buildings, and whilst the proposals would be visible to the public on this corner plot, they are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of this site. the proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 - Impact on Residential Amenity:

Sections B and C of LP24 state that alterations to existing buildings should: *"maintain appropriate distances between buildings"* and *"minimise impact on residential amenity of future and neighbouring occupiers"*.

Further to this, Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Neighbouring properties with the most potential to be impacted by the proposals are discussed below.

Impact on 4 Hill Grove

This neighbouring property is located adjacent to the application site to the north. This dwelling is most likely to be impacted upon by the proposed single storey rear extension. As no windows are proposed within the northern elevation of the proposed rear extension there are no concerns in respect to

overlooking or loss of privacy on no. 4. In addition to this, as the proposals are to be single storey in height and stepped back from the neighbouring property by approximately 3.7m, there are no concerns in respect to this addition appearing overbearing in nature or causing concerns with overshadowing. The first floor front extension would not project forward of the blank side elevation of no. 4 and would not impact on residential amenity.

Impact on nos. 11 & 15 Hill Grove

These neighbouring dwellings are located to the south of the application site, approximately 28.5m away on the opposite side of the road to the host dwelling. These dwellings are most likely to be impacted by the proposed two storey side extension and single storey rear extension, and whilst it is acknowledged that bi-folding doors are proposed at ground floor level on part of the southern elevation of the rear extension, given the large separation distance and existing boundary treatments, there are no concerns in respect to overlooking or loss of privacy. It is also considered that given the location and orientation of the proposals in respect to the above neighbouring properties, there are no concerns in regards to overshadowing or the proposals being overbearing in nature.

Impact on no. 3 and 5 Hill Grove

These neighbouring properties are located to the east of the application site on the opposite side of the road, approximately 21 metres away. The dwellings are most likely to be impacted upon by the proposed two storey extension and first floor front extension. Whilst it is acknowledged that additional windows are proposed within the front elevation toward these properties, given the large separation distance and that numerous windows already exist in this elevation which looks out to nos. 3 & 5, it is not considered that there are any significant concerns in respect to overlooking or loss of privacy in this instance. It is also noted that this large separation distance will ensure that there are no concerns in respect to overshadowing. Finally, whilst the proposals will be somewhat large in scale and size they will be viewed against the existing two storey dwelling and therefore should not appear overbearing in nature in this location.

The proposals do not give rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect of the proposals is considered to be acceptable. It is therefore concluded that the proposals comply with Policies LP24 of the Kirklees Local Plan and Section 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Whilst 1 additional bedroom is to be provided taking the dwelling from a 4 bedroomed property to a 5 bedroomed dwelling, no changes are proposed to the existing access or car parking arrangements. However, in line with the Kirklees Highways Design Guide a 4+ bedroomed should be able to demonstrate off-street parking for at least 3 vehicles. It is in officer's opinion that this can be demonstrated in this instance as there is space for 1 car within the car port and at least 2 on the driveway. The remaining section of garage is substandard in size to be considered a parking space.

Whilst no details are provided in respect to bin storage and presentation points, it is considered that given the size of the domestic curtilage and the scale and size of the proposals, there is still scope for bins to be stored within the site without impacting on highway safety.

For the aforementioned reasons it is concluded that the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

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 pre-dates 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.

The proposal is for a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Permitted development rights

Given the scale and size of the proposed extensions and alterations it is considered necessary and reasonable to remove permitted development rights for extensions to the proposed dwelling, as well as outbuildings within

the curtilage of the dwelling to ensure that any future additions would not lead to overdevelopment of the site.

There are no other matters for consideration.

6 - Conclusion:

Paragraph 11 of the NPPF advises that Local Planning Authorities should be approving development proposals that accord with an up-to-date development plan without delay. On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore planning permission should be approved.

Recommendation:

Approve.

Decision Authorisation - Delegated Powers

Application Number: 2021/90531

Officer Recommendation: Approve.

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in completed 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 the accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.
3. 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 development included within Class E of Part 1 of Schedule 2 to that Order shall be carried out within the site outlined in red on the approved location plan without the prior written consent of the Local Planning Authority.
Reason: To prevent overdevelopment of the site, to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Existing Layouts and Elevations	01	-	4 th March 2021
Proposed Layouts and Elevations	02	B	12 th 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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments were sought to reduce the ridge height of the proposed gable extension to ensure that it appeared subservient to the host dwelling.

Report Dated:

13/04/2021