

**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: 2021/62/92162/W

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

Description: Erection of single and two storey rear extension and
side porch (modified proposal)

Recommending Officer: Ellie Worth

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: 14-Jul-2021

Officer report

Site description

43 Gramfield Road, Crosland 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 single and two storey rear extension and side porch (modified proposal). The measurements of the scheme are as follows:

Two storey rear extension:

- 3m in projection
- 4.8m in width
- 5.6m in height to the eaves; 7.9m in overall height

Single storey rear extension:

- 6.3m in width
- 4.5m in projection
- 2.7m in height to the eaves; 3.5m in overall height

Single storey side extension:

- 1.5m in projection
- 5.5m in length
- 2.7m in height to the eaves; 3.5m in overall height

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

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

History of negotiations/amendments received

Officers entered into discussions with the agent regarding a discrepancy between the proposed elevations and floor plans. As such, the rear window to serve the downstairs bathroom has been removed and an amended plan was sought on the 12th July 2021.

Relevant Planning History

At the application site:

2021/90253 Erection of single and two storey rear extension and side porch – Granted

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 2nd July 2021. As a result of the above publicity, no representations have been received.

Given that the amendment sought was to remove a window within the rear extension, officers did not consider it necessary to re-advertise the scheme.

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
 - LP28 – drainage
 - LP34 – water environment

House Extensions and Alterations Guide (SPD) adopted June 2021.

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 highway safety
- 5.Other matters
- 6.Representations
- 7.Conclusion

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. Furthermore, the previous application for the erection of single and two storey rear extensions and side porch (2021/90253) is a material consideration, which establishes the principle of having the aforementioned development at the application site. As such, the key consideration of this application is the single storey link to create a wrap around single storey side and rear extension.

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 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, forming a wrap around extension at ground floor. This would allow the host property to sit somewhat comfortably within its curtilage as the dominant element on site. The works would 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. Roof lights would also be installed within the lean to, in order to allow natural light penetration.

Whilst it is appreciated that the majority of the works would extend to the rear of the site, it would not result in overdevelopment. The side extension would also retain a separation distance to the shared boundary of 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 of Policy LP24, the House Extensions and Alterations (SPD) 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 their single storey glazed conservatory.

However, the principle of having relatively large rear extensions at the property has already been established under the previous permission and assessed in detail under the previous application (and now established as a fallback position). There would be no further impact upon these neighbours' amenity given the minor alterations proposed as part of this scheme, to the single storey side extension. As such, officers are satisfied that there would be no undue overbearing, overshadowing or overlooking occurring.

Nonetheless, permitted development rights for new ground floor openings within the nearest side elevation to these neighbours would be removed. First floor side openings would be controlled under the GDPO.

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 due to the increased length of the single storey side extension, 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.

Officers have also 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. One new window would also be installed within the side

elevation of the rear extension; however this would serve a bathroom and therefore is likely to be obscurely glazed. First floor side openings would be controlled under the GDPO.

With regards to the increased side extension, this is considered to intensify the amount of built form 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 existing 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, into the side elevation of the existing dwellinghouse. The window would look towards the blank elevation at 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 the impact upon neighbouring amenity would be acceptable, with substantial weight being afforded to the extant permission. This is to accord with Policy LP24 of the KLP, the SPD 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, two on-site parking spaces have been demonstrated on the proposed floor plans. Each space would be at least 2.4m in width by 4.8m in depth. Therefore, the additional on-site parking is welcomed.

Alongside the above, a further condition would 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 would need to get permission to extend the dropped kerb and therefore a note would 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 would provide an additional off street parking in which would 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 recycled. 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: 2021/92162

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, the aims of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and 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 Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' before the extensions are first brought into use 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

Plan Type	Reference	Version	Date Received
Location plan, site plan and existing floor plans and elevations	1539/01	-	24 th May 2021
Plans approved under 2021/90253	1539/01	-	24 th May 2021
Proposed site plan, floor plans and elevations	1539/02	B	12 th July 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 entered into discussions with the agent regarding a discrepancy between the proposed elevations and floor plans. As such, the rear window to serve the downstairs bathroom has been removed and an amended plan was sought on the 12th July 2021.

Report Dated: 14th July 2021