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:	**2022/62/90730/E**
Site Address:	32, Grenoside View, Highburton, Huddersfield, HD8 0GT
Description:	Erection of single storey rear extension
Recommending Officer:	Katie Wilson

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.

Emma Thompson

AUTHORISED OFFICER

Date: 16-May-2022

Officer Report – 2022/90730

Site Description

The application site is 32, Grenoside View, Highburton. It is a relatively recently built, 2-storey detached house with detached double garage, attached to the neighbours' garage at 34, Grenoside View. The walls are natural stonework and the roofs are dual pitched and surfaced in a dark coloured concrete tiles. There is garden space and driveway to the front and larger garden at the back enclosed by other gardens to all sides.

The land is relatively flat and the property is located at the head of a residential cul-de-sac surrounded by other properties in the same estate to either side and another housing estate to the rear.

Description of Proposal

Planning permission is sought for erection of a single storey rear extension.

- Rectangular footprint 3.5m projection x 9.6m wide
- Mono-pitched roof 3.6m overall height and 2.5m eaves level.
- Three panel sliding doors to rear elevation and one window to north facing side elevation. Two velux roof windows.
- External materials to match existing.
- It would provide space for an enlarged open plan kitchen dining room.

History of negotiations/amendments received

No amendments were sought or received as the application acceptable as submitted.

Relevant Planning History

2003/94478 – erection of residential development (112 dwellings) with associated amenity space, landscaping, internal roads and access. 106 Full permission.
Planning application details | Kirklees Council

Representations

Final publicity date Expires: 12th May 2022. One representation received. The points raised are as follows:

- When the bi-folding doors are open,any noise that is made within the kitchen dining area are projected so much louder and cause disturbing noise nuisance.
- Do not object to building the extension.

Kirkburton Parish Council comments: No comment.

Consultation Responses

No consultations required.

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 un-allocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change.
- Chapter 15 – Conservation and enhancement of the natural environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
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". This should be assessed in conjunction with the House Extension SPD and chapter 12 of the NPPF.

In this case, the principle of extending the existing dwelling is considered acceptable and shall be assessed against other material planning considerations below.

2 –Impact on visual amenity:

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. Regarding extensions, it states under part c, that proposals should promote good design by ensuring '*extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details*'.

Key design principles 1 (local character and street scene) and 2 (impact on the original house) given in the Kirklees Householder extensions SPD reflect the above.

In this instance, it is considered that the house as it stands is as originally constructed with later small summer house in the back garden. The proposed extension is single storey and less than a third of the scale of the existing building. In officers' opinion this ensures that extensions are subservient to the original building.

Regarding materials and details, the external wall and roof materials would be to match the existing, the roof design is considered sympathetic to the dual pitched roof of the original house, and the introduction of large sliding doors

on the rear elevation are also considered an acceptable contemporary feature which would maintain the quality of the residential environment.

In this case the proposed extension would not be visible within the street-scene as it would be screened by the existing building at the application site and surrounding houses. It is also considered that it would retain a reasonable living environment for the property being extended, preserving at least half the existing back garden space, and maintaining external access to the rear garden.

Overall, it is considered that the proposed rear extension would promote good design and is compliant with policy LP24 of the KLP and design guidance given in the Kirklees house extensions SPD.

3 – Impact on residential amenity:

Policy LP24, part c, goes on to stipulate that extensions should *minimise the impact on residential amenity of future and neighbouring occupiers*.

Key design principles 3 (privacy), 5 (overshadowing/loss of light), 6 (preventing overbearing impact) and 7 (outdoor space) of the Kirklees householder extensions SPD expand upon LP24 and are discussed below.

In this instance, there would be four households potentially affected by the proposals; these are addressed as follows:

30, Grenoside View – This is a detached 2-storey house to the south of the application site, with single storey extension at the back. Its north facing side elevation is close to the mutual boundary with 32, Grenoside View and parallel with the south facing side elevation at the application site.

In terms of privacy, the proposed plan and elevation drawings indicate that there would be no openings in the south facing wall of the proposed extension and site photos show that there are no openings in the facing elevation at 30, Grenoside. As such, it is considered that there would be no invasion of privacy issues.

Regarding overshadowing and overbearing impacts, part of the original house and an existing single storey rear extension at 30, Grenoside View already protrude beyond the building line at the back of 32, Grenoside a combined distance of more than 3.5m. As such it is considered that there would be no overshadowing or overbearing impact.

34, Grenoside View – This is another 2-storey detached house. It is located to the north of the application site and has single storey extensions at the back. Its garage is also attached to the side of the detached garage at the application site.

In terms of privacy, the proposed extension would have a window to kitchen / diner in the facing side elevation. However, there would be no direct relationship to windows at 34, Grenoside View and a gap of approximately 7.25m to the mutual boundary where there is fencing around 2.0m high. As such it is considered that there would be very limited invasion of privacy.

Regarding overshadowing and overbearing, given that the proposed extension would be single storey and set away from the boundary approximately 7.25m, in officers' opinion this impact would be minimal.

18 and 20, Dene Park – these are detached bungalows on neighbouring residential estate to the east of the application site. Their rear elevations face the back of the house at the application site. However, there would be a separation distance of approximately 20.0m between the nearest part of the proposed extension and these neighbouring properties.

In terms of privacy, as the proposed extension would be single storey with separation distance described above and wall approximately 1.5m high together with fencing above along the mutual boundary and several outbuildings (sun house / sheds and garages) in their back gardens, it is considered that there would be very limited overlooking impact.

Regarding overshadowing and overbearing, given the circumstances described above relating to the scale of the proposed development and its separation distance to these neighbouring bungalows, it is considered that there would be no significant impacts of this nature.

No other properties would be affected.

With regards to Key Design Principle 7 - Outdoor space. Extensions and alterations should ensure an appropriately size and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals. In this proposal, the garden area would be reduced by less than 50% and so it is considered compliant with key design 7.

In summary, the proposed extension would minimise impact on residential amenities of future and neighbouring occupiers and is compliant with policy LP24 of the Kirklees LP and design guidance in the Kirklees house extensions SPD.

4 – Impact on highway safety:

The site is accessed from Grenoside View, a residential estate road serving numerous other houses. It is located near the head of a cul-de-sac and has a detached double garage together with driveway in front suitable for 2 cars.

The current proposal would not amount to an intensification of the existing use requiring further off-street parking provision, nor would it affect the existing

parking arrangements. As such it is considered that it would be acceptable in terms of highway safety, compliant with policies LP21 and LP22 of the KLP together with key design principle 15 of the house extensions SPD.

With regards to Key Design Principle 16 - Provision for waste storage. Extensions and alterations should maintain appropriate storage arrangements for waste. The current proposal complies with key design principle 16.

5 – Other matters:

Carbon Budget

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 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

There are no further material planning matters.

6 – Representations:

One representation received. The points raised are as follows:

- When the bi-folding doors are open, any noise that is made within the kitchen dining area are projected so much louder and cause disturbing noise nuisance.
  Response: Any domestic extension in a residential area is likely to have some impact upon residential amenities of neighbouring properties. In this instance it is considered that as the proposal is ground floor only and maintains a significant distance to neighbouring properties to the north and east with other structures such as boundary walls / fences and outbuildings in between, noise generated within the proposed extension would be to an acceptable level and less than noise generated from outside in the garden areas. If noise nuisance

were to occur, it could be investigated under environmental health regulations and reported to the Councils' pollution and noise control team.

- Do not object to building the extension.
  Response: This is noted.

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 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: 2022/90730
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, Key Design Principles of the House Extension Supplementary Planning Document 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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extension Supplementary Planning Document and the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 may control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	Dwg no. A(00)-01		01.03.2022.
Site plan	Dwg no. A(00)-01		01.03.2022
Ground floor plan and elevations as existing	Dwg no. A(00)-01		01.03.2022
Site plan, ground floor plan and elevations as proposed	Dwg no. A(10)-01		01.03.2022

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. The application was acceptable as submitted.

Report Dated: 16.05.2022