

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:	2023/62/90712/E
Site Address:	3, Greenfield Crescent, Grange Moor, Huddersfield, WF4 4WA
Description:	Erection of first floor side extension above existing garage
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 09-May-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90712
Location	3, Greenfield Crescent, Grange Moor, WF4 4WA
Proposal	Erection of first floor front extension
Publicity end date	8 th May 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	Yes EoT Date: 09/05/2023
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of Representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development

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

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	n/a
Parish/Town Council comments sought	Yes	Responded ‘no comment’
Planning History	No	At application site:

		98/91225 – plots 1-12 & 14-80 refused , appeal upheld 05/90395 – erection of first floor extension. Conditional full approval. Planning application details Kirklees Council At 9, Moorfield Court: 2010/90265 – erection of extension above double garage. Conditional full permission Planning application details Kirklees Council At 32, Greenfield Crescent: 2014/92728 – erection of first floor extension. Refused and appeal dismissed. Planning application details Kirklees Council
Consultations required	No	n/a

Assessment

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

First floor front extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed. Large extensions (single and two-storey) and conservatories on the front of an existing house are likely to appear particularly intrusive and will not normally be acceptable		No – the proposal is for a first floor extension above existing double garage which projects beyond the principal elevation of the dwelling. However, in this instance, the house is at the head of a short cul-de-sac off the main circulatory residential estate road and so it is considered to have less impact upon Greenfield Crescent. It also has an

		L-shaped layout with the existing garage already projecting beyond the front elevation of the main part of the house. The proposal is subordinate in terms of overall height to the original house, and in this case there has been planning permission granted for a very similar first floor extension in 2005 (but not implemented) and a nearby house at 9, Moorfield Court (in a more prominent position) has also been extended in a similar way. The roof design and materials would also be in keeping with the original house. As such, on balance it is considered that it would not be particularly intrusive.
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Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character:

3, Greenfield Crescent is a 2-storey detached house on an L-shaped footprint with single storey element of double garage, wc and utility projecting forward of the principal elevation. It was built at the turn of the millennium following planning refusal upheld at appeal. It also has a later full width ground floor extension at the back projecting approximately 3.8m

The walls of the house are mainly red brickwork with some vertically hung red tiles to front gable, and series of dual pitched and hipped roofs surfaced in

dark grey concrete tiles. The later rear extension is largely glazed with tiled roof.

The land is relatively flat and within the grounds is a driveway to the front with narrow strip to southern side and larger garden at the back enclosed by other gardens to the north and east

The application site is located at the head of a short cul-de-sac serving four other detached houses, off the main residential estate road. It is on the southern perimeter of wider estate which includes houses in a variety of sizes and types. However there is a general uniformity in age, pallet of external materials, and relatively simple house design.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	There are a variety house designs within the wider estate and many have been altered in various ways, including a very similar extension at 9, Moorcroft Court in more prominent position. In officers' opinion, although the proposed extension would be prominent on the host dwelling house, it would be in matching external materials and sympathetic roof design, and it would have very limited impact upon the wider street-scene and local character.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP	Whilst the proposed extension would be prominent in relation to the original house, it would be subordinate in	✓

	Chapter 12 of the NPPF	terms of overall height and volume. As such on balance it is considered that the predominance of the original part of the house would be retained.	
Height, scale and massing	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	As above. The extension would be above the existing garage, but subordinate in terms of overall height and volume.	✓
Facing materials and detailing	- KDP 9 of the SPD - Policy LP24 Design (d) (iii) of the KLP - Chapter 12 of the NPPF	Facing and roofing materials to match existing.	✓
Roof style	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	Ridged and hipped roof design in-keeping with host property.	✓
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	Similar window proportions to those on the host dwelling house where there are a variety of window and door openings.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension which would provide a small stepped access into the main house.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- *No. 1, Greenfield Crescent – This is a detached 2-storey house to the north of the application site. Its front elevation faces in a westerly direction and protrudes in front of the two storey element at the application site approximately 5.0m. The facing side elevations of these properties are not parallel but diverge towards the front and converge towards the rear. The minimum distance between the proposed extension and facing side elevation at no.1 would be approximately 9.5m. The element of the side elevation at no.1 which would be visible from the proposed extension would be blank.*

In terms of invasion of privacy, there would be no direct relationship between habitable room windows. The new windows in the facing elevation of the proposed extension would look directly onto the driveway and modest front garden at no 1, but this neighbouring house also has a larger garden area at the back which would be unaffected and so on balance it is considered to be satisfactory in terms of overlooking impact.

Regarding overshadowing and overbearing, it is thought that the proposed extension would cast some additional shade, but given the separation distance detailed above, it is considered that this would be relatively limited.

- *No. 5, Greenfield Crescent – It is a detached 2-storey house to the west and its front elevation faces the front of the application site. In terms of invasion of privacy, the proposed extension would have no openings in its facing elevation and there would be a separation distance of approximately 14.0m. It is recommended that new openings are controlled by condition.*

In terms of overbearing and overshadowing impact, it is considered that the proposed development could cast some additional shade, but given its orientation to the east and the separation distance, in officer opinion these impacts would be relatively limited. This neighbouring property also has larger garden space at the back which would be unaffected by the proposed development.

- *No.7 and No. 9 Greenfield Crescent – They are 2-storey detached houses to the north west of the application site. Their front elevations face directly onto the short cul-de-sac road serving these properties. The nearest part of no. 7 would be its eastern corner, approximately 15.0m from the nearest part of the proposed extension, and there would be no direct relationship between windows. The nearest part of no.9 would be approximately 21.0m from the proposed extension and no direct relationship between windows.*

In terms of invasion of privacy, given the separation distances and indirect relationships between windows, it is considered that this impact would be minimal.

In terms of overshadowing and overbearing, it is considered that the impact would be slightly greater for no.7, but as they are both oriented

to the north west and given the separation distances, these impacts would be relatively limited.

- No. 21 and No. 23, Shuttle Eye Way are 2-storey detached houses to the north of the application site and their rear elevations face towards the north elevation of the proposed extension. However, there would be a minimum separation distance of approximately 29.0m with boundary fencing in between, and in these circumstances it is considered that there would be no invasion of privacy, or overlooking, or overbearing impacts.*
- Land to the south of the application site is a green embankment which rises up and away from the boundary. It forms a buffer zone between the house (and wider housing estate) and warehouses of a priority employment site to the south.
The proposed extension would have a raised, walk-on balcony on its facing side elevation directly overlooking the adjacent embankment. It is considered that this relationship would cause no overlooking or invasion of privacy impacts.
As the proposed extension would be to the north of this neighbouring land it is unlikely to cast much additional shade or be overbearing, and it would have a similar impact to the existing two storey elements of the original part of the house.*
- No. 11, Shuttle Eye Way is a detached two-storey house adjacent to the eastern side of the application site. However, it would be unaffected by the proposed development as it would be screened by the original part of the house.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	On balance, acceptable for the reasons set out above.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As above.	✓

Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Rear garden would be unaffected by the proposed extension. Some of the curtilage would be retained to the frontage too.	✓
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The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Parking is predominantly provided within the curtilage of each house in the estate and the current proposal would retain this arrangement.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposal would convert existing double garage to living area and the enlarged house would have four bedrooms. The existing driveway can accommodate two or three cars parked in tandem. This is considered acceptable in terms of off street parking provision.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The proposed development would not affect the existing arrangements for the storage and collection of household waste from the site.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	n/a	n/a
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	n/a	n/a
Carbon budget	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures 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.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for surface water run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

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The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

No representations received.

Kirkburton Parish Council recommendation - no comment.

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:

CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2023/90712

Officer Recommendation: CONDITIONAL FULL PERMISSION

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 to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 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 in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (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 west facing elevation of the extension hereby approved.

Reason: So as not to detract from the amenities of neighbouring property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, Principles 1, 2, 3 and 4 of the Council's House Extension and Alterations Supplementary Planning Document and policies within Chapter 12 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 3.00hours, 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 the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	Dwg no. 22-002-01		06 March 2023
Existing ground floor plan	Dwg no. 22-002-03		06 March 2023
Existing first floor plan	Dwg no. 22-002-04		06 March 2023
Existing roof plan	Dwg no. 22-002-05		06 March 2023
Existing elevations (sheet 1)	Dwg no. 22-002-06		06 March 2023
Existing elevations (sheet 2)	Dwg no. 22-002-07		06 March 2023
Existing perspective views	Dwg no. 22-002-08		06 March 2023
Proposed site plan	Dwg no. 22-002-02		06 March 2023
Proposed ground floor plan	Dwg no. 22-002-12		06 March 2023
Proposed first floor plan	Dwg no. 22-002-13		06 March 2023
Proposed roof plan	Dwg no. 22-002-14		06 March 2023
Proposed elevations (sheet 1)	Dwg no. 22-002-09		06 March 2023
Proposed elevations (sheet 2)	Dwg no. 22-002-10		06 March 2023

Plan Type	Reference	Version	Date Received
Proposed perspective views	Dwg no. 22-002-11		06 March 2023
Supplementary information: Climate change statement			06 March 2023
Supplementary information: CIL information form			06 March 2023

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. No amendments/further information were sought during the course of the application.

Report Dated: 09.05.2023