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: 2018/62/93696/W

Site Address: 12, Southlands Drive, Fixby, Huddersfield, HD2 2LT

Description: Conversion of garage to home gym

Recommending Officer: Jason Hammond

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: 02-Jan-2019

Officer Report.

Reference: 2018/93696

Location: 12 Southlands Drive, Fixby, Huddersfield, HD2 2LT

Proposal: Conversion of garage to home gym.

Site Description.

12 Southlands Drive is a two-storey semi-detached property located in Fixby, Huddersfield. The property is constructed in regular coursed brick and brown cladding to the upper floor. The main roof is gabled with rear dormers to the front and rear of the property running the full length of the roof. The ground floor projects slightly forward, having a lean-to roof. The property benefits from a large drive to the front, with an integral garage on the lower ground floor. The garage is located underneath the steps leading up to the front door of the property, with the white garage door being set slightly back.

The site is located on a sloped residential street, with neighbouring properties sharing a similar design and style. The predominant style is of semi-detached properties constructed in the same materials with gabled roofs and dormer extensions. Internal garages are common in the area, although with some properties in the area no longer having them.

Description of Proposal.

The application refers to the conversion of the existing garage into a home gym. The existing garage door is to be removed and replaced by a new wall. This is to be located 1.00 metre forward than the existing garage door, still being set underneath the overhang from the outdoor steps. A new door and window is proposed, with the wall to be rendered in white to match the existing white paint.

History of Negotiations.

No known changes for this scheme.

Relevant Planning History.

No relevant planning history for this site.

Representations.

The application was advertised by a site notice and neighbour letters which expired on 28/12/2018. No representations were received from this publicity.

Consultation Responses.

No consultations were deemed necessary for this proposal.

Policy/Legislation.

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is Unallocated on the UDP Proposals Map and on the Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated Land
- **BE1** – Design Principles
- **BE2** – Quality of Design
- **BE13** – Extensions to dwellings (design principles)

Kirklees Publication Draft Local Plan:

- **PLP 1** – Achieving Sustainable Development
- **PLP 2** – Place Shaping
- **PLP 24** - 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 24th July 2018, together with Circulars, Parliamentary 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

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

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

Principle of development:

The site is unallocated within the Kirklees Unitary Development Plan. As such, in accordance with policy D2 in the UDP, development can be granted providing the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area. These considerations are addressed below.

In terms of extending and making alterations to a property Policies BE1, BE2, BE13 and BE14 of the UDP will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

Impact on visual amenity:

The proposal is located on Southlands Drive, a residential area with properties sharing a similar design and style. Internal garages are common in the street although they are not a significant aspect of the streetscape of the area.

The proposal involves the removal of the garage door to be replaced by a wall with door and window. It is considered that this development would be small in scale and would have little impact upon the visual appearance of the building. The wall is to be located slightly forward than the existing garage

door, but would still be situated underneath the overhang from the outdoor stairs meaning the footprint of the wall will be essentially the same as the garage door. It is noted that the window and door will be changing the appearance, although this change is considered to be very minimal. The wall is to be rendered and painted white, which would be in keeping of the white painted staircase and walls, and would be similar to that of the existing garage door.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area, complying with Policies BE2 and BE13 of the Kirklees UDP, and PLP 2 and PLP 24 of the Kirklees Draft Local Plan.

Impact on residential amenity:

The proposed alterations are visible from the highway and have the potential to impact the neighbouring properties. The proposal is to be set away from the highway by 8.00 metres, and be situated still within the overhang from the stairs and would therefore not be obtrusive on any neighbouring properties. The proposed window and door do have the potential to overlook toward 15 Southlands Drive, although it is considered the window in the gym would not be used extensively and would have a distance of around 25.00 metres.

Having considered the above factors affecting neighbouring properties and relevant policies, the proposed garage conversion is not deemed to result in any significant harm upon the residential amenity.

Impact on highway safety:

The proposed conversion would result in the loss of a car parking space through the garage space being lost. However, the driveway will remain unchanged and would be able to serve three cars which is deemed to be sufficient. Therefore, the proposal is considered to have no impact on highway safety and as such complies with policies D2, T10 and T19 of the UDP and Policy PLP22 of the Draft Local Plan.

Other matters:

There are no other matters for consideration.

Representations:

No public representations were received for this proposal.

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: 2018/93696

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 with Policies D2, BE13 and BE14 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	1		16/11/2018
Design and Access Statement			16/11/2018

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.

As submitted plans were considered to be acceptable, no changes were sought.

Report Dated: 20/12/2018