

**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: 2019/62/92546/W

Site Address: 18, Honey Hall Ing, Huddersfield, HD2 1GP

Description: Alterations to convert intergral garage to additional living space

Recommending Officer: Danielle Cooper

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: 23-Sep-2019

Officer Report

Site Description

18 Honey Hall Ing, Huddersfield is a two-storey dwelling, located in a cul-de-sac attached to two other houses. The dwelling is constructed of artificial stone and a concrete tiled gable roof and a dormer which projects out from the front elevation of the roof. The dwelling benefits from a reasonably sized garden to the rear and is located on a residential complex with similar houses in terms of character, style and design.

Description of Proposal

Permission is sought for the conversion of the internal garage into additional living space. The proposed alterations will be constructed from UPVC double glazed windows to the front to match the existing windows of the dwelling.

The application has been submitted retrospectively.

History of negotiations/amendments received

No amendments were sought in this instance

Relevant Planning History

2006/91960- Demolition of council housing stock and erection of 226 dwellings – Approved

Representations

The application was publicised by site notice and neighbour notification letter

Final publicity date Expires: 30/08/19

Consultation Responses

No consultation were required or sought.

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 (LP):

- **LP1 Achieving sustainable development**
- **LP2 Place Shaping**
- **LP21 Highway safety and access**
- **LP22 Parking**
- **LP24 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 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-designed places
- Chapter 15 – Conserving and enhancing the natural environment

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

Principle of Development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 LP1 goes on further to stating that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

Chapter 2 of the NPPF 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. Chapter 2 of the NPPF goes on further to state that:

“to support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment”. As well as “making effective use of land”.

In this instance, it can be stated that the principle of development of this application is acceptable. Therefore, the application is subject to the assessment of impacts on visual and residential amenity, as well as highway safety.

The applicant has been submitted as Permitted Development rights were removed for some plots on the application site and details regarding. Therefore, the applicant sought planning permission for the conversion of the garage.

Impact on visual amenity:

The NPPF provides guidance in respect of design in chapter 12 (Achieving well designed places) with 124 providing an overarching consideration of design stating:

‘124. 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 importantly, LP24 are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

LP24 (a) states that proposals should promote good design by ensuring:

“the form, scale, layout and details of all development respects and enhances the character of the townscape”

The proposed alterations to the host property has been considered to be of an acceptable standard. The matching materials for the proposed window proportions and wall materials would harmonise with the host property and would be in keeping with the character of the surrounding area and the street scene.

The proposal is therefore acceptable in regards to visual amenity and therefore accords with LP24 (a) of the Kirklees Local Plan.

Impact on residential amenity:

LP24 (b) & (c) of the LP states that alterations to existing buildings should:

“...minimise impact on residential amenity of future and neighbouring occupiers”, as well as “maintaining appropriate distances between buildings”.

It is of officer’s judgement that the proposal does satisfy LP24 (c)

Given the layout of the development being on the ground floor and its orientation there are not overlooking concerns. Also in regards to the proposal being overbearing and overshadowing as the alterations will not be projecting from the host dwelling there are no detrimental concerns with the proposal.

For the reasons set out above, it is considered that the proposal is acceptable in respect of residential amenity and against LP24 (b) and (c).

Impact on highway safety:

As the application relates to the loss of the garage and there being one car parking space to the front of the dwelling, the impact on highway safety and provision of parking has been assessed.

It has been put forward that a space to the front of the host dwelling provides a second space for the applicant. However this space would most likely have been designed to providing a turning function for no.s 16 and 18 as such this space is considered to form an informal parking space. Notwithstanding this parking at the site appears to functional acceptably and no objections have been raised to the development on highway grounds. It has also been highlighted that the internal garage is below the standards of 6m x 3m being 5.5m x 2.5m showing that the garage is not to a satisfactory size to provide off street parking. Therefore the highway arrangements of the development are considered to be acceptable.

Therefore the proposal accords with the aims of Policy LP21 and LP22 of the Kirklees Local Plan.

Other Matters:

Biodiversity – the application site is within a ‘Bat Alert’ layer on the Council’s GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. Given that works would only relate to the garage.

There are no other matters for consideration.

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: 2019/92546

Officer Recommendation: Full Conditional Approval

Conditions and Reasons

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 LP1, LP2 and LP24 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	A(00)-02	1	30/07/19
Existing Grouped Plans and Elevations	A(00)-01	1	30/07/19
Proposed Grouped Plans and Elevations	A(10)-01	1	30/07/19

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. In this instance, the application was considered acceptable in its submitted form and no amendments were sought.

Report Dated: 20/09/19