

**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: 2019/62/92917/E

Site Address: 100, Bedale Drive, Skelmanthorpe, Huddersfield, HD8 9EU

Description: Erection of detached garage

Recommending Officer: Olivia Roberts

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.

Rebecca Drake

AUTHORISED OFFICER

Date: 11-Nov-2019

Officer Report

Site Description

100 Bedale Drive is a detached bungalow in Skelmanthorpe. It is constructed in brick and is designed with hipped and gable roof forms which are finished in Greystone double roman concrete roof tiles. The dwelling benefits from an integral garage which is located to the north east of the site. The dwelling is set back from the access road with a driveway to the front and a garden to the front, side and rear.

The site is located in a residential area which comprises a mix of properties which vary in terms of their style and design. Despite this, the predominant material of construction within the street scene is brick.

Description of Proposal

The application seeks planning permission for the erection of a detached garage which would be located in the north eastern corner of the site.

The garage would measure 8.00 metres by 8.00 metres and would be finished in brick. It would be designed with a gable roof form which would be finished in Greystone double roman roof tiles to match existing. It would have an eaves height of 2.60 metres and a ridge height of 4.50 metres. Garage doors are proposed to the front elevation of the garage, a personnel door to the east and windows to the west.

The proposed site plan indicates that the existing integral garage would be demolished to facilitate access to the proposed double garage. Additional hardstanding would be laid in order to provide vehicle access. It is noted that due to volume of the existing integral garage, these elements could be completed under permitted development.

History of negotiations/amendments received

No amendments were sought or received during the course of the application.

Relevant Planning History

No relevant planning history at the site.

Representations

The application was advertised by site notice and neighbour letter which expired on 7th November 2019.

As a result of the above publicity, no representations have been received.

Denby Dale Parish Council comments: no comments received.

Consultation Responses

No consultations were considered necessary during the course of the application.

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):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 22 - Parking
- LP 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 19th February 2019, and 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 2 – Achieving sustainable development

- 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

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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

The proposed double garage would represent a relatively large addition to the property. However, given the size of the existing dwelling and its curtilage, it is considered that the property would be able to accommodate an outbuilding of this scale without it appearing disproportionate in relation to the host property or amounting to an overdevelopment of the site. The garage would be constructed in brick and would be designed with a gable roof form which would be finished in concrete roof tiles to match those used on the host property. The proposed garage, due to its location to the rear of the site, would not be visible from Bedale Drive. It is therefore not considered that the proposal would have a significant impact on the visual amenity of the street scene or the wider area.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Impact on 15 Heather Fold

The proposed garage would be located in the north western corner of the application site, in a section of the rear garden which projects beyond that associated with the neighbouring property, 15 Heather Fold. Given the distance that would be retained between the proposal and the property, along with its location just beyond the rear boundary of its associated amenity space, it is not considered that the proposal would have a significant overbearing or overshadowing impact on the property, nor due to its proposed use, would it offer the potential for overlooking into the property or its rear amenity space. Whilst the proposed hardstanding which would facilitate access to the garage would run to the side of the property which is located at a lower level than the application site, it is noted that this could be done under permitted development. Due to its use, facilitating access to a garage associated with a residential dwelling, it is not considered to have a significant impact on the property.

Impact on 102 Bedale Drive

Due to the location of the garage in the north western corner of the application site and the distance that would be retained between the neighbouring property, 102 Bedale Drive, it is not considered that the development would result in a significant overbearing or overshadowing impact. Whilst openings are proposed for the western elevation, given the distance retained, as well as the use of the development as a garage, it is not considered that there would be the potential for harmful overlooking into either the rear of the property or its amenity space.

Land to the north/west

Application reference 2019/90151 for the erection of one hundred and ninety dwellings is currently being assessed to the rear (northern boundary) of the application site. Based on the submitted site plan, it can be seen that the rear of the proposed garage would be located along the boundary adjacent to an area of landscaping, with significant distance retained between the proposed dwellings. Given the distance that would be retained between the proposal and the proposed dwellings, it is not considered that the development would

have a significant impact on the residential amenity of any future occupiers of these properties.

Land to the north east

The land to the north east is also being developed for residential purposes. However, having reviewed the approved layout for the site, it is considered that the siting of the proposed garage in this location would not unduly prejudice the future occupiers of the site.

Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan and Paragraph 127 (f) of the National Planning Policy Framework.

4 – Impact on highway safety:

The proposal would result in the loss of the existing integral garage, which along with a large driveway to the front of the property, provides off-road parking at the site. Despite this, it is noted that the proposed double garage would provide two off-road parking spaces, which along with the existing driveway, are considered to provide sufficient parking provision for the property. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan.

5 – Other matters:

No other matters were considered necessary during the course of the application.

6 – Representations:

No representations have been during the course of the application.

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: 2019/92917

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 LP1, LP2, LP22 and LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external walling materials of the detached garage hereby approved shall be of a similar appearance to 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 and the aims of Chapter 12 of the National Planning Policy Framework.

4. The external roofing materials of the detached garage 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 and the aims of Chapter 12 of the National Planning Policy Framework.

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 13.00hours, 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			13/09/2019
Block Plan			13/09/2019
Site Plan			13/09/2019
Proposed Plans			13/09/2019

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

Report Dated: 08/11/2019