

**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: 2019/62/93170/W
Site Address: 12, Edge View, Golcar, Huddersfield, HD7 4BZ
Description: Installation of access platform lift
Recommending Officer: Alice Huxley

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: 27-Nov-2019

Officer Report

Site Description

12, Edge View, Golcar, Huddersfield

12 Edge View is a semi-detached bungalow that is located on the corner of Edge View and Warwick Avenue. Materials used in construction consist of brick walls and a concrete tile hipped roof. Driveway access is taken from Warwick Avenue and the vehicle hardstanding area is to the rear of the property.

The sites boundaries consist of predominantly mature hedging and stone walls and the neighbouring dwellings are all of similar character to that of the applicant property.

Description of Proposal

Installation of access platform lift.

The proposed works plans to install a disabled access platform lift at the rear of the property behind a fence. The platform would be a width of approximately 1.3 metres, a depth of 1.5 metres and a height of 1 metre. There will be a panel approximately 2.3 metres high on the side and rear elevation of the lift. The maximum height the lift would travel would be 1 metre. The proposed materials include, steel finished in Blue Sable or Special and Perspex panels.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

None.

Representations

Final publicity date Expires:

Neighbour letters expire on 3rd November 2019; site notice expires on 9th November 2019.

Parish/Town Council comments:
Not applicable.

Consultation Responses

None.

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 21 – Highway Safety**
- **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, 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**

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

Principle of development:

The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

'Planning policies and decisions should play an active role in guiding development towards sustainable solutions...'

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

'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...'

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

'...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.'

LP1 goes further and states:

'The council will always work pro-actively 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.'

In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

Impact on visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

'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 significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

'a. the form, scale, layout and details of all development respects and enhances the character of the townscape..'

The design of the proposal is considered to be acceptable in terms of visual amenity and would not result in a visual overdevelopment of the site as the structure would be small in scale and simple in design. Additionally, the platform would be set back from the roadside behind a fence at the rear of the property; therefore would not be overly prominent within the street scene.

For the reasons set out above, the proposal is deemed acceptable in terms of scale and design therefore corresponds with Policies LP1, LP2 and LP24 of the Kirklees Local Plan.

Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

'...maintain appropriate distances between buildings' and '...minimise impact on residential amenity of future and neighbouring occupiers'.

Due to the positioning of the proposed access platform lift in relation to the neighbouring dwellings, it has been considered that the development would not cause any undue harm to the surrounding occupants for the following reasons. The proposed lift would be set away from the shared boundary line with the adjoining property (no. 10) and there is an existing timber fence approximately 1.8 metres high separating the two sites; and there is a detached garage located in the east of the site which partially blocks view and separates the proposed lift from no. 19 Warwick Avenue.

In Summary, the lift is small in scale and solely for the purposes of accessing the property. Furthermore, it would be set away from all shared boundary lines. As a result of this and the reasons set out above, the proposed works is considered to be acceptable in terms of residential amenity and would comply with Policy LP24.

Impact on highway safety:

The access platform lift would be located to the rear of the property and does not interfere with any areas of parking. As a result, the provision of parking will remain unchanged, therefore there are no concerns regarding matters of highway safety in accordance with LP21 and LP22.

Other matters:

None.

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: 2019/93170

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	1	07/10/2019
Proposed Arrangements	6954_PP	1	07/10/2019

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. There was no reason to contact the agent or applicant as the details were acceptable as submitted.

Report Dated: