

**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: 2019/62/93649/W

Site Address: 24 , Windmill View, Scholes, Holmfirth, HD9 1SA

Description: Installation of replacement windows, bifold doors to rear and new external door

Recommending Officer: Sam Jackman

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: 09-Jan-2020

Officer Report

Application: 2019/93649

Site Address: 24, Windmill View, Scholes, Holmfirth, HD9 1SA

Site Description

The application relates to a modern end terrace of three in a residential area of Scholes. The existing property is located within a cul-de-sac and comprises a two storey, three-bedroomed house where the integral garage has been converted into a utility & snug.

The property is constructed in natural coursed stone with a concrete tiled roof and dark brown upvc framed windows. The front porch and converted garage, is clad with black painted timber above a natural stone plinth.

To the front of the property, off-road parking space is provided for two vehicles.

Description of Proposal

The applicant seeks permission for internal alterations to reconfigure the converted garage by converting the existing snug into a utility and incorporate the existing utility into a larger kitchen dining room. This would include the creation of a new external door into the side elevation of the new utility. Also incorporate bi-fold doors to the rear of the property extending the existing patio doors across to the window to the left.

The proposal also includes changing the windows from dark wood to grey uPVC, which doesn't require planning permission.

History of negotiations/amendments received

No amendments to the submitted proposal were considered necessary.

Relevant Planning History

2002/91638 – 24, Windmill View – Full permission for alterations to convert integral garage to utility room.

2017/94133 – 15, Windmill View – Full permission for conversion of garage to living accommodation including a new side door.

2008/92389 – 19, Windmill View – Full permission for conversion of garage to computer area.

1995/90078 – 3 dwellings and garages – permitted development rights removed for new windows and doors.

Representations

Final publicity date expired 10th December 2019.

No public representations were received.
Holme Valley Parish Council supports the application.

Consultation Responses

No consultations were required.

Policy

The statutory development plan comprises:

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, 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 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

1 – 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 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 terms of making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

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

2 – Impact on visual amenity:

The overall form and scale of the application dwelling will remain unchanged as a result of this proposal.

The new front door is proportional to the existing and, again, will match the existing. In all respects, the alterations are in keeping with the original design.

The rear bi-fold doors utilise two existing openings by removing some wall

The proposal would not compromise the visual appearance of the existing dwelling or the surrounding area. The proposal is thus considered to be compliant Policy LP24 of the Local Plan and NPPF.

3 – Impact on residential amenity:

The proposed new door on the side (west) elevation faces towards the front elevation of No 19 Windmill View with 19m separation distance where no overlooking impacts are envisaged from this distance.

The rear bi-folds again overlook the applicant's garden and enlarging existing openings. There would, therefore, be no impact upon the residential amenity of its neighbours and compliant with policy LP24 of the Local Plan and NPPF.

4 – Impact on highway safety:

In terms of highway safety there are no highway issues as the drive is not being affected by the proposal, as such would meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of the National Planning Policy Framework.

5 – Other matters:

Other nearby properties, notably numbers 17 Windmill View, have implemented planning permissions to carry out similar alterations to their properties. There is, therefore, precedent for such alterations.

6 – Representations:

No representations were received.

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: 2019/93649

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 Policy LP24 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Site Location Plan 1:1250	24 WMV-19-PL03	7/11/19
Existing Floor Plans & elevations	24 WMV-19-PL01	7/11/19
Proposed Floor Plans & elevations	24 WMV-19-PL02	7/11/19

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 Planning 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 to the submitted application were considered necessary and the application was considered to be acceptable as submitted.

Report Dated: 9/1/20