

**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: 2020/62/90660/W

Site Address: 14, Everard Street, Crosland Moor, Huddersfield, HD4
5DW

Description: Erection of porch

Recommending Officer: Katie Chew

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 23-Apr-2020

Officer Report

Site Description

14 Everard Street, Crosland Moor, Huddersfield, HD4 5DW

The application site relates to a two-storey semi-detached dwelling. The dwelling is constructed from natural stone with a slate gabled roof. The property benefits from amenity space to the front and rear with on-street parking to the front.

Description of Proposal

Planning permission is sought for the erection of a porch to the front elevation of the dwelling house.

The proposed porch will measure approximately 2.3m x 1.2m, with a ridge height of approximately 3.8m. The roof will be gabled and the materials will all match what currently exists in the host dwelling.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

2019/94062 – Erection of single storey rear extension. Conditional Full Permission 18th February 2020.

Representations

Final publicity date expires:

Neighbour Letters – Expired 6th April 2020.

Site Notice – Expired 6th April 2020.

No representations have been received to date.

Consultation Responses

None

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways 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) updated 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. In this instance the chapters of most relevance include:

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 2) Scale, design and visual impact of the proposed development
- 3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 4) Impact on highway safety
- 5) Other matters

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 to be 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.

Impact on Visual Amenity:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most 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.

Local Plan Policy LP24 states that all proposals should promote good design by ensuring the following:

‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’ and that ‘extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers’.

The dwelling is located on a residential street surrounded by similarly aged properties, there are a mix of both terraced and semi-detached dwellings throughout the street. Whilst many of them have been extended or altered in some way over the years, it is acknowledged that these amendments have typically occurred to the rear of the properties and are therefore not typically visible from Everard Street. It is therefore considered that dependent on design, scale and detailing, it may be acceptable to extend the host property although care will need to be taken when extending out of the front of the dwellinghouse.

The proposed porch extension is required to create a larger entrance hall to provide adequate space for wheelchair access. Whilst it is noted that there are no other visible porch extensions on Everard Street at present, given the location and design of the host dwelling being a semi-detached property with a double frontage, it is considered that in this instance a gabled central porch in matching materials may be acceptable. However, this is not to say that similar porch extensions would be acceptable elsewhere on Everard Street and if any subsequent planning applications were submitted they would be assessed on their own merit on a case by case basis.

The host property and its associated curtilage are of a sufficient size to support the proposed extension and alterations without amounting to over development. Furthermore, a reasonable amenity space would be retained and as such the scale of the proposed extensions and alterations are considered to be acceptable in this instance. It is considered that the design of the proposed porch, with a gabled roof would be complimentary to the symmetrical appearance of the front elevation of the host dwelling, and therefore it is in officers opinion that the proposals would not appear incongruous in this location.

The materials proposed are to match the host dwelling and the detailing is considered to be appropriate in this instance. The materials have also been conditioned in the interest of visual amenity.

In conclusion, the proposals are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of this site. The proposals therefore accord with LP24 and LP57 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

‘Proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary’.

Impact on 12 Everard Street

This neighbouring property is located to the east of the application site. Whilst there is 1 window proposed within the eastern elevation of the porch this window would look out and down Everard Street, and not directly into any habitable room windows. It is therefore considered that there are no concerns in regards to overlooking of this neighbouring property. As the porch is to be single storey, it is not considered that it would be overbearing in nature. In terms of overshadowing, whilst there may be some shadowing in the afternoon, this should only occur within the garden of the host dwelling and would not impact on any habitable room windows of no. 12 Everard Street.

Impact on 16 Everard Street

This neighbouring property is located to the west of the application site. As no windows are proposed within the western elevation of the porch there are no concerns in regards to overlooking. As the proposed porch is to be single storey in height and that there is a separation distance between the proposed porch and this neighbouring property of approximately 7.5m, there are no concerns in regards to overshadowing or the proposals being overbearing in nature.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and paragraph 127 of the National Planning Policy Framework.

Impact on Highway Safety:

The application site comprises of on-street car parking to the front of the property, the dwelling is accessed to the north off Everard Street, in Crosland Moor. The proposals seek no amendments to the existing access or parking facilities.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposals would result in some small intensification of the domestic use however, the on-street parking area to the front of the property would not be affected by the proposals and therefore it is in officer opinion that there is sufficient parking provision provided. The scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

Other Matters:

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is for a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Conclusion:

This application for the erection of single storey porch to No. 14 Everard Street has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design

and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable in this instance. Although it should be noted that whilst the proposals are deemed to be acceptable in this instance, this is not to say that similar porch extensions would be acceptable elsewhere on Everard Street and if any subsequent planning applications were submitted they would be assessed on their own merit on a case by case basis.

Paragraph 11 of the NPPF advises that Local Planning Authorities should be approving development proposals that accord with an up-to-date development plan without delay. On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore planning permission should be granted.

Recommendation:

Approve with conditions.

Decision Authorisation - Delegated Powers

Application Number: 2020/90660

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.

1. 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.

2. The external walls and roofing materials of the extension 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.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location Plan	1944-1	-	06/03/2020
Existing Ground Floor	1944-2	-	06/03/2020
Ground Floor - Proposed	1944-3	A	06/03/2020
Proposed Front Elevation	1944-7	-	06/03/2020

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 preapplication advice service available, complied with the Kirklees

Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The applicant was not contacted during the course of the application as the proposal was considered acceptable in its submitted format.

Report Dated:

23/04/2020