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:	2020/62/91426/W
Site Address:	57, Handel Street, Golcar, Huddersfield, HD7 4AE
Description:	Erection of raised decking and external alterations (within a Conservation Area)
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: 31-Jul-2020

Application: 2020/62/91426/W

Site: 57 Handel Street, Golcar, HD7 4AE

Proposal: Erection of raised decking and external alterations (within a Conservation Area)

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f91426

Site Description

57 Handel Street, Golcar is a detached three storey traditional cottage property located in an elevated position. The property appears single storey from Handel Street and to the rear is three storeys due to steep change in level. It is constructed of natural stone with a mix of concrete/stone slates. The dwelling has a rear garden, and a dedicated small off-road parking space to the front.

The site is within the Golcar conservation area and is surrounded by other traditional style properties along Handel Street and to the rear along James Street.

Description of Proposal

The proposal is to erect an elevated area of decking with handrails to the east elevation of the property with access from the ground floor level and steps down to the rear garden which is at lower ground floor level. External alterations include the provision of a new external doorway from the kitchen (currently a window) to access the decking.

It is proposed to use standard wooden decking for the structure and wooden or wood
effect 'trex' or similar decking for the floor. The finish will be natural wood.

Relevant Planning History

Application Site

2016/92988 - Change of use of land to domestic curtilage (within a Conservation Area) - approved

Surrounding Area

None.

History of Negotiations

None required.

Representations

The application has been advertised by Neighbour Notification Letter(s) to premises sharing a boundary with the application site. This is in accordance with the requirements of S15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the statutory requirements outlined within Table 1 of the Kirklees Development Management Charter.

Final publicity date expired: 22-07-2020

No public representations were received.

Consultation Responses

No consultations.

Planning Policy

Kirklees Local Plan (KLP)

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 LP Policies Map.

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP21** – Highway safety and access
- **LP24** – Design
- **LP35** – Historic Environment

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 4** – Decision-making
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 16 –** Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on Conservation Area/visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

<u>1 – Principle of development</u>

1.1 – Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation

The site is without notation on the KLP Policies Map. LP2 states that;

> *All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the*

character of these places, as set out in the four sub-area statement boxes below...

The site is within the Kirklees Rural sub-area. The listed qualities will be considered where relevant later in this assessment.

2 – Impact on Conservation Area/visual amenity

The site is located with Golcar Conservation therefore Policy LP35 will be applicable and requires that development proposals affecting a designated heritage asset (the Golcar Conservation Area) should preserve or enhance the significance of the asset. Furthermore this report takes into account the Council's duties under S72 of the Planning (Listed Buildings and Conservation Area) Act 1990

Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design. This policy requires that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.

The scale of the decking is subservient and proportionate to the scale of the host dwelling: sufficient garden space will be retained to prevent concerns of overdevelopment. Located on the side elevation, it would be a subservient feature to the host building and not cause the dwellinghouse to appear incongruous within the streetscene. The materials – wooden construction and natural wood/wood effect finish – are to match the host building and window openings. In addition, the position of the decking behind the front boundary wall of the property and on a lower level ensures this structure would not be visible from Handel street so as not to have a detrimental impact on the townscape of this part of the Golcar Conservation Area. The impact of the development viewed from the other side of the valley has also been considered. The decking would be imperceptible as it is set back from the rear wall of the house and is located below street level.

The proposed development's visual impacts comply with the aims and objectives of LP35 and LP24. It would not cause harm to the significance, character or appearance of the conservation area.

3 – Impact on residential amenity

Due to the elevated position of the decking and the 'open' nature of use of this type of construction, it is important to consider any impact on neighbouring properties.

There are no properties immediately to the east of the property, the property is abounded by vacant land and woodland. To the south and at a lower level, there are no properties that abound the boundary on James Street therefore there are no detrimental impacts on residential amenity in this case.

Officers are satisfied that the proposal would not cause material harm to the amenity of neighbouring residents, in accordance with LP24.

4 – Impact on highway safety

While increasing the useable area of the dwelling the decking will not create additional habitable accommodation: officers are satisfied that the proposal would not increase the dwelling's demand for car parking. Located to the side, the proposal will not be visible from the highway.

The proposal will not harm the safe and efficient operation of the highway, in accordance with LP21.

5 – Other matters

5.1 – 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.

Due to the small scale of the development being considered, officers are satisfied that this is sufficient to demonstrate that the proposal would not harm the climate change agenda.

6 – Representations

No public 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

Application Number: 2020/91426
Decision Authorisation: Delegated Powers
Officer Recommendation: Grant Conditional Permission

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 LP35 and LP34 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference (web ID)	Date Received
Location Plan	808342	27-05-2020
Proposed Elevations	808341	27-05-2020
Plan General	808340	27-05-2020
Plan General	808337	27-05-2020
Proposed Site/Block layout	807489	27-05-2020

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 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 negotiations were required as the plans as originally submitted were deemed acceptable.

Report Dated: 30.07.2020

NO COAL MINING INFORMATIVE REQUIRED