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:	2020/62/92455/W
Site Address:	48, Gledholt Road, Gledholt, Huddersfield, HD1 4HR
Description:	Erection of detached garage (within a Conservation Area)
Recommending Officer:	Laura Yeadon

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 18-Jan-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f92455

Site Description

48 Gledholt Road is a detached dwelling which is located within the Greenhead Park/New North Road Conservation Area. The property hosts 4 levels and is constructed from stone with a slate roof. There is an area of hardstanding to the front of the dwelling and the rear amenity space is also hard landscaped and an outbuilding is located to the rear of the dwelling in the south-western corner of the site. The property faces Greenhead Park to the east with residential properties to the north, south and west.

Description of Proposal

Permission is sought for the erection of a garage. At the time of the site visit, works to the garage had commenced. This is also confirmed on the application form.

The garage would be located within the north-west corner of the site to the rear of the property. The structure would be a width of 6 metres, depth of 6 metres with an eaves height of 2.4 metres and overall height of 4.5 metres.

It is proposed that a garage door would be located within the front elevation and a personnel door within the side elevation facing the amenity area of the property with the construction materials being stone for the walls Marley tiles for the roof.

History of negotiations/amendments received

Confirmation was sought from the Agent regarding the scale of the plans. The Agent has confirmed that the plans are at a scale of 1:50 and not 1:100 as displayed on the submitted details.

Relevant Planning History

1994/90439 Erection of conservatory and dormer window
Refused

1994/91559 Erection of conservatory and dormer window
Refused

1995/93037 Erection of conservatory extension
Conditional Full Permission

1995/93638 Erection of dormer window (within a Conservation Area)
Conditional Full Permission

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters, site notice and newspaper advertisement

Final publicity date expired 3rd November 2020 – no representations received

Parish/Town Council comments – not applicable

Consultation Responses

None required

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 within the Greenhead Park/New North Road Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 35** – 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, 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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

- Chapter 15 – Conserving and enhancing the natural environment
- 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 visual amenity and the Conservation Area
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1 – Principle of development:

The site is within the Greenhead Road/New North Road Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Chapter 16 of the National Planning Policy Framework and also LP35 of the Kirklees Local Plan.

"The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

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

The property benefits from full Permitted Development Rights.

2 –Impact on visual amenity and the Conservation Area:

The application site is a large detached property which is located centrally within the plot of land. The amenity space for the dwelling is mainly hardstanding and an outbuilding is located to the rear of the property.

The structure would be single storey in height and detached from the host dwelling and therefore would appear subservient. The design of the proposal is simplistic with minimal openings and the use of natural stone would not detract from the character and appearance of the Conservation Area. Whilst the existing property has a slate roof, the garage proposes Marley tiles which are considered to be acceptable in this instance.

The construction materials are considered appropriate and in keeping with both the host and surrounding buildings and the submitted site plan indicates

that a good level of amenity space would be retained and it is not considered that the development would result in an overdevelopment of the site.

Taking into account all the above, it is considered that the design and scale of the building is acceptable and would accord with both local and national policies.

3 – Impact on residential amenity:

The proposed garage would be located to the rear of the property and accessed via the existing hardstanding. The closest properties to the garage would be No. 85 Grasmere Road to the rear and No. 46 Gledholt Road to the side. In terms of overlooking, the proposed openings are sympathetically located so as to overlook the amenity space of the application site. The garage is single storey in height with a simple pitched roof, limited in height to 4.5 metres. As such, it is not considered that the proposed development would cause undue harm to residential amenity.

4 – Impact on highway safety:

The garage is of sufficient size to accommodate a vehicle and due to the existing hardstanding areas, there is sufficient space to accommodate further parking. As such, there are no concerns regarding parking provision or highway safety.

5 – 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. Due to the size and scale of the proposed development, it is not considered that mitigation measures are required.

Biodiversity – the application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

There are no other matters for consideration.

6 – Representations:

None 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: 2020/92455

Officer Recommendation: Approve

Conditions

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 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, in the interests of the protection of the character and appearance of the Conservation Area, and to accord with Policies LP1, LP2, LP24, LP30 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. The external walls of the garage hereby approved shall be constructed in natural stone which shall in all respects match those used in the construction of the adjacent existing building.
Reason: In the interests of visual amenity and to protect the character and appearance of the Conservation Area to ensure the satisfactory appearance of the development on completion, in the interests of the protection of the character and appearance of the Conservation Area, and to accord with Policies LP24, and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, block plan, site plan and proposed elevations and floor plan	2020038(0-)01		30th July 2020
Design and Access Statement			30th July 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 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. Confirmation was sought from the Agent regarding the scale of the plans. The Agent has confirmed that the plans are at a scale of 1:50 and not 1:100 as displayed on the submitted details.

Report Dated: 18th January 2021

Coal - low