

**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: 2020/62/94072/E

Site Address: 8A, Huddersfield Road, Mirfield, WF14 9HE

Description: Alterations to convert internal garage to extend living accommodation and erection of attached storage building

Recommending Officer: Callum Harrison

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.

Paul Dowd

AUTHORISED OFFICER

Date: 15-Jan-2021

Officer Report

8A, Huddersfield Road, Mirfield WF14 9HE

Site Description

8A Huddersfield Road, Mirfield is a detached, four-bedroom dwelling, as approved under application number 2016/92763. The dwelling is faced with red brick with a concrete tiled roof finish. The gable to the front, however, is faced with white render. The application site benefits from an integral garage, with parking spaces to the side and front of the dwelling as well as a garden to the rear. The dwelling is accessed through a private, gated driveway which serves numbers 8, 8a and 8b Huddersfield Road. The east facing dwelling, is bounded by 10 Huddersfield Road to the south, 7 Bronte Way to the west. To the north, numbers 16 and 18 Blake Hall Road and the garden of 8b border the site. The wider site is predominantly residential, with the dwellings having a mix of styles and design.

Description of Proposal

The proposed development seeks alterations to convert an internal garage, to extend living accommodation, and the erection of an attached storage building. The extended living space is to be used as an office/study as shown on the proposed floor plan.

The proposed storage building would have a width of 3m, a depth of 4.5m with the ridge set at 4.3m and the eaves set at 2.3m, which appears level with an existing brick feature that runs down the side of the dwelling. The proposed storage building is to have a dual pitched roof to match the dwelling.

The proposed materials are to match the existing dwelling, with red brick, sand-coloured coursed stone, grey roof tiles and dark grey Upvc to be used. The storage building will reuse the existing garage door.

History of Negotiations

On the proposed site / block layout plan submitted, the roof form of the storage building was shown to be different to that shown on the proposed elevations and as described in the application form. An amended proposed

site / block layout plan was received on 31/12/2020, to align with the proposed elevations and the application form.

Relevant Planning History

2016/92763 – Erection of two detached dwellings with associated access road and amended parking area to existing dwelling house – approved.

Representations

The application was advertised via neighbour notification letters. Publicity ended on 13/01/2021. No representations were received.

Consultations

KC Highways Development Management (HDM) had no objections.

Mirfield Town Council – no comment received.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 in the Kirklees Local Plan 2019.

Kirklees Local Plan (KLP):

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
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Proposed Conditions
- 8) Conclusion

1. 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 acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Impact on Visual Amenity

LP24 of the KLP states that ‘proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape’ and ensure that ‘extensions are subservient to the original building, are in-keeping with existing buildings in terms of scale, material and details’.

The proposed storage building is mostly in scale with other buildings on the site and clearly appears subservient and modest in respect to the host dwelling. The roof form and choice of matching materials also ensures it also remains in-keeping with the host dwelling. Whilst the position of the storage building, to slightly extend beyond the rear extension, is not ideal, it is in no way detrimental to the visual amenity of the site and, therefore, it considered acceptable. The re-use of the existing garage door will also ensure the extension appears in-keeping.

The infill rebuilding of the wall, where the garage door is currently positioned, will be visually acceptable so long as the bricks to be used and new window are matching to the existing materials on the dwelling. To ensure this, the use of matching materials will be conditioned. Given the age of the dwelling, Officers do not foresee an issue in getting bricks and windows that match extremely well to the host dwelling.

Whilst this application does not represent overdevelopment of the site, in order to prevent any future development, and as to accord with the original

permission for the dwelling (2016/92763), permitted development rights will be removed for any additional extensions or additions to the dwelling.

Given the above, the application meets the standards contained within policy LP24 of the KLP and Chapter 12 of the NPPF regarding visual amenity and design.

2. Impact on Residential Amenity

LP24 of the KLP states that proposal should 'provide a high standard of amenity for future and neighbouring occupiers' and that development should 'minimise any impact on residential amenity of future occupiers'.

The proposed internal alterations will have minimal impact on the residential amenity of the host dwelling or neighbouring occupiers. The proposed window to the front will face directly towards the driveway and not overlook any neighbouring properties.

Given its location to the south of the dwelling, the proposed storage building only has the potential to notably impact on the residential amenity of no.10 Huddersfield Road. The proposed storage building will be set approximately 14m away from the conservatory of no.10. Given the separation distance, the single storey nature of the extension with no openings and the setting behind an existing 2m boundary fence, the proposal is deemed to not cause any detrimental impact on the residential amenity of no.10 Huddersfield Road in regard to overshadowing, overbearingness and privacy.

For the reasons above, it is considered that the application adheres to Local Plan Policy LP24 and Chapter 12 of the NPPF regarding residential amenity.

3. Impact on Highway Safety

The proposed application does not seek to add any additional bedrooms to the site and, therefore, will not materially intensify the need for additional parking spaces. The submitted plans show three retained off-street parking spaces to the side and front of the dwelling and this application is, therefore, considered acceptable in relation to highway safety. This determination aligns with the consultation response received from KC Highways Development Management, which raised no objections to the application.

Given the above, the proposal is deemed acceptable in terms of highway safety and, as such, complies with Policy LP22 of the KLP.

4. Other Matters

There are no other matters for consideration.

5. Representations

None.

6. Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions:

- Accordance with the approved plans, to ensure the development is carried out in line with the officer's assessment.
- Condition the use of matching materials, to ensure the proposal represents high quality design and finish in the interests of visual amenity.
- Remove permitted development rights for use classes A, B, C and E to prevent overdevelopment of the site in the interest of visual and residential amenity.

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.

As set out above, 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: 2020/94072****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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, B, C and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. The external walls and roofing materials of the storage building and alterations to the existing garage hereby approved shall in all respects match those used in the construction of the existing building at the application site.

Reason: In the interests of visual amenity, to preserve the open rural character of the Green Belt and the significance and setting of the listed buildings namely The Barn and Height arms in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specification schedule:

Plan Type	Reference	Version	Date Received
Location Plan		1	07/12/2020
Grouped Plans and Elevations	Existing and proposed front elevation	1	02/12/2020
Grouped Plans and Elevations	Existing and proposed rear elevation	1	02/12/2020
Grouped Plans	Existing and	1	02/12/2020

and Elevations	proposed side elevation		
Grouped Plans and Elevations	Existing and proposed floor plan	1	02/12/2020
Proposed Site / Block Layout		2	31/12/2020

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 has, 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. On the proposed site / block layout plan submitted, the roof form of the storage building was shown to be different to as shown on the proposed elevations and as described in the application form. An amended proposed site / block layout plan was received on 31/12/2020 to align with the proposed elevations and the application form.

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