

**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: 2021/62/90115/E
Site Address: 77, Barnsley Road, Flockton, Huddersfield, WF4 4DH
Description: Erection of detached garage
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: 03-Mar-2021

Officer Report

77 Barnsley Road, Flockton, Huddersfield, WF4 4DH

Site Description

The application relates to a two-storey detached dwelling, which is faced in red brick with a concrete tiled roof. The dwelling is accessed via a long driveway from Barnsley Road and benefits from large gardens to the front and rear. The dwelling is set back from the highway by more than 20m.

The wider area is primarily residential. There is no clear style regarding the design, form or layout of the dwellings in the street scene, nor in the wider area.

Description of Proposal

The application is seeking permission for the erection of a detached garage. The garage would be set 8.5m in front of the principal elevation, to the west of the existing driveway. It would be set on land with ground levels of approximately 2.2m below that of the dwelling and it would have a footprint of 6.6 x 6.6m. The roof would be hipped, with a maximum height of 3.6m and with the eaves set at 2.25m above the adjacent ground level.

The garage would be faced in render (colour unspecified), topped with a tiled roof and finished with two, white Upvc windows in the north, side elevation and two Upvc garage door openings in the east facing, front elevation.

History of Negotiations

None.

Relevant Planning History

2019/93160 – Erection of single and two storey extensions was withdrawn.

2014/90466 – Erection of two storey side and rear extension with detached garage to the side was approved.

2013/90150 - Erection of two storey side and rear extension with detached garage to the side was refused.

Representation

The application was advertised by neighbour notification letters.

Publicity expired on 3rd March 2021.

No representations were received.

Consultations

KC Highways Development Management – No objections.

Kirkburton Parish Council – No comment.

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):

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) 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) 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.

2. Impact on Visual Amenity

Policy 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”.

Whilst the proposed garage is to the front, the separation distance of 8m between the principal elevation and the garage, combined with the setting of the garage on land substantially lower, ensures that it will not detrimentally detract from the style and character of the dwelling. Furthermore, the modest size and hipped roof ensure the bulk of the garage has been minimised as far as possible.

The use of a render also ensures that the garage would appear subservient to the main dwelling. However, the colour of render to be used has not been specified. Therefore, to ensure the proposal respects the style of the application site and wider area, a condition will be inserted that the render shall be of a white or a neutral colour.

The dwelling is set substantially back from highway, thus meaning the position of the garage would also be set back from the highway, whilst still appearing in-keeping with the form of the street scene.

Given the above, the proposed garage is considered acceptable and it accords with Policy LP24 of the KLP regarding residential amenity.

3. Impact on Residential Amenity

Policy LP24 of the KLP states that proposal should “provide a high standard of amenity for future and neighbouring occupiers”.

The garage would be located close to the boundary with no.75a Barnsley Road. Despite this, the garage would be set 10m away from the south-east corner of no.75a. Considering this separation distance and the modest scale and design of the garage, the proposal would not cause any material harm to the residential amenity of no.75a, in terms of overshadowing or an overbearing impact. The two proposed windows face towards no.77 and, therefore, the proposal will also not cause a material impact on the privacy of no.75a either.

Given the position of the garage, no other dwellings will be materially affected by the proposal.

Therefore, the proposed garage is deemed to accord with Policy LP24 of the KLP in regard residential amenity.

4. Impact on Highway Safety

The proposal is set back from the highway and, therefore, will not physically impact upon it. The proposal increases parking provision on the site. Vehicles can also access and exit the highway in a forward gear from the site. Therefore, the proposal is deemed acceptable regarding highway safety and accords with policies LP21 and LP22 of the KLP.

5. Other Matters

None.

6. Representations

None.

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: 2021/90115

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. The render to be used on the walls of the garage as shown on dwg. GAR21-01A hereby approved shall be of a white/cream or neutral colour and retained thereafter.

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

Plans and specification schedule:

Plan Type	Reference	Version	Date Received
Location Plan		1	21/01/2021
Grouped Plans and Elevations	GAR21-01A - Proposed	1	15/01/2021
Existing Site / Block Layout	GAR21-2	1	15/01/2021

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. No amendments were sought.