



Supporting Planning Statement

**ERECTION OF DECKING AT ROCKHOUSE,
8, SUMMERVALE, HOLMFIRTH, HD9 7AG**

Date: Jan 21

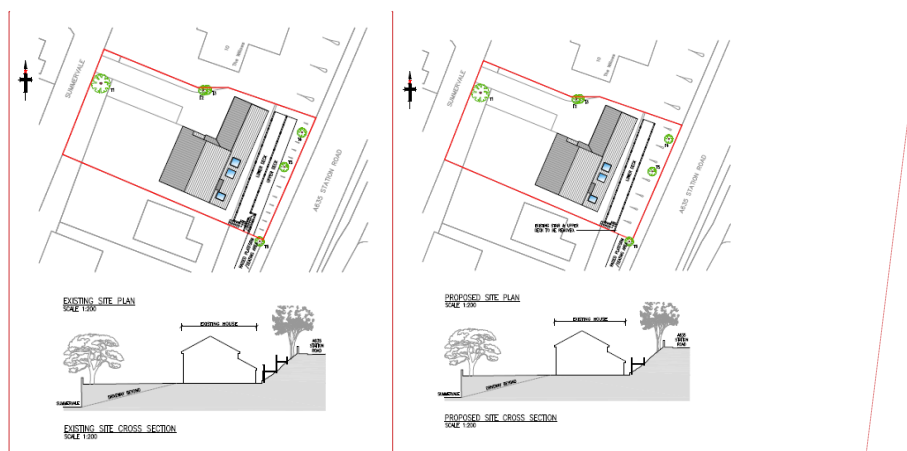
Reference: HPS2920

1.0 Introduction

- 1.1 This statement has been prepared by **Householder Planning Services** on behalf of Mr & Mrs D Johnson following the earlier refusal of planning permission by Kirklees Council for decking at Rockhouse, 8 Summervale, Holmfirth HD9 7AG – Application Reference 2020/92428 on the 23 November 2020.
- 1.2 The reasons for refusal were as follows:-
1. *The proposed development, by reason of its height, appearance, scale and location would create a prominent incongruous feature being detrimental to the character of the area and visual amenity. To permit such a development would be contrary to Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.*
 2. *The proposed development, by reason of its scale and height would be visually overbearing in addition to overlooking neighbouring land and property at close proximity resulting in a loss of privacy and detrimental impact to residential amenity of occupants of neighbouring dwellings. To permit such a development would be contrary to Policy LP24 (b) of the Kirklees Local Plan and advice within the National Planning Policy Framework.*
- 1.3 The host property is a two-storey detached property in a road of similar properties in a residential area of Holmfirth. The decking would be located to the rear of the property and would be set on two different levels to reflect rapid ground level changes at the rear of the property.
- 1.4 This application is an amended scheme that seeks to address the reasons for refusal by deleting the upper decking element from the proposal.

2.0 The application

- 2.1 The application is for the erection of decking to the rear of the detached property. The levels rise steeply up from the rear of the property. The previous planning application was retrospective, so the *existing plan* below reflects this. Alongside it is the proposed plan.



- 2.2 From the above it can be seen that the upper decking area is to be removed. The two images below show the relationship of the lower decking with the rear of the host dwelling and the adjacent boundary.



EXISTING PHOTO
SCALE N.T.S.



EXISTING PHOTO
SCALE N.T.S.

3.0 Relevant Planning History

- 3.1 2020/92428 – Erection of decking – refused November 2020.

4.0 Planning Policy

- 4.1 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).
- 4.2 Given the reasons for refusal of the earlier planning application, Local Plan Policy LP24 is relevant to the consideration of the appeal. This is set out in full below.

Policy LP24 Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review. Proposals should promote good design by ensuring:

a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;

b. they 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;

c. 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;

d. high levels of sustainability, to a degree proportionate to the proposal, through:

- i. The re-use and adaptation of existing buildings, where practicable;
- ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;
- iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;

iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;

v. providing charging points to encourage the use of electric and low emission vehicles;

vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;

vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate; viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.

e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;

f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;

g. any new open space is accessible, safe, overlooked and strategically located within the site and well integrated into wider green infrastructure networks;

h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;

i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and

j. the provision of public art where appropriate.

(Our emphasis)

5.0 Comments in support of the application

- 5.1 Given the reason for refusal of the first planning application, the main issues that were identified are firstly, the effect of the proposed development on the character and appearance of the host dwelling and the wider area, and secondly the effect of the proposed development on the living conditions of the occupiers of the neighbouring residential properties either side of the application site.
- 5.2 During the course of considering the previous application, at pre-application stage, Planning Officers recommended changes to the alignment of the staircase to the upper decking and excluding access closest to the boundary with 6 Summervale. These changes were incorporated in the application, but the application was refused. Post decision, discussions took place with the Planning Officer regarding a resubmission where it was suggested that the upper decking area should be removed. Any screening required along the boundary with no.6 could be dealt with by way of an appropriately worded planning condition. The application has taken on board this advice.

Character and appearance

- 5.3 The property falls within an established residential area. The ground levels on this side of Summervale rise steeply up to the boundary with New Mill Road to the east. As a consequence, the decking would not be visible from public views to the east or west.
- 5.4 Given this, any impact on the character and appearance of the area is very localised and limited to views into the site from the occupiers of nos. 6 and 10 Summervale. Decking in private rear gardens is commonplace in residential areas throughout the borough and the amended proposal would not have an adverse impact on the character and appearance of the area and would not conflict with LP Policy LP24.

Living conditions of the occupiers of neighbouring dwellings

- 5.5 The following photographs show the relationship between the lower decking and the boundaries with nos. 6 and 10. There is existing natural screening, but this could be enhanced by further screening secured by way of a planning condition if considered necessary.





View towards boundary with No.6



View towards boundary with no.10. Note the upper decking does not form part of this application and will be removed.

- 5.6 Whilst the extent of the decking is considerable it would only essentially cover part of the existing banking which provided minimal rear amenity value to the existing dwelling due to its steep gradient. The existing banking was in itself a high level vantage point accessible by the applicants, as such the new 'existing' situation with the proposed modifications is no worse than the

'original existing' in terms of height. If anything, it would assist/increase privacy between the property and the adjacent property at no.6. It would not be in conflict with LP24 (b).

6.0 Conclusion

- 6.1 For the above reasons we consider that the amended application overcomes the previous reasons for refusal and does not conflict with the LP.