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:	2021/62/91121/W
Site Address:	9, Heaton Road, Gledholt, Huddersfield, HD1 4HX
Description:	Alterations to window fenestration at ground floor, enlargement of rear raised decking and enclosure of side entrance
Recommending Officer:	Laura Yeadon

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: 24-May-2021

Officer Report

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f91121

Site Description

9 Heaton Road is a large detached dwelling set within modest grounds within an area without notation on the Kirklees Local Plan. The property is constructed from stone and has a tiled roof. Hardstanding areas are located to the front and eastern side of the property, with the area to the side leading to a large outbuilding. To the western side and rear are soft landscaped areas. Beyond the rear and south-western boundaries is a Council owned woodland. Surrounding development is predominantly residential with a mixture of detached, semi-detached and terraced dwellings with many of the properties characterised with ground floor bay windows.

Description of Proposal

Permission is sought for alterations to window fenestration at ground floor, the enlargement of raised rear decking and the enclosure of the side entrance.

Fenestration at ground floor

The alterations to the ground floor fenestration would include the following:

- Rear (south) elevation – ground floor – altering a bank of 3 windows within the bay feature and replaced with double patio doors – Juliet balcony formed
- Side (western) elevation – ground floor – altering 2 no. openings to a bank of 3 no. elongated openings – Juliet balcony formed

Enlargement of raised decking

There is an existing raised decked area on the rear elevation of the property. It is proposed that this would be enlarged and the balustrade replaced by glazing with a feature element of walk-on glass within the deck floor. The height of the decked area would remain as existing with the projection of the area increased from 2.7 metres to 3.2 metres and the width of the decking increasing from 3.7 metres to 5.2 metres.

Enclosure of entrance

The proposed enclosure of the side elevation entrance would be on the eastern side elevation of the property. The void would be enclosed by a roof which would be at the same height and using matching materials and a door

and elongated opening installed with the existing stepped access being retained.

History of negotiations/amendments received

None required.

Relevant Planning History

None

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.

Final publicity date expired 6th May 2021 – 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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 33** – Trees

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

House Extensions and Alterations Supplementary Planning Guidance

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

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. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

“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.

2 –Impact on visual amenity:

The proposed decking would be located to the rear of the property and screened from public view by the location of the development. There is a public footpath within close proximity of the site however the decked area would be screened by the trees within the woodland. Whilst the decked area would be enlarged, the timber balustrade would be altered to glass and the plans state that the base would include a walk-on glass section on the deck floor (which would be altered to composite flooring). The new glazed balustrade would have more of a lightweight appearance than the existing and is therefore considered to be acceptable.

The proposed alterations to the fenestration details by the creation of Juliet balconies at ground floor level would be isolated to the western side elevation and the rear elevation and therefore the character of the principal front elevation would remain unchanged. The alterations are therefore considered to be acceptable in terms of visual amenity.

The creation of the enclosed entrance within the east side elevation is also considered acceptable as it would be a continuation of the roof and the side elevation of the property within the existing void.

Taking all the above into account, it is proposed that the works cumulatively are considered to be visually acceptable and would comply with both local and national policy.

3 – Impact on residential amenity:

In terms of residential amenity, the closest neighbour to the application site is No. 5 Heaton Road. Given that the separation distance between the existing side elevation of the application site and the neighbouring property would not be reduced, it is considered that the proposal would have limited additional harm over and above the existing situation. The decked area would extend further towards No. 5 however it is set in from the side elevation of the dwelling where existing openings are located. As such, there are minimal concerns. The other minor works would have no undue impact on the occupiers of this property.

The proposed works are not considered to cause rise from harm by overshadowing or being overbearing and therefore, the proposal is considered to be acceptable.

4 – Impact on highway safety:

None

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.

Trees – there is a Council owned woodland beyond the western side and southern boundary however the proposed works would not impact on this. There are no trees with a Tree Preservation Order within the application site that would be affected by the proposed works.

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.

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: 2021/91121

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, and

to accord with Policies LP1, LP2, LP24 and LP33 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	0448(EX)00		30th March 2021
Block plan	0448(BL)00		30th March 2021
Block plan	0488(EX)01		30th March 2021
Existing elevations and ground floor plan	0488(EX)02		30th March 2021
Proposed elevations	0488(SK)02		30th March 2021
Proposed ground floor plans	0488(SK)01		30th March 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 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 amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 24th May 2021

Coal – low