

**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: 2021/62/91128/W
Site Address: 690, Bradford Road, Fixby, Huddersfield, HD2 2JY
Description: Erection of attached garage
Recommending Officer: Lucy Taylor

DECISION - REFUSED

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 09-Jun-2021

Officer Report.

Reference: 2021/91128

Location: 690, Bradford Road, Fixby, Huddersfield, HD2 2JY

Proposal: Erection of attached garage.

Site Description.

690 Bradford Road is a two-storey semi-detached property located in Fixby, Huddersfield. The property is constructed from stone and has a mix of roofing styles erected, infilled with blue slate tiles. The property benefits from an extensive driveway to the front elevation, which stretches down the side elevation of the dwelling.

The property is located in a residential area where there is mixed sense of similarity within the streetscene. The properties located along Bradford Road share a similar style of design and construction however, the properties have a varied use of external construction materials, meaning their external appearance differs.

In addition, it should be acknowledged that classified Green Belt Land is located to the rear of the boundary of curtilage of the dwellinghouse.

Description of Proposal.

Permission is sought for the erection of an attached garage.

Attached Garage:

The proposed attached garage will be constructed to the south west side elevation of the host dwelling, in front of an existing small scale side projection located towards the rear. The garage will have a width of 3.15 metres, mirroring the width of the existing side projection, a length of 6 metres and a maximum height of 3.6 metres. The attached garage will have a gable roof infilled with black slates tiles and the walls of the garage will be constructed from stone. With regard to fenestration detailing the attached garage is proposed to have a garage door installed on the front elevation, as well as a smaller access door to the side elevation.

History of Negotiations.

Amendments were sought to the proposed layout and design of the attached garage, requesting it to be set back from the principal elevation of the host property and for design alterations to be made so that it be more in keeping with the architectural style of the dwelling and character of the street scene..

The applicant/agent failed to provide amended plans in response to these requested alterations and therefore, a determination was produced on the basis of original plans.

Relevant Planning History.

No relevant planning history.

Representations.

We are currently undertaking 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 which expired on 14th May 2021 – no representations were received.

Consultation Responses.

No consultations were deemed necessary for the proposal.

Policy/Legislation.

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 Unallocated on the Kirklees Local Plan however, it has been acknowledged that green belt land is located to the rear of the application site.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP24** – Design

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.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published February 2019, together with Circulars, Parliamentary 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 13** – Green Belt
- **Chapter 15** – Protecting and enhancing the natural environment

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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 NPPF.

Policy LP1 goes on further to state that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle of development on the application site is acceptable and shall be assessed against other material planning considerations below.

1. Impact on Visual Amenity:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure

good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

The proposed attached garage will infill an existing gap considered characteristic of these dwelling. It is considered to be of a scale and design that will result in an obtrusive addition to the original dwellinghouse, projecting forward of the established principle elevation and therefore, from a visual amenity perspective overdeveloping the side of the original dwellinghouse by disrupting its existing setting within its curtilage and wider streetscene. The proposed style of roofing to be erected above the extension is also considered to be unfavourable from a visual perspective, causing undue bulking and massing to the side elevation of the property and also, to the principle elevation given the proposed projection of the garage.

Overall, it is considered that the proposed garage does not harmonise with the 'Arts and Crafts' design of the host dwelling, rather than enhancing this original architectural style it is considered to detract from it.

Overall therefore, despite causing no detriment to the Green Belt land located to the rear, the garage is not considered to be an appropriate addition to the dwelling from a visual amenity perspective and therefore is not considered to comply with LP24 in the Kirklees Local Plan or any other local, national and emerging policies in relation to design.

2. Impact on Residential Amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to *"provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings."*

The site shares its boundary with several properties and therefore, development at 690 Bradford Road has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- 688 Bradford Road – this property is located to the south east and adjoins the application site. Due to the proposed location of the attached garage upon the host dwelling, it will have no impact upon this neighbouring property in terms of overbearing, overshadowing or neighbouring privacy. This is because it is to be erected to the side of the dwellinghouse furthest from this neighbouring property, meaning the presence of the host dwelling itself will mitigate any impacts of the development.
- 692 Bradford Road – this property is located to the north west of the application site. It should first be acknowledged that the proposed attached garage is to be constructed set back from the joint boundary and therefore, in conjunction with the single storey nature of the

proposed attached garage, no undue overbearing or overshadowing will be caused for the occupiers of this neighbouring property. Furthermore, given the principle of development, and that no glazing is present on the side elevation facing this neighbouring property, no detriment will be caused in terms of neighbouring privacy in terms of overlooking. Finally, it should be acknowledged that boundary treatment is in place between these two neighbouring properties, in the form of tall wooden fencing, further mitigating any potential impacts of development.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

3. Impact on Highway Safety:

It has been acknowledged that there would be no further impact upon highway safety as the proposal is unlikely to intensify the domestic use of the property and that no detriment is caused to parking arrangements, with the garage facilitating a parking space and the existing driveway to the front elevation remaining undeveloped. Furthermore, the proposed erection of an attached garage will not impact existing access to and from the site in conjunction with the adjoining highway. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

4. 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 predates 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.

In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures. In addition, the proposed attached garage is to be constructed from stone. Stone is considered to be a natural material.

5. Representations

No representations were received.

6. 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 proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material consideration.

The proposal does not fulfil Policy LP24 in the Kirklees Local Plan or Achieving Well-Designed Places in the NPPF.

Recommendation: Refusal

Decision Authorisation - Delegated Powers

Application Number: 2021/91128

Officer Recommendation: Refuse

Conditions and Reasons:

The proposed development, due to its scale, design and location, would detract from the architectural style of the host dwelling, being an incongruous and prominent feature that would be out of keeping with the character of the host property and infilling a characteristic gap within the street scene. To permit such a development would be detrimental to the prominent character of the host dwelling and street scene, failing to comply with Policy LP24 (a and c) of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Grouped Plans and Elevations	-	-	30.3.21

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. Amended plans were sought however, none were submitted.

Report Dated:

8.6.21