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:	2021/62/91934/W
Site Address:	52, Beaumont Park Road, Beaumont Park, Huddersfield, HD4 5JP
Description:	Erection of double garage with storage above and associated works
Recommending Officer:	William Simcock

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.

Emma Thompson

AUTHORISED OFFICER

Date: 09-Aug-2021

Officer Report 2021/91934
52 Beaumont Park Road

Site Description

52 Beaumont Park Road is a detached two storey dwelling bounded by Beaumont Park Road to the south and Woodside Road to the north, from which vehicular access is gained. It has gardens front and rear and a single-width driveway on the Woodside Road frontage, where the rest of the boundary is formed by a low stone wall and high privet hedge.

Description of Proposal

The proposal is for the erection of a double garage with a store above, and associated works.

The building would measure 7.0m in width (this being about half the width of the garden) by 9.0m in length, and would be placed about 4.7m in from the highway boundary with Woodside Road. Eaves height would be 2.65m and it would by 5.2m from ground to the top of the ridge of the double pitched roof.

Stone is specified as a walling material on the application form; the architect has subsequently confirmed that the rear elevation is to be rendered. Roofing materials are to be red tiles.

History of negotiations/amendments received

None.

Relevant Planning History

2007/94881 – Erection of two-storey extension to Woodside Road elevation and erection of detached double garage. Approved and partially implemented.

Representations

Final publicity date Expires: 22-Jun-2021 (publicity by neighbour letter only in accordance with the requirements of the Development Management Procedure Order)

No representations received.

Consultation Responses

None were deemed necessary in this instance.

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 designation on the Local Plan.

Local Plan:

LP 21: Highways and access
LP 22: Parking
LP 24: Design

Supplementary Planning Documents:

- KC Highways Design Guide 2019

The following SPDs were adopted on 29th June 2021 can be viewed on the council's website at https://www.kirklees.gov.uk/beta/planning-policy/adopted-supplementary-planning-documents.aspx:

- Housebuilders Design Guide Supplementary Planning Document,
- House Extensions and Alterations Supplementary Planning Document
- Open Space Supplementary Planning Document

These are now a material consideration in the determination of planning applications.
The following two documents have also recently been approved by Cabinet and these can be viewed at: https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.aspx

- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

These documents can also be viewed in G:\Planning\SPDs & Guidance Notes.

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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 – Requiring good design

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
6) Representations
7) Conclusion

1 – Principle of development: The site is without designation in the Local Plan. Of particular relevance is Policy LP24(c) which requires that 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. The proposed outbuilding is closely associated with the dwelling and may be considered as an "extension" to it. Any implications for highway safety will also be considered as required by Policies LP21-22.

The assessment will also take into account the aims of the House Extensions and Alterations Supplementary Planning Document regarding outbuildings.

2 –Impact on visual amenity: The Extensions & Alterations SPD states that outbuildings should normally be set back behind the building line of the original building – in this instance it is not possible because the host dwelling has two highway frontages. It would however fulfil the aim that no more than 50% of the garden space should be lost.

The proposed outbuilding would be set within a row of houses that are individually built and lack uniformity in design. The proposed outbuilding would be set apart from the host dwelling as well as from the highway boundary. Furthermore it is noted that there are precedents for large outbuildings within this row facing on to Woodside Road, including one of similar design, with room in the roof space very close to no. 52. It is considered that in this context it would not amount to overdevelopment or be excessively prominent in the street scene, and that the design would respect its surroundings.

It should be conditioned that the stone should match that used on the existing house, that the roof is flat-profile red tiles, and that any rendering is a colour to harmonise closely with the existing natural stone or is off-white. Subject to this it would accord with the aims of Policy LP24(a).

3 – Impact on residential amenity: The proposed structure would be rather large by the standards of a domestic outbuilding and close to the boundary with the adjoining property to the west, no. 54. But owing to the general upward gradient from east to west, no. 54 is at a higher level, and furthermore the garage / store would be adjacent to their driveway rather than their main amenity space. There would be two roof lights in the west-facing roof slope and it is recommended that in order to protect privacy these would be obscurely glazed and non-opening, which can be conditioned. It is considered that it would not have any significant impact upon the amenities of this property and that no other dwellings are close enough to be affected.

In summary it is considered that subject to the above condition it would avoid harm to residential amenity land and would thereby accord with the aims of Policy LP24(b).

4 – Impact on highway safety: The proposed parking arrangements would result in an improved layout overall because they would allow vehicles to turn within the site and would provide more useable parking space overall. It would make use of the existing driveway with some additional hardstanding formed. It is therefore considered that the development would accord with the aims of LP21 and 22.

In keeping with the aims of Chapter 14 of the NPPF, it is recommended it be conditioned that all new hardstanding is formed using permeable surfacing so as to minimise additional run-off and contribution to flood risk.

5 – Other matters:

Biodiversity:
The site is not in the bat alert layer but is in an area in which swift nesting has been recorded. It is considered that owing to the scale of the development there is unlikely to be any potential for ecological enhancement in this instance.

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.

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects. As the proposal is for an outbuilding to be used by an existing dwelling within an urban area it is considered however that that it would contribute to making more efficient use of land in a relatively sustainable location. It is considered that in the circumstances the applicant does not need to demonstrate further measures to combat climate change and the proposal is deemed to be in accordance with the aims set out above, and set out in NPPF Chapter 14.

6 – Representations: No representations were made.

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: **2021/91934**

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan.

3. The front and side elevations of the building hereby approved shall be faced in coursed stone which shall in all respects match that used in the construction of the existing dwelling. The rear elevation shall be faced either in natural stone to match or in through coloured render which shall be either off-white or a grey-brown colour to harmonise closely with the natural stone used on buildings in the vicinity of the site. The roofing materials shall be flat-profile red clay or concrete tiles.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

4. The roof lights in the west-facing roof slope of the proposed building shall be non-opening and shall be fitted with grade 5 obscure glazing before the development is first brought into use. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), roof lights of this type shall be retained at all times.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24(c) of the Kirklees Local Plan.

5. All new hardstanding shown on the approved plans shall be formed in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance and thereafter retained as such.

Reason: To prevent the development contributing to flood risk through increased run-off and to accord with the aims of Chapter 14 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			10-May-2021
Location plan, grouped plans and elevations	3428 (0-) 01	B	10-May-2021
Design & access statement			10-May-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. The case officer did not undertake negotiations with the applicant as no amended plans or additional information were considered necessary.

Report Dated: 06-Aug-2021