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:	**2023/62/91945/W**
Site Address:	3, Tinker Lane, Meltham, Holmfirth, HD9 4EX
Description:	Erection of timber shed
Recommending Officer:	Luke Walstow

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: 01-Sep-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91945.
Location	3, Tinker Lane, Meltham, Holmfirth, HD9 4EX
Proposal	Erection of a timber shed
Publicity end date	24 July 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	No **EoT Date:** 05/09/2023
Recommendation	Conditional Full Permission

	NO	**YES**
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021

National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought	Yes	Meltham Town Council – No Comment

Planning History	Yes	2006/93867 – Erection of ground floor and first floor extension. *Conditional Full Permission – 26/10/2006.* 2008/93107 – Erection of ground and first floor extension. *Conditional Full Permission – 20/10/2008.*
Consultations required	No	N/A

<u>Assessment</u>

<u>Dimensions</u>

Length: 3.66 metres
Width: 2.44 metres
Height: 1.9 metres to eaves, 2.6 metres in total height.

The Kirklees SPD sets out that outbuilding should comply with certain parameters set out at paragraph 5.30 on page 33 (and listed below) and if they do not, they need to be justified:

Outbuildings Should:	**<u>Yes - COMPLY</u>**	**<u>No - JUSTIFY</u>**
Be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings	The proposed outbuilding is modest in its footprint and would be a subservient addition when compared to the size of the available outdoor space and against the host dwelling of the application site.	N./A
Be set back behind the building line of the original building so that they do not impact on the street scene	N/A	The outbuilding would be located to the front of the application site forward of the house. Whilst against SPD guidance, a site visit confirmed the outbuilding would be screened by existing

		boundary hedges, in a discreet location and would not be visible from the highway, thus having no detrimental impact upon the street scene.
Preserve a reasonable private amenity space appropriate to the potential number of occupants of the house and follow a general principle that no more than 50% of garden space should be lost.	The outbuilding is relatively small when compared against the front outdoor space in where it would be situated. 50% of the available outdoor space would not be utilised with the erection of the outbuilding.	N/A

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character: The proposed street scene consists of residential dwellings mainly consisting of semi-detached house types. Dwellings on the street are generally of the same size and scale but differ in appearance due to render finishes. Dwelling benefit from off-street parking and gardens located to the rear.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	Due to the outbuilding being located in a well screened position due to tall boundary hedges, the proposal would unlikely have an impact upon the street-scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP	The proposed outbuilding is small in size when compared to the host dwelling. With a separation distance of 9.8	✓

	• Chapter 12 of the NPPF	metres to the host dwelling, it is unlikely to impact its characteristics or appearance.	
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed scale and massing of the outbuilding is considered to be subservient when compared against the host dwelling and the available outdoor space.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposed outbuilding is to be constructed from timber. This is appropriate for a modest outbuilding in a domestic garden. It would be well screened within the open space in front of the dwelling, therefore the proposal can be accepted.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposed roof would be pitched in nature and finished with a felted material. This is appropriate for a modest outbuilding.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	There is one window proposed on the front elevation of the outbuilding. Giving the window is small in nature, officers are satisfied with the window design.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	The outbuilding would be accessible by a door located to the front of the structure. Access to the site and dwelling would remain as existing.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- *1 Tinker Lane – Adjoined semi-detached dwelling to the application site located to the east.*
- *5 Tinker Lane – Semi-detached dwelling sharing a boundary with the application site located to the west.*
- *1 Heather Road – Semi-detached dwelling located to the rear of the application site.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The application is for a small outbuilding. Because of this and a boundary hedge acting as a screen, privacy would be maintained for neighbours.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to the proposals location, size and scale and boundary screens, the proposal would not impact any neighbour regarding natural light received, being overbearing and overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	Whilst the proposed extension would use space located in the front of the site, there would be adequate outdoor space retained to be used by current and potential future occupants, therefore, the proposal is acceptable in this regard.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	There are no proposed changes to highway access with the proposal. The development is considered to acceptable in relation to highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The outbuilding would be located to the front of the dwelling where current parking is utilised, but would not be sited on the existing turning area. There is a significant amount of space available for parking. This results in existing car parking arrangements to be acceptable	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Waste collection and storage is considered to be as existing.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on trees	• KDP 13 of the SPD	N/A	✓

	• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	**Officer response**	Addressed **✓ / X / N/A**
Meltham Town Council – No comments received.	N/A	✓

<u>Conclusion</u>:

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: CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers
Application Number: 2023/91945
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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	LP01		29 June 2023
Planning Drawing	2023/031/01		29 June 2023
Climate Change Statement			11 July 2023

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 01/09/2023

Coal – Low