
Report of the Head of Planning and Development

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 09-Dec-2020

Subject: Planning Application 2020/93073 Erection of first floor extension 55, Matthew Lane, Meltham, Holmfirth, HD9 5JS

APPLICANT

N Lyons

DATE VALID

15-Sep-2020

TARGET DATE

10-Nov-2020

EXTENSION EXPIRY DATE

11-Dec-2020

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Holme Valley North

Ward Councillors consulted: No

Public or private: PUBLIC

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

1.1 This application is brought before the Huddersfield Sub-Planning Committee for determination in accordance with the Council's Scheme of Delegation as the applicant is closely related to a Councillor.

2.0 SITE AND SURROUNDINGS:

2.1 The application relates to a two storey detached dwelling in Meltham that is constructed from stone and designed with a hipped roof that is finished in grey concrete tiles. The dwelling fronts both Matthew Lane and Matthew Grove and is close to the highway boundary, but the property benefits from a small forecourt area to the front of the dwelling. The dwelling features a timber clad flat roof two storey extension to the rear elevation and a single storey single garage to the side (south) elevation that is designed with a mono-pitched roof. The property also benefits from a single storey end of terrace building to the rear of the plot that is adjoined to neighbouring terraced properties to the west of the site and is in use as a utility/workspace. Vehicle access to the property is taken off Matthew Grove. Land levels on site slope down towards the north.

2.2. To the south of the site is No.2 Matthew Grove, which is a semi-detached dwelling. Mathew Lane separates the site from other residential properties to the east. Immediately to the north of the site, is an access and amenity space (both within the applicant's ownership) serving the terraced dwellings to the north and west of the site.

2.3. The application site is within a predominantly residential area with dwellings of various characters, designs and styles.

2.4. The site is not within a conservation area, but is within relatively close proximity to the Grade II listed building of 41, 43, 45, 47 Matthew Lane to the south east of the site.

3.0 PROPOSAL:

- 3.1 Planning permission is sought for the erection of a first floor extension to the side of the dwelling. The extension is proposed above the existing single storey garage to the south of the dwelling and the side wall of the proposed extension would be flush with the side wall of this existing garage element. The front and rear walls of the proposed extension would be flush with the front and rear walls main body of the dwelling, and the roof line would also be flush with that on the main body of the dwelling. The extension would continue the hipped roof of the dwelling. The extension is proposed to be constructed from materials to match the existing dwelling.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2004/91204 – Extension to cellar room and associated external walls – Permitted Development.
- 4.2 2016/91730 – Erection of two storey rear extension – Approved and implemented.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 No amendments to the proposal have been sought.

6.0 PLANNING POLICY:

- 6.1 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).

Kirklees Local Plan (2019):

- 6.2 The site is unallocated on the Kirklees Local Plan Proposals Map

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP21** – Highway Safety
- **LP22** – Parking
- **LP24** – Design
- **LP35** – Historic Environment
- **LP51** – Protection and Improvement of Local Air Quality

Supplementary Planning Guidance / Documents:

- 6.3 Highway Design Guide SPD (2019)

National Planning Guidance:

- 6.4 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.

6.5 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving Sustainable Development
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- **Chapter 16** – Conserving and Enhancing the Historic Environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Final publicity date expired: 4th November 2020. Publicity was by site notice, press notice and neighbour notification letter.

1 representation has been received commenting on the application. The representation noted that the garage is not currently used for parking and asked whether the proposal would allow for a vehicle to be kept in the garage.

7.2 **Meltham Town Council:** Support the application.

8.0 CONSULTATION RESPONSES:

8.1 The following is a brief summary of consultee comments received. Full comments are contained within the assessment section of this report, where appropriate:

Statutory:

- **KC Highways Development Management:** No objections.

Non-statutory:

- N/A

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Impact upon historic environment
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”

10.2 Chapter 2 of the NPPF goes onto further state that objectives should:

“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”

10.3 In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”

10.4 LP1 goes further and states:

“The council will always work pro-actively 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.”

10.5 In this instance, it can be stated that the principle of development of this application is acceptable; and as a result, is subject to the assessment of impacts on visual, the historic environment and residential amenity, as well as highway safety and any other impacts that may arise.

Urban Design Issues

10.6 The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 124 provides a principal consideration concerning design which states:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

10.7 Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

10.8 LP24 states that 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...”

‘c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

10.9 The main body of the application dwelling is of a simple traditional design. The front and rear walls of the proposed first floor extension would be flush with those on the main body of the dwelling and the roof line would be flush with this existing roof line. Officers therefore hold the view that the proposed extension would respect the form of the main body of the dwelling and would

not compete in prominence with the existing dwelling. This takes into account that the original dwelling has already been extended with the additional of a 2-storey rear extension granted in 2016. Further to this, the materials proposed for the extension would match those on the main body of the existing dwelling and stone coping is proposed at the edge of the roof, thereby retaining a design feature of this building. The openings proposed would also be in keeping with those on the existing dwelling.

- 10.10 This dwelling, due to its siting, occupies a prominent location within the street scene, with all its elevations visible from the public domain. The south side wall of the proposed extension would be a prominent feature from Matthew Grove to the south of the site given the orientation of the dwelling to Matthew Grove and that other dwellings on Matthew Grove are set further back into their plots than the dwelling at No.55. Despite this, Officers are of the view that the proposed blank gabled side elevation would not be an oppressive feature from within the street scene given that this elevation would be slightly set off the highway boundary and would be sited down the hill from Matthew Grove.
- 10.11 For the reasons above, Officers consider that the proposed extension would be a compatible addition to the existing dwelling, would, on balance, be subservient to the host dwelling and would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Impact upon Historic Environment

- 10.12 Section 66(1) of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.13 Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.
- 10.14 Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*
- 10.15 The Grade II listed buildings of 41, 43, 45, 47 Matthew Lane are to the south east of the site. Given that the proposed extension is considered to be a compatible addition to the existing dwelling and that the proposed extension would be over 30 metres away from this nearby Grade II listed building, Officers consider that the proposed extension would not cause harm to the significance of this Designated Heritage Asset or its setting. The proposed development is therefore considered to comply with Local Plan Policy LP35 and Chapter 16 of the National Planning Policy Framework.

Residential Amenity

10.16 Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings” and “...minimise impact on residential amenity of future and neighbouring occupiers.”

10.17 Further to this, Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

10.18 The property most likely to be affected by the proposed development is No.2 Matthew Grove to south of the site. This neighbouring dwelling is set behind the rear wall of the dwelling at No.55 and the side wall of the proposed extension would be adjacent to the shared boundary of No.2 and No.55. As the neighbouring dwelling is set off the side boundary shared with the site and the front wall of the dwelling is angled away from No.55, officers consider that the proposal would not result in an undue loss of light or overshadowing to the front windows within No.2. There is one side window within No.2, but as the site is to the north of this window and this window would not directly face this extension, and already faces onto a detached garage, it is considered that the proposal would not result in undue harm to this window in terms of loss of light or overshadowing.

10.19 No windows are proposed in the side elevation of the proposed extension, and whilst a rear facing window is proposed at first floor level this is to be obscurely glazed. Nonetheless, even if the window was to be clearly glazed, Officers are of the opinion that the views gained from the window of No.2 would not be materially different from those achieved from the existing first floor rear facing windows within No.55. Given this, Officers consider that the proposal would not cause undue harm to No.2 Matthew Grove in terms of loss of light or overlooking.

10.20 Whilst there are properties to the front of the proposed siting of the extension, across the road from the site (No's.50 and 52 Matthew Lane), the front walls of these dwellings would be set at an angle to the proposed extension and would therefore not directly face it. Given this, Officers hold the view that the proposal would not cause undue harm to No's.50 and 52 in terms of loss of light, loss of outlook, overshadowing, loss of privacy or overlooking.

10.21 Officers consider that the proposed extension would be sited so as to prevent undue harm to the amenities of any other neighbouring properties.

10.22 Given the above, it is considered that the proposed development complies with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Highway issues

10.23 The application proposes the erection of a first floor extension, which would serve a study, and KC Highways Development Management has considered that the proposal would not affect the existing parking and access arrangements, and therefore have no objections to the application.

- 10.24 Officers therefore consider that the proposed development would not cause detrimental harm to highways safety and would comply with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

Representations

- 10.25 1 representation has been received commenting on the application. The representation noted that the garage is not currently used for parking and asked whether the proposal would allow for a vehicle to be kept in the garage.
- 10.26 In response to the above representation, it is not proposed to alter the dimensions of the garage at ground floor level. The proposed extension relates to the first floor level. The garage does not meet the guideline standards of 6m x 3m within the Highways Design Guide SPD (it is approximately 5.7 x 2.1m), but KC Highways Development Management has not raised any objections to proposal as outlined above.

Other Matters

Climate Change

- 10.27 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.
- 10.28 Considering the small-scale of the proposed development, Officers consider that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

11.0 CONCLUSION

- 11.1 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.
- 11.2 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Standard three year timeframe
2. Development to be completed in accordance with approved plans and specifications
3. The external walls and roofing materials hereby approved shall in all respect match those use in the construction of the existing building

Background Papers:

Application and history files

Available at: <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2F93073>

Certificate of Ownership

Certificate A signed on 14th September 2020