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**Report of the Head of Strategic Investment**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 21-Jun-2018**

**Subject: Planning Application 2018/91045 Erection of fence and alterations to driveway 47, Meltham Road, Honley, HD9 6HW**

**APPLICANT**

Charles Greaves

**DATE VALID**

13-Apr-2018

**TARGET DATE**

08-Jun-2018

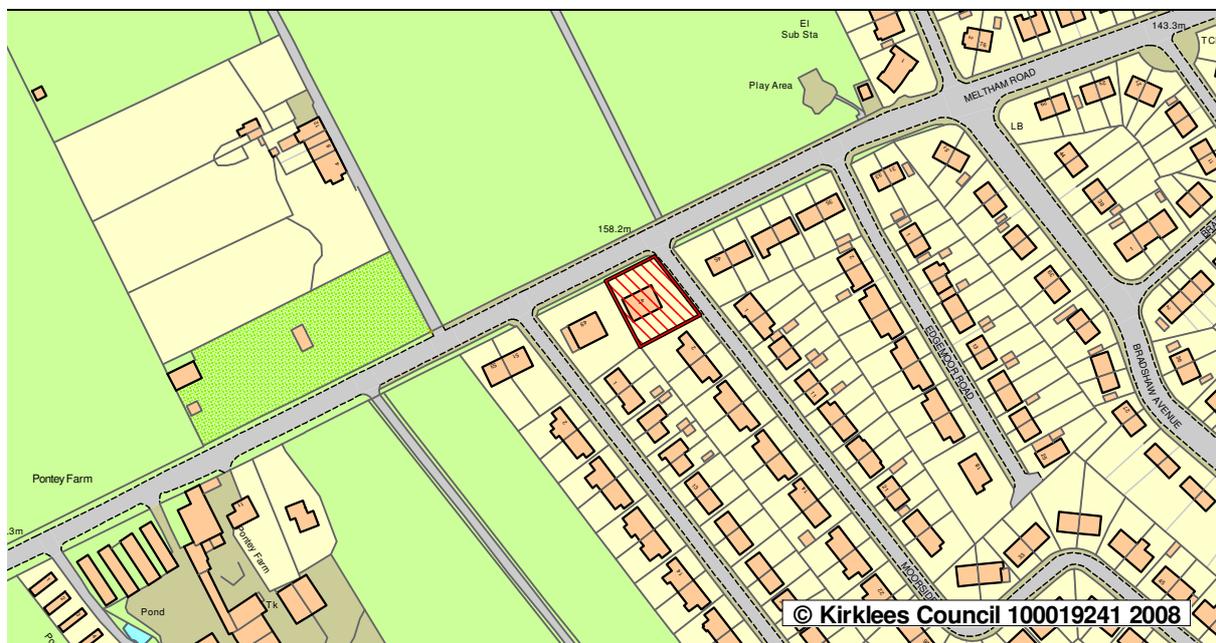
**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected: Holme Valley North**

No

Ward Members consulted

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**RECOMMENDATION: APPROVE**

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

**1.0 INTRODUCTION:**

1.1 This application is brought to the Huddersfield Sub-Committee for determination due to the application being submitted by an elected member of Kirklees Council. This is in accordance with the Council's Scheme of Delegation.

**2.0 SITE AND SURROUNDINGS:**

2.1 47 Meltham Road is a two storey detached dwelling which occupies a corner plot along Meltham Road and Moorside Road in Honley. It is constructed in stone to the front and brick to the side and rear and is designed with a gable roof form which is finished in concrete roof tiles. Due to the design of the dwelling, the first floor level is located within the roof space of the property. Planning permission was approved under application reference 2016/91062 for the erection of a two storey side extension and alterations which will be located to the north east of the site. It was noted whilst visiting the site that this is currently being constructed. The dwelling benefits from a single storey extension which is located to the rear of the property. It is constructed in brick and is finished with a flat roof form. An integral garage is located to the south west of the site. It is accessed via a driveway which leads off Meltham Road.

2.2 The front of the dwelling is set back from the access road with a driveway to the front and a large garden to the rear. Current boundary treatment comprises a stone wall which runs along the boundary to the front of the site. A concrete wall forms the boundary to the north east.

2.3 The site is located in a residential area with the vicinity comprising properties of a range of characters, styles and designs. To the north east of the site, Meltham Road and Moorside Road include mainly semi-detached properties. To the south west of Moorside Road, the properties are similar in character and appearance to the application site. The predominant material of construction within the vicinity is stone to the front and brick to the side and rear.

### **3.0 PROPOSAL:**

3.1 The application seeks planning permission for the erection of a fence and alterations to the existing driveway.

3.2 The proposed fencing will be located along the north eastern boundary of the site and will screen the rear garden from Moorside Road. From the rear of the site to the front elevation of the dwelling, the fencing will measure 2.00 metres in height. From the front elevation of the property to the front of the site, the proposed fencing will measure 1.00 metre in height. Due to the site being at a higher level than Moorside Road, the fencing will be erected on top of the existing concrete wall which runs along Moorside Road. The top of the existing wall sits at the ground level of the site. The fencing will comprise featheredge fence panels which will be constructed in timber. The fencing will be located along the north eastern boundary of the site and will not impact the current boundary treatment which is located to the front and rear of the site.

3.3 The entrance to the existing driveway which currently measures 3.20 metres in width will be increased by 3.00 metres to have a width of 6.20 metres. The entrance will be finished in tarmac and concrete to match existing. The existing dropped kerb which is located along Meltham Road will be extended to suit the extended entrance. The existing stone wall which forms the boundary to the front of the site will be retained following development.

### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

4.1 **88/03236:** Erection of garage. Granted Conditionally.

4.2 **88/04880:** Formation of vehicular access. Granted Conditionally.

4.3 **2016/91062:** Erection of two storey side extension and alterations. Conditional Full Permission.

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

5.1 Clarification was sought from the applicant regarding the location of the proposed fencing. The applicant confirmed in an email received 30/05/2018 that the fencing will be located only along the north eastern side elevation of the dwelling which faces onto Moorside Road.

## 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.
- 6.2 The site is unallocated on the UDP Proposals Map and on the Publication Draft Local Plan.
- 6.3 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:
- **D2** – Unallocated land
  - **BE1** – Design principles
  - **T10** – Highway Safety
  - **T19** – Parking
- 6.4 Supplementary Planning Guidance / Documents:
- None relevant.
- 6.5 Kirklees Publication Draft Local Plan (PDLP)
- **PLP1** – Achieving sustainable development
  - **PLP2** – Place shaping
  - **PLP21** – Highway safety
  - **PLP22** - Parking
  - **PLP24** - Design
- 6.6 National Planning Policy Framework (NPPF):
- **Chapter 7** – Requiring good design

## **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 The application was publicised by letters and site notice. To date, no representations have been received as a result of the statutory publicity.
- 7.2 Holme Valley Parish Council – support the application.

## **8.0 CONSULTATION RESPONSES:**

### **9.0 MAIN ISSUES**

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Representations
- Other matters
- Conclusion

### **10.0 APPRAISAL**

#### Principle of development

- 10.1 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.
- 10.2 Furthermore the site is without notation on the Publication Draft Local Plan. Policy PLP1 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. The assessment below takes into account the aims of PLP1.

#### Visual amenity

- 10.3 The proposal seeks planning permission for the erection of a fence and alterations to the existing driveway. Due to the level difference between Moorside Road and the application site, the proposed fencing will be located on top of the existing concrete boundary wall. Due to the height, design and materials of construction of the proposed fencing, it is not considered that this element of the proposal will have a significant impact on the appearance of the host dwelling. It is noted that the height of the fencing along Moorside Road which will be located to the front of the dwelling will be reduced from 2.00 metres to 1.00 metre which will further reduce its impact on the host property. The widened entrance to the existing driveway will be finished in materials to

match existing. It is therefore not considered that the development will significantly impact the visual amenity of the host dwelling.

- 10.4 In the context of the site and the surrounding area, the scheme would not create a visually intrusive feature within the local area in terms of its scale and design. The proposed fencing by virtue of its height and materials of construction will not look out of place within the street scene. It is noted that the neighbouring property no. 45 Meltham Road benefits from timber fencing of a similar scale to that proposed at the application site which is located along the south western boundary of the site which faces onto Moorside Road. The widening of the existing driveway entrance will be finished in materials to match existing. Furthermore, it is noted that the existing stone wall which forms the boundary to the front of the site will be retained following development which will reduce the impacts that the proposal will have on the visual amenity of both the host property and the surrounding area. In this context the proposed development would not be incongruous with the wider character of the area.
- 10.5 Given the above, the proposal is considered acceptable from a visual amenity perspective and in accordance with the aims of Policies D2 and BE1 of the UDP, Policies PLP1, PLP2 and PLP24 of the PDLP and chapter 7 of the NPPF.

#### Residential Amenity

10.6 *Impact on 45 Meltham Road*

Sections of the proposed fencing will sit 2.00 metres above the ground level of the site which is approximately 2.30 metres above Moorside Road due to the topography of the surrounding area. Due to the distance retained between the application site and the property due to the location of Moorside Road, it is unlikely that the development will have an overbearing or overshadowing impact on the property. The fencing will prevent overlooking from the rear amenity space of the application site into the property.

10.7 *Impact on 2 Moorside Road*

Due to the height of the proposed fencing and its location to the north west of the property, it is not considered that the development will have an overshadowing or overbearing impact. It is therefore not considered that the proposal will significantly impact on the residential amenity of the occupiers of the property.

10.8 *Impact on 49 Meltham Road*

Due to the distance that will be retained between the extended driveway and the property, it is not considered that the development will have a significant impact on the residential amenity of the property. Furthermore, it is noted that the driveway is existing which will further reduce the impact of the proposal on the property.

## 10.9 Overall

Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policies D2 and BE1 of the UDP as well as Policy PLP24 of the PDLP.

### Highway issues

- 10.10 The proposed development will result in an increase in the width of the entrance to the existing driveway and will not reduce the amount of parking which is currently available at the site. As the dwelling already benefits from an existing driveway and given that the development will not result in an increase in the amount of vehicles at the property, it is not considered that the extension of the existing dropped kerb will rise to any significant highway issues. The footpath and grass verge which will be retained following development will ensure sufficient visibility when existing the driveway. In addition, the current stone wall boundary treatment which is located to the front of the site and will be retained following development will further ensure that the visibility from the driveway is not effected as a result of the proposed development. The proposed extension does not give rise to the requirement for additional parking and would not affect the existing parking and access arrangements on site. Accordingly, it would not raise any highway safety issues and thus complies with Policies D2 and T10 of the UDP and Policy PLP21 of the PDLP.

A note will be attached to advise that the applicant will be required to seek Highways consent to carry out work within the highway as detailed on the submitted plans.

### Representations

- 10.11 No representations have been received as a result of the statutory publicity period and Holme Valley Parish Council note that they support the application.

### Other Matters

- 10.12 There are no other material considerations relevant to the determination of this application.

## 11.0 CONCLUSION

- 11.1 The planning application has been assessed against the relevant policies in the Unitary Development Plan, the emerging Publication Draft Local Plan and core planning principles of the NPPF. It has been considered that the application meets the requirements set out within the relevant policies and is therefore recommended approval.

11.2 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.

## **12.0 CONDITIONS**

1. Time limit to commence development
2. Development in accordance with approved plans

### **Background Papers**

Application web page:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018/91045>

Certificate of Ownership – Certificate A signed and dated 30 January 2018.