

**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: 2020/62/91795/W

Site Address: 6, Hanson Lane, Lockwood, Huddersfield, HD1 3UW

Description: Alterations to convert 1 dwelling into 2 dwellings,
including enlarged window opening and formation of
off-road parking space

Recommending Officer: Laura Yeadon

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: 10-Nov-2020

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f91795>

Site Description

6 Hanson Lane is a mid-terraced property which is located within an area without notation on the Kirklees Local Plan. The property is former back-to-back dwelling located within a street scene which is steeply sloped. The property is unique in that it has a roof line which is set down from both attached properties which are No. 10 to the west which is set on a higher ground level and the former Royal British Legion building which is located to the east on a lower ground level than the application site. The property is constructed from stone with uPVC openings. The wider site is comprised of predominantly residential properties.

Description of Proposal

Permission is sought for the convert the property back to 2 no. dwellings. Internally it is proposed to rebuild the original dividing wall with the external works being to the enlarge the ground floor living room window and the repositioning of the store door to No. 6.

One off-road parking space is to be created within the front garden area of No. 6 which would be 2.5m x 5m in dimensions and a dropped crossing would be required to access the area. The parking area to No. 8 is indicated to be to the front of the amenity area to the property within an existing informal parking area. This is however outside of the red line boundary of the property. Bin storage areas for both properties are also indicated on plan.

History of negotiations/amendments received

Following comments received from Highways Development Management, details of the bin storage areas for both properties were requested. Following the submission of these details Highways Officers were reconsulted and have concluded that the details are acceptable.

Relevant Planning History

Application site

No history

Former Royal British Legion attached to the east

1997/92766 Erection of single storey toilet extension
Conditional Full Permission

2019/90009 Certificate of lawfulness for proposed use of property for Class D1, A1, A2, A3 or B1 uses; or for commercial film making, as defined by Town and Country Planning (Use Classes) Order 1987 (as amended)

Certificate of lawful use – Granted

2019/93710 Alterations to convert existing building to 20 apartments

Section 106 Full Permission

Representations

Final publicity date expired 30th July 2020 – no representations received

Parish/Town Council comments – not applicable

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

K.C. Highways Development Management – initial comments – no objections subject to details of bin storage to be submitted – following submission of bin storage details – no objection

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 notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 22** – Parking
- **LP 24** – Design

National Policies and Guidance:

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.

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

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

Assessment

The following matters are considered in the assessment below –

- 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 National Planning Policy Framework. LP1 goes on further to stating that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity:

The proposed works would result in the property being converted into 2 no. dwellings. It appears from Council's GIS system and from information submitted with the application that the property was formerly 2 no. dwellings within a number of dwellings within the terraced row still operating as back to back properties.

Minimal works to the building itself are proposed and these include a larger ground floor window within property No. 8 to the rear and the relocation of the store door to No. 6.

It is also proposed that a parking space would be located within the front garden of the property and a dropped crossing formed to create a parking space for No. 6 which would be accessed from Hanson Lane.

Due to the limited alterations to the property, it is not considered that the proposed works would be detrimental to visual and would therefore accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of the impact on residential amenity, the property forms part of a terraced row and the proposed works would not result in an increase in front print to the building. The use of the parking area to the front of the property and would introduce manoeuvring within close proximity of neighbouring properties. This would have some impact on amenity but in the context of the existing use of Hanson Lane, this is not considered to be undue. As such, it is not anticipated that the proposed works would have a significant impact on residential amenity, complaint with local and national policy.

Future occupiers of the dwellings

It has been considered that the dwellings would provide an acceptable amount of internal living accommodation when considered against the Governments Technical Housing Standards guidance. The works would result in 2 no. 1 bedroom properties over 2 storeys whereby the guidance advises that 58 m² should be provided. The resultant property No. 6 would be a total of 59 m² and property No. 8 would be 62m² and therefore both properties would comply with this guidance.

The extra activity to the site may be of a potential disturbance to neighbouring in terms of additional noise, car usage and parking but any impacts are not considered to be materially detrimental to residential amenity.

4 – Impact on highway safety:

The proposal would result in the conversion of one dwelling into two, which would increase the number of households to the site and therefore KC Highways DM were formally consulted as part of the application process.

The comments from Highways cite that an indicative plan has been submitted showing the arrangements for the proposal, with the parking provision intended to be for one vehicle. The Officer notes that the dimensions of the parking area should be in accordance with the submitted plans to ensure that parked vehicles do not encroach over the footway onto the adopted highway.

The comments requested further information with regards to bin storage which have subsequently been submitted and a Highway Officer has confirmed that the proposals submitted are acceptable.

It is requested that a condition be attached to the decision notice in relation to surfacing and draining and also a footnote with regard to works for the dropped crossing. These shall be included as per the request.

It is noted that the parking space indicated for no. 8 is beyond the red line boundary and not within the control of the applicant. As the existing property has no allocated parking and the proposal will result in the creation of one parking space, it is considered that there would not be a detrimental impact on highway safety as a result of the subdivision of the property.

5 – 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 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. Due to the small scale of development proposed, it is not considered that specific mitigation measures are required in this instance. It would make efficient use of an existing building within a sustainable location.

6 – Representations:

No representations have been submitted.

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: 2020/91795

Officer Recommendation: Approve

Conditions

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 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 Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. Prior to the development being brought into use, the approved vehicle parking space to Hanson Lane shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superceded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, proposed site plan and existing floor plans	MM03		16 th June 2020
Proposed elevations and floor plans	MM04		16 th June 2020
Bin storage areas	MM03		7 th October 2020
Design and Access			16 th June 2020

Plan Type	Reference	Version	Date Received
Statement			

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. Following comments received from Highways Development Management, details of the bin storage areas for both properties were requested. Following the submission of these details Highways Officers were reconsulted and have concluded that the details are acceptable.

Report Dated:

9th November 2020

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