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:	2020/62/92517/E
Site Address:	9, Alexandra Lane, Flockton, Huddersfield, WF4 4FA
Description:	Erection of single story rear extension
Recommending Officer:	Katie Wilson

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.

Paul Dowd

AUTHORISED OFFICER

Date: 28-Oct-2020

Officer Report – 2020/92517

Site Description

9 Alexandra Lane, Flockton. It is a recently built 2-storey detached house with detached single garage to the side, and it is within a wider housing estate. The walls are surfaced in stone and it has a dual pitched roof surfaced in blue tiles. It fronts onto a residential estate road and has relatively flat garden space to the rear enclosed by neighbouring gardens to either side and Social club to the south.

Description of Proposal

Planning permission is sought for a single storey rear extension.

- Rectangular footprint projecting 3.3m x 7.0m wide
- Mon-pitched roof style
- Windows and patio doors in the rear elevation and the east facing side elevations.
- The external wall and roof materials would be to match the existing

History of negotiations/amendments received

Site photographs were requested and received, but no amendments to the proposed scheme.

Relevant Planning History

2016/91158 – erection of 87 dwellings and demolition of existing working men's club. S106 full permission.
https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2F91158

2017/92501 – variation condition 2 (plans) on previous application 2016/91158. Granted.
https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2F92501

2019/90210 – DoC 7, 11, 12, 13, 15, and 16 on previous permission 2016/91158. Split decision.
https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2F90210

Representations

Final publicity date Expired: No representations received during the course of this application

Kirkburton Parish Council comments: No comment

Consultation Responses

None carried out during the assessment.

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 on land that was allocated for housing on the Kirklees Local Plan. Planning permission has been granted for erection of 87 dwellings and demolition of social club. The works have been started and are nearing completion. The house at the application site is now inhabited and has householder permitted development rights.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 51** – Protection and improvement of local air quality
- **LP 52** – Protection and improvement of environmental quality (including pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution to soil.
- **LP 53** – Contaminated and unstable land

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 15 – Conservation and enhancement of the natural environment

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 notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of extending the existing dwelling is considered acceptable and shall be assessed against other material planning considerations below.

2 –Impact on visual amenity:

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring ‘*extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details*’.

In terms of scale relative to the original building, in this instance the house as it stands is regarded as the original building. It is 2-storeys high with a detached garage, and the proposed extension is single storey with a projection around 3.0m. Given these circumstances it is thought that the proposal would be subservient to the original building.

With regards to materials and details, the external wall and roofing materials would be to match the existing and the roof design is sympathetic to appearance of the host dwellinghouse. Window and roof openings are slightly larger than those already in-situ, however are not considered to detract from the visual amenity of the house or the surrounding area.

Overall, it is thought that the proposal promotes good design and is compliant with policy LP24 of the KLP.

3 – Impact on residential amenity:

Policy LP24, part c, goes on to stipulates that extensions should *minimise the impact on residential amenity of future and neighbouring occupiers*.

In this instance, there would be four households potentially affected by the proposals; these are addressed below:

7, Alexandra Lane – This house is to the east of the application site and its rear elevation faces onto the side of the application site.

Given that there would be a separation distance of approximately 17.5m between the its rear elevation and the nearest part of the proposed extension with a pair of garages in the intervening space, and that it is a single storey extension, it is considered that there would be very limited if any adverse impact upon the occupants of this neighbouring property.

11, Alexandra Lane – This house is to the west of the application site and its side elevation faces directly onto the side of the house at the application site at a distance of around 12.5m. As the proposed extension is single storey and screened to a great extent by a garage on the mutual boundary, it is considered that there would be no significant overshadowing, overbearing of overlooking impacts upon the occupants of this neighbouring property.

1, Grange Ash Close - This is a 2-storey detached house located to the south west of the application site and its rear elevation faces onto the back garden of 9, Alexandra Lane. There would be a separation distance of around 13.0m between the rear of this neighbouring house and the proposed extension with single garage in between. In these circumstances I am satisfied that there would be no undue adverse impacts upon the residential amenities of the occupants of this neighbouring property.

153, Barnsley Road – This is a 2-storey commercial premises to the south of the application site. Given that there would be a separation distance of approximately 30.0m between the rear of this building and the proposed extension it is thought that the impact would be minimal.

Overall, it is considered that the proposal minimises the impact on residential amenity of future and neighbouring occupiers, and compliant with policy LP24 of the KLP.

<u>4 – Impact on highway safety</u>:

The application site is accessed from Alexandra Lane, a residential estate road, and has a detached single garage together with parking space on drive in front. Given that the proposal would not amount to an intensification of the existing use, it is considered that the proposal would not impact upon highway safety and is compliant with policies LP21 and LP22 of the KLP.

<u>5 – Other matters</u>:

Carbon Budget

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.

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

6 – Representations:

No representations received during the course of this application

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: 2020/92517
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 Policy LP24 of the Kirklees Local Plan.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays
08.00 and 13.00hours , Saturdays

With no working Sundays or Public Holidays
In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			4.8.2020
Block plan			4.8.2020
Floor plan as existing	Sheet 2 of 5	Rev 1.2.2	4.8.2020
Elevations as existing	Sheet 1 of 5	Rev	4.8.2020

Plan Type	Reference	Version	Date Received
		1.2.2	
Floor plan as proposed	Sheet 4 of 5	Rev. 1.2.2	4.8.2020
Rear and side elevations as existing and as proposed	Sheet 5 of 5	Rev 1.2.2	4.8.2020
Rear elevation as proposed	Sheet 3 of 5	Rev 1.2.2	4.8.2020

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. No amendments requested or received during assessment of the proposal.

Report Dated: 28.10.2020