

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:	2022/62/94125/E
Site Address:	7, Alexandra Lane, Flockton, Huddersfield, WF4 4FA
Description:	Alterations to form 2nd floor accommodation
Recommending Officer:	Nicole Helliwell

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.

Emma Thompson

AUTHORISED OFFICER

Date: 07-Mar-2023

Officer Report

Reference No. 2022/62/94125/E

Site Address: 7, Alexandra Lane, Flockton, Huddersfield, WF4 4FA

Proposal: Alterations to form 2nd floor accommodation

Site Description

The application relates to 7 Alexandra Lane, a two-storey detached property located in a residential area in Flockton. The dwelling is sited on a corner plot near the junction where Alexandra Lane and Cropper Grove intersect. The property is faced in stone with a dual pitched roof and benefits from off road parking to the side, a detached garage and gardens to the front and side. The neighbouring properties are of residential use and comprise two storey dwellings of varying materials and architectural styles.

Description of Proposal

The application seeks planning permission for alterations to form 2nd floor accommodation. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the installation of roof lights. It is proposed that four roof lights would be inserted to the front and rear roof planes.

Relevant Planning History

2022/93237: Erection of front and rear dormers to form 2nd floor, installation of Juliet balcony to side, velux windows to front and rear and garage conversion to form garden room with associated alterations. [Planning application details | Kirklees Council](#)

2019/90210: Discharge conditions 7, 11, 12, 13, 15, 16 on previous permission for variation of condition 2 (plans) on previous permission 2016/91158 for erection of 87 dwellings and demolition of existing working mens club. [Planning application details | Kirklees Council](#)

2018/92271: Non-material amendment to previous permission 2016/91158 for erection of 87 dwellings and demolition of existing working mens club. [Planning application details | Kirklees Council](#)

2017/92501: Variation of condition 2 (Plans) on previous application 2016/91158 for erection of 87 dwellings and demolition of existing working mens club. [Planning application details | Kirklees Council](#)

2016/94208: Discharge of conditions 3, 4, 6, 7, 11 - 16 & 19 - 22 on previous permission no. 2016/91158 for erection of 87 dwellings and demolition of existing working mens club. [Planning application details | Kirklees Council](#)

2016/91158: Erection of 87 dwellings and demolition of existing working mens club. [Planning application details | Kirklees Council](#)

Representations

The application was publicised by neighbour notification letters, which expired on 21st February 2023. As a result of the above publicity, no representations have been received.

Kirkburton Parish Council – Recommend approval

Consultation Responses

Not Applicable.

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 ALLOCATED under Housing allocations (HS201) on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- House Extensions and Alterations SPD (adopted 29th June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving Well-Designed Places

Assessment

1. Principle of development

The site is allocated under housing allocation (HS201) 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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Visual amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene.

The plans confirm that there would be no external alterations to the host property other than the installation of four velux windows to the front and rear roof planes. Given that the fenestration would be of an appropriate design and scale, they are considered to respect the appearance and character of the host property and surrounding area.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local,

KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

The submitted plans confirm that no properties located east and west of the application site would be affected by the proposed works.

Impact on 18 Alexandra Lane

18 Alexandra Lane is a two storey detached property located north of the application site. Due to the height and position of the velux windows, it is considered that there would be no undue harm the neighbouring occupants as a result of the proposed works.

Impact on 5 Alexandra Lane

5 Alexandra Lane is a residential property located south of the application site. Due to the angled position of the velux windows, it is considered that there would be no overbearing impact, overshadowing or overlooking of the adjacent occupant's amenity as a result of the proposed works.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Velux Windows

It is noted that the velux windows would be the primary source of light to the second floor accommodation. However, due to the height and design of the roof lights, it is considered that the rooms would benefit from an adequate amount of light and would have a reasonable outlook. On this basis, it is considered that the proposal would be acceptable in terms of occupier amenity.

Summary

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3. Highway Safety

The proposal would create an additional bedroom, which would intensify the domestic use at the dwelling. However, the proposed site plan demonstrates that off road parking would be retained for two vehicles. Although the SPD requires three off road parking spaces for a four bedroomed dwellinghouse, given that there are no parking restrictions on street, it is considered that on balance the parking provision would be acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

Other Matters

Carbon Budget

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.

Contaminated Land

The proposed development is situated on land with a coal mining legacy and is sited close to an electric substation, contamination from which could pose a risk to future occupiers. However, given that no groundworks would be undertaken as part of the application, it is not considered necessary to add a condition relating to shallow coal workings and unexpected ground contamination.

There are no other matters relevant to the determination of this application.

4. Representations

No representations were received following the statutory publicity.

5. Negotiations

Revised drawings were received during the course of the application that included an amendment to the position of the fire door in the second floor bedroom. The plans received were considered acceptable.

6. Conclusion

This application for alterations to form 2nd floor accommodation at 7 Alexandra Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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:** 2022/94125**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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Existing Location Plan	M3833/01/001	B	06/03/2023
Existing Block Plan	M3833/01/002	B	06/03/2023
Existing Site Plan	M3833/01/101	B	06/03/2023
Existing Ground Floor Plan	M3833/01/102	B	06/03/2023
Existing First Floor Plan	M3833/01/103	B	06/03/2023
Existing Elevations	M3833/01/201	B	06/03/2023
Existing Section	M3833/01/301	B	06/03/2023
Proposed Site Plan	M3833/04/101	B	06/03/2023
Proposed Ground Floor Plan	M3833/04/102	B	06/03/2023
Proposed First Floor Plan	M3833/04/103	B	06/03/2023
Proposed Second Floor Plan	M3833/04/104	B	06/03/2023
Proposed Front Elevation	M3833/04/201	B	06/03/2023
Proposed Side Elevation	M3833/04/202	B	06/03/2023
Proposed Rear Elevation	M3833/04/203	B	06/03/2023
Proposed Side Elevation	M3833/04/204	B	06/03/2023
Proposed Section C-C	M3833/04/301	B	06/03/2023
Proposed Section D-D	M3833/04/302	B	06/03/2023
Proposed Section E-E	M3833/04/303	B	06/03/2023
Building Regulation Notes	M3833/04/304	B	06/03/2023

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 Planning 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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 23/02/2023

