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:	**2024/62/92985/W**
Site Address:	171, Fleminghouse Lane, Almondbury, Huddersfield, HD5 8UB
Description:	Demolition of existing garage and erection of single storey side extension
Recommending Officer:	Joshua Merriman

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.

John Holmes

AUTHORISED OFFICER

Date: 16-Dec-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/92985
Location	171, Fleminghouse Lane, Almondbury, Huddersfield, HD5 8UB.
Proposal	Demolition of existing garage and erection of single storey side extension.
Publicity end date	29/11/2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	No allocation in the Kirklees Local Plan.
Extension to Time (EoT)	No
Recommendation	Conditional Full Permission

	NO	**YES**
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment
- Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials

- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	**SUMMARY**
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	Yes	2016/92653 – Erection of single storey extension, alterations to convert garage to living accommodation and widening of existing vehicle access – Conditional Full Permission. 2019/92902 – Alterations to convert garage to living accommodation, erection of ground floor and first floor side extension, raised decking and widening of vehicle access – Conditional Full Permission.
Consultations required	No	

Assessment

The application seeks permission for a single storey side extension.

The dimensions of the side extension are 3.66m in height (when measured from the front elevation), 2.77m in width, and 8.25m in depth. It is noted the height from ground level increased to the rear due to changes in land levels.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified. The property is also set within a corner plot and therefore paragraph 5.34 on page 30 is also of relevance:

Side extensions	**Yes - COMPLY**	**No - JUSTIFY**
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	The extension is positioned next to no habitable rooms on the neighbouring property; therefore, it is considered to have no significant impact on natural light into habitable rooms within the neighbouring property.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	The proposed rear window in the kitchen may enable slight overlook into the neighbouring garden, however, as this is not a habitable room it is considered acceptable.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The proposed extension does not extend more than two thirds of the width of the original house.	
not exceed a height of 4 metres	The maximum height of the extension is 3.66m.	
be set back at least 500mm from the		The proposed extension lies flush with the front elevation of

original building line to allow for a visual break		the existing building, however, as it is subservient in size and scale to the original property, and set away from the shard boundary it is considered that a visual break is still ensured.

Design and Visual Amenity:

Summary of local street scene/character:

171 Fleminghouse Lane is a detached home located on a street of predominantly semi-detached properties, around half of which are of a similar size, scale, appearance, character, and age. The property benefits from a hard-standing area to the front, to be used for parking, and a large garden area to the rear.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The brickwork and tiles to be utilised are to match the existing building, and the proposal is subservient to the original property in size and scale, therefore, it is considered that the extension will not have any significant impact on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD	The proposal will be constructed using	✓

	• Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	materials to match the existing building, as well as being subservient in size and scale.	
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposal is subservient to the original building in height and scale; therefore, it is considered to have no significant impact on the existing dwelling.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The facing material of random stone is to match the existing building, alongside the proposed uPVC windows. The proposed aluminium sliding folding doors and dusk til dawn LED lights are currently not implemented in the property, but are not considered to have a significant impact on the dwelling or the surrounding area, therefore, is deemed acceptable. A condition requiring the wall and roofing materials to match is recommended.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Lean to design, in keeping with the locality.	✓

Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	All proposed windows are in proportion to those in the original building in size, scale, and placement.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 173, Fleminghouse Lane, Almondbury, Huddersfield, HD5 8UB – Neighbour the South. The side facing the host property features one first floor opening.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The only window facing onto the neighbouring property is a WC window, however, given its size / scale, siting in relation to the neighbouring dwelling and the fact it would face a blank elevation it is considered the impact	✓

		would not be significant in this case.	
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	The limited scale and size of the extension would mean there would be no significant impact on light and outlook on neighbouring properties.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to the small size and scale of the extension, it is considered there would be no significant overbearing or overshadowing onto neighbouring properties.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	The property will retain a large garden area to the rear and North of the property, which is deemed adequate.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on highway safety	• KDP 15 of the SPD	The extension is set far enough back from the nearest road (Fleminghouse Lane) to have no significant	✓

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	impact upon highway safety.	
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The extension does not significantly affect the hard standing parking areas to the front of the property; therefore, the retained parking provision is deemed acceptable for the dwellings required two off-street spaces.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed in the submitted plans, adequate space will remain at the property for waste storage.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees	The proposal is not close enough to have any significant impact upon trees.	✓

	• Chapter 12 of the NPPF		
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	While the site is within a bat alert layer, the nature of the proposal is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	**Officer response**	**Addressed ✓ / X / N/A**
None		N/A

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: CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers
Application Number: 2024/92985
Officer Recommendation: Conditional Full Permission

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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building, used in the location as annotated upon submitted drawing ref: DL879-01, and be retained thereafter.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	**Reference**	**Date Received**
Application Forms	-	21/10/2024
Climate Change Statement	-	21/10/2024
Existing and Proposed Elevations	DL879-01	21/10/2024

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 29/11/2024