

**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:	2025/62/90293/E
Site Address:	21, Walkley Lane, Heckmondwike, WF16 0NA
Description:	Erection of first floor extension, conversion of garage to habitable accommodation and associated alterations
Recommending Officer:	Elenya Jackson

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 04-Apr-2025

OFFICER REPORT

Site Description

21, Walkley Lane, Heckmondwike, WF16 0NA a two storey, stone fronted, corner terrace which is located on the junction of Walkley Lane and Brunswick Street.

The dwelling has an attached garage which fronts onto Brunswick Street and no private amenity space.

Within the immediate street scene, properties are of similar style and scale.

Description of Proposal

This application has been received for the conversion of the existing garage into habitable accommodation, the replacement of the garage door and the erection of first floor extension to provide a usable interior roof height.

The proposal would increase the height of the existing roof by 49cm and feature a lean-to roof which would be 10cm higher than the existing.

Relevant Planning History

N/A

Representations

The application was initially advertised by site notice, which expired on 28/03/2025.

One comment was received:

- Drainage concerns
- Concerns regarding water ingress
- Future concerns by applicants about noise

Consultation Responses

N/A

Negotiations

N/A

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 UNALLOCATED on the Kirklees Local Plan Proposals Map.

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 predates 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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP22**- Parking
- **LP53**- Contaminated and unstable land

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.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and 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 and beautiful places

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) 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. 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 is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

It is considered that the House Extension and Alterations SPD is relevant in this instance as the proposal would be alterations to existing dwellings.

Key Design Principle 1 of the House Extension & Alterations SPD states 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.

Section 5.4 of the House Extensions and Alterations SPD refers to dormers and roof extensions and states that ‘ Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer

windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical'.

Officers consider that the proposed alterations to the roof would be of low visibility from the public realm and would not negatively detract from the character of the host building. Therefore, the roof alterations are considered acceptable.

The proposal would also require the removal of the existing garage style doors. It is considered that as the proposal would use brick work to match the existing dwelling, no significant concerns would be raised regarding the proposals impact on the character of the host dwelling.

Having taken the above into account, subject to conditions, the proposed development would integrate with the host dwelling and the wider street scene, thus complying with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

3 – Impact on 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 House Extension & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The proposal would not add any additional fenestration at roof height and would therefore not raise any concerns regarding overlooking. It is considered that a door into the street scene is a usual relationship and no concerns would be raised regarding overlooking.

The alterations would create a limited increase in roof height which would be subservient to the main building and not reside in close proximity to any neighbouring dwellings. Therefore, no significant issues would be raised regarding

It is considered that the proposal would have an acceptable relationship with the neighbouring properties and their residents thus according with Policy LP 24 of the Kirklees Local Plan, Key Design Principles 3, 5 and 6 of the Kirklees House Extensions and Alterations SPD and guidance contained within Chapter 12 of National Planning Policy Framework

4 – Impact on highway safety:

The proposal would include alterations to an existing 'garage' on site, however due to the limited width of the existing garage, it would not be considered to amount to the loss of a parking space on site in any case. There is unrestricted on street parking to the side and rear of the dwelling, and as such, the proposals would have no impact upon highway safety compared to the existing situation.

The proposal would therefore comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is an extension to existing buildings. 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:

- Drainage concerns
Officer response: This matter would be out of the remit of planning and controlled by Building Control. No further comments on this matter.
- Concerns regarding water ingress
Officer comments: Potential impact of the proposal on neighbouring properties would be a civil matter and not within the remit of planning.
- Future concerns by applicants about noise
Officer comments: As this is out of the control of the planning application, officers have no further comments.

7 – Negotiations:

N/a

8 – 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.

As set out above, 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: 2025/90293

Officer Recommendation: Approve

Conditions and Reasons

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.

1. 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, LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

2. The development shall be constructed with all external facing materials matching the original host dwelling.

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 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework

Plans and specifications schedule:

Plan Type	Reference	Version	Date
Location Plan	WL-R00-EX 101		7/02/2025
Proposed Floor Plans	WL-R00-PR 102		7/02/2025
Proposed elevations	WL-R00-PR 104		7/02/2025
Existing Floor Plans	WL-R00-EX 102		7/02/2025
Existing Elevations	WL-R00-EX 104		7/02/2025
Proposed sections			
Climate change statement			7/02/2025

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 has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

No alterations required.