

**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:** 2018/62/93037/W  
**Site Address:** 37, Meltham Road, Honley, Holmfirth, HD9 6HW  
**Description:** Erection of first floor side extension  
**Recommending Officer:** Callum Harrison

**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: 09-Nov-2018**

## Officer Report

Application No: 2018/93037

**Address:** 37 Meltham Road, Honley, Holmfirth HD9 6HW

**Proposal:** Erection of first floor side extension

### Site Description

37 Meltham Road is a semi-detached property constructed using coursed stone for the front, north west facing elevation and red brick for the south west facing side elevation and the south east facing rear elevation. The roof consists of concrete roman interlocking tiles. The property is set within a modest curtilage with a fair sized garden and 9m long driveway to the front and a good sized garden to the rear. The property also benefits from an attached garage to on the side, south west elevation. The site is bound by timber fencing with hedges and trees.

Meltham Road is a street that acts as a main highway around a housing estate when at the Honley end. Travel west along Meltham road and you end up in the rural countryside where the road becomes Knowle Lane and leads in to Meltham town centre. Across from the dwelling is Honley top Recreational Ground. Property on the street is made up of various different styles and dwellings with the both stone and brick properties being common, however around the host site property is typically semi-detached.

### Description of Proposal

The application is seeking permission for the erection of a first floor side extension above the attached garage for a new bedroom come study. The development would also see the existing garage turned in to a study come bedroom. The proposed development projects out of the side elevation by 3m to full flush with the existing side elevation of the garage. Both the maximum height and eaves of the proposed development falls flush with the host property at 5m for the eaves and 7.5m for the ridge. The width of the extension will also fall flush at 7.5m. The roof of the development will stay hipped but replace above the extension.

The materials proposed in the application match the existing development in its entirety. Materials proposed for the development are: stone and brick for the walls; concrete roman tiles for the roof; upvc for the windows and doors.

### Relevant Planning History

None.

### History of Negotiations

The agent was contacted regarding the allocation of the rooms on the proposed plans. One room was allocated bedroom/study and the other bedroom/snug, this would have meant the development to be assessed as 5 bedrooms, and there is only 2 spaces due to the loss of the garage, this would not be sufficient to satisfy parking policy. Subsequently the agent submitted amended plans on 08/11/18 showing the two rooms in question now to be a study and a snug, meaning the development is left as 3 bedrooms with sufficient parking.

### **Representations**

The application was advertised by a site notice and neighbour notification letters. Final publicity date expired: 31/10/18.  
No representations have been received.

Holme Valley Parish Council, notified 25th September, no comments received.

### **Consultation Responses**

No consultations were required.

### **Policy**

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007). 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is Unallocated on the UDP Proposals Map and the PLP Policies map.

### **Kirklees Unitary Development Plan**

- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T19** – Parking

### **Kirklees Publication Draft Local Plan:**

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping

- **PLP24 – 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 July 2018, together with Circulars, Parliamentary 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

### **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 UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

*‘Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]’*

PLP1 of the PDLP states: *Is that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.* Therefore providing the plan passes the following assessments, the principle of development for the proposal is acceptable.

#### **2) Impact on visual amenity**

BE13 of the Unitary Development Plan (UDP) states that “extensions to building should respect the design features of the existing house...” and in this case it can be assessed the development fulfils the intention of the policy for similar reasons to PLP24 – matching materials and use of the hipped end as one side of pitched roof.

Furthermore Policy BE14 of the UDP states that ‘dwelling will normally be permitted where the proposal:...iii does not result in an undesirable terracing effect being established in relation to adjoining dwellings. While this proposal does extend the first floor towards the neighbour, a notable gap with paths running down each side of both the host property and no.39 ensures this development would not cause a terracing effect. Due to the nature that no.39 has already extended above their garage, the side extension potential is at its near maximum, future development is unlikely and therefore a terracing effect will not

be caused, satisfactory to BE14. The difference in levels between the properties also helps mitigate this issue.

PLP24 of the Publication Draft Local Plan (PDLP) states that "...extensions are subservient to the original building...". The proposal is modest, the choice of matching materials, how the extension uses the existing hipped end in the design, how its maximum height falls in line with that of the host property and its modest 3m projection to fall flush with the existing building line, it can be stated the development fulfils the aims of PLP24.

It is considered that the development would respect its surroundings and conserve visual amenity (subject to all materials matching the original) and would thereby comply with the aims of Policies D2, BE1, BE2, BE14 and BE13 of the UDP and Policy PLP24 of the PDLP.

### **3) Impact on residential amenity**

A core principle of the National Planning Policy Framework is to seek high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. Policy BE14 of the Unitary Development Plan states that extensions to dwellings should not have a detrimental impact on 'adjoining dwellings or any occupier of adjacent land'. The first floor proposal seeks to fall in line with the existing building line of the ground floor meaning the gap between the host dwelling and no.39 will be maintained. The lower level and north east facing nature of the dwellings means loss of sunlight to the side facing windows in no. 39 would be limited. These windows appear to be secondary to serve no-habitable accommodation. The proposal also does not seek to add any additional side facing windows to the elevation meaning the privacy of no.39 is protected and the ability to overlook is minimal from the proposed first floor windows to the front and rear. It is considered that the development would not cause material harm to residential amenity and would comply with the aims of BE14 and PLP24. No other neighbouring dwellings would be materially affected by the proposed development.

#### **4) Impact on highway amenity**

The development does not seek to add any further bedrooms, however it does result in the loss of the garage, subsequently the number of parking spaces will be reduced from 3 to 2. However under T19 and Appendix 2 of the UDP, 2 parking spaces is satisfactory for the dwelling. At the time of my visit alterations were taking place within the front garden area to widen the driveway. This should be surfaced with a permeable material to avoid surface water run-off and to minimise any subsequent impact on flood risk.

#### **5) Other matters**

None.

#### **6) Representations**

None.

#### **7) Conclusions**

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:** 2018/93037

**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 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 D2, BE1, BE2, BE13, BE14 and T19 of the Kirklees Unitary Development Plan; PLP1 PLP2, PLP24 of the Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

**3.** The extended drive/parking area indicated on drawing no. 2018023(0-) 02A shall not be brought into use until it has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) the drive/parking areas shall be so retained thereafter.

**Reason:** In the interests of amenity and traffic safety. To avoid an increase in flood risk and to ensure adequate space within the site for parking and in accordance with Unitary Development Plan Policy T19, Policy PLP24 of the Publication Draft Local Plan and Chapter 14 of the National Planning Policy Framework.

This decision is based on the following plan(s):-

| <b>Plan Type</b> | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|------------------|------------------|----------------|----------------------|
| Grouped Plans    | 2018023(0-) 01   |                | 18/09/18             |

|                                             |                            |   |          |
|---------------------------------------------|----------------------------|---|----------|
| and Elevations<br>Existing                  | Existing                   |   |          |
| Grouped Plans<br>and Elevations<br>Proposed | 2018023(0-) 02<br>Proposed | A | 08/11/18 |

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. The agent was contacted regarding the allocation of the rooms on the proposed plans and the number of parking spaces proposed. An amended plan was received leaving 3 bedrooms in the property. Sufficient parking is provided based on this floor layout. The application has been assessed on the basis of this amended plan.

**Report Dated:** 09/11/18