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: 2019/62/90019/E

Site Address: 2B, Holmfirth Road, Shepley, Huddersfield, HD8 8BB

Description: Erection of first floor 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.

Julia Steadman

AUTHORISED OFFICER

Date: 07-Mar-2019

Officer Report

Site Description

The application site is 2b, Holmfirth Road, Shepley. It is a relatively recently built 2-storey detached house with single storey integral double garage to the side. The walls are natural stone work and the roof is surfaced in stone slates (possibly artificial). There is a small garden and driveway to the front and decking down to the rear garden at the back.

The property fronts onto a main road and is surrounded by other residential buildings of various scale and types to either side, with a bungalow on slightly lower ground at the back. The land also slopes form south to north across the site and is within the allocated Green Belt.

Description of Proposal

Planning permission is sought for the erection of a first floor extension.

It would be directly above the existing integral garage and is designed with a dual pitched roof with side facing gable end and eaves and ridge level to match the existing. There would be velux windows in the rear roof slope and dormer in the front facing elevation. No openings are proposed in the side elevation.

It would provide space for ensuite master bedroom and further ensuite to existing bedroom 4.

All the external materials would be to match the existing.

History of negotiations/amendments received

No amendments were requested or received during the course of this application.

Relevant Planning History

09/93092 – Outline application for erection of two detached dwellings. Granted conditional outline permission.
http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2009%2F93092

12/91110 – reserved matters application for erection of two dwellings. Approved
http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2012%2F91110

12/92241 – Discharge of conditions 2 and 3 on previous permission 12/91110 for reserved matters application

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2012%2F92241

Representations
Final publicity date expired: 4th February 2019.
No representations received during the course of this application.

Kirkburton Parish Council comments: No comments.

Consultation Responses

None carried out during the course of this application.

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 Green Belt on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **PLP 1 (as modified)** – Achieving sustainable development
- **PLP 2 (as modified)** – Place shaping
- **PLP 24 (as modified)** – Design
- **PLP 57 (as modified)** – Extensions, alterations & replacement buildings in the Green Belt

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 13** – Protecting Green Belt land
- **Chapter 15** – Conservation and enhancement

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) Conclusion

1 – Principle of development:

The application site is on land allocated as Green Belt on the Kirklees Local Plan and the proposal is for the erection of a first floor extension to a recently built house.

Chapter 13 of the NPPF (amongst other things) requires LPAs to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Policy PLP57 (as modified) of the Kirklees LP states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.

In this instance, the original part of the building is the house as it currently stands. It is a 2-storey dwelling with relatively shallow pitched ridged roof design and single storey integral double garage attached to the side significantly set back from the front elevation. The proposed extension would be directly above the integral garage and is designed with a similar ridged roof slightly below that of the host dwelling and matching eaves level.

In terms of volume the proposed extension would amount to an approximately 15% increase in the volume of the original house. It is also set back from the front of the main part of the house and the overall height would be slightly below that of the host property.

As such it is considered that this would not amount to disproportionate additions over and above the size of the original building, and so would constitute appropriate development in the Green Belt. This is compliant with chapter 13 of the NPPF together with part of policy PLP57 (as modified) of the Kirklees LP, and it is considered that the principle of the development is acceptable.

2 –Impact on character of the Green Belt and visual amenity:

Part of policy PLP57 (as modified) of the Kirklees LP stipulates that '*the design and materials used (for extensions to buildings) in the green belt should be sensitive to the character of the Green Belt setting*.

On this occasion, this part of the Green Belt is characterised by relatively modern detached houses, built with stone walls and a variety of ridged roofs with stone slate roof and gable ends. Several also have small dormer windows to the front elevation.

The design of the proposed extension reflects these design features to a considerable degree and so I am satisfied that the proposal is sensitive to the character of the Green Belt setting in this instance.

PLP24 (as modified) of the Kirklees LP requires that proposals should promote good design by ensuring (amongst other things) that extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

In this respect, it is considered that the proposal would comply with all these requirements for the reasons given above and as such is compliant with policies PLP57 (as modified) and PLP 24 (as modified) of the Kirklees LP.

3 – Impact on residential amenity:

PLP 24 (as modified) of the Kirklees LP also stipulates that proposals should ensure that extensions are subservient to the original building, and minimise impact on residential amenity of future and neighbouring occupiers.

In this instance the proposed development would have the greatest impact upon the occupiers of neighbouring dwellings at 2c, Holmfirth Road and 174, Lane Head Road.

With respect to 2c, Holmfirth Road, this virtually a 'handed' version of the house at the application site and located on adjacent, slightly lower land to the west.

In terms of overshadowing and overbearing impact, the proposed first floor extension is likely to cast some additional shade over the driveway and part of the back garden during periods of the day. However these areas are already overshadowed by the existing houses to a considerable degree, so it is considered that the extra massing of the proposed extension would have relatively limited additional impact over and above the existing conditions.

With regards to overlooking no openings are shown in the facing side elevation and new openings could be controlled by condition.

Turning to 174, Lane Head Road, this is a detached bungalow on lower ground to the north of the application site, and one of its side elevations faces onto the rear of the house at the application site.

Again, the massing of the proposed extension at first floor and orientated to the south, is likely to cast some additional shade over parts of the side and rear garden of 174, Lane Head Road. However, this neighbouring property has relatively generously proportioned outdoor private amenity areas to the front and rear which are unlikely to be further affected. In addition the existing house at the application site already has an overshadowing impact. On balance, it is considered that the proposed extension would have relatively limited additional impact in this respect.

In terms of overlooking, only two roof lights are proposed in the rear elevation of the intended extension to serve en-suites and provided new openings are controlled by condition, there would be no invasion of privacy.

No other properties would be affected by the proposal.

In the above circumstances, with the inclusion of the suggested condition(s) I am satisfied that the proposal is acceptable from a residential amenity perspective and compliant with policy PLP24 (as modified) of the Kirklees LP.

4 – Impact on highway safety:

Policies PLP 21 (as modified) and PLP22 (as modified) of the Kirklees LP require that all proposals shall (amongst other things) ensure the safe and efficient flow of traffic within the development and on the surrounding highway network, and the provision of parking will be based the principle that new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking within a site.

In this instance, the application site is accessed directly from the A635 Holmfirth Road and cars would be expected to enter and leave in a forward gear, so there should be parking and turning space within the site boundary. The existing house is a 4-bed property with integral double garage and driveway together with turning space at the front. The proposal would make the property a 5-bed house which usually requires at least 3 off street parking spaces. In the above circumstances it is considered that there is already sufficient space for three cars to park and turn within the site boundary, and so there would be no harm caused to the highway safety and efficiency.

As such the proposal is considered acceptable from a highway safety and efficiency perspective and would be in accordance with policies PLP21 (as modified) and PLP22 (as modified) of the Kirklees LP.

5 – Other matters:

Protected species (bats):

The site is in an area recorded as a bat alert area (an area likely to be used by bats).

Bats are a protected species and the NPPF requires planning authorities to take account of priority species within planning policies.

An assessment in relation to the bat alert layer guidance - flow diagram has been carried out and as a result no survey is required, however a cautionary footnote shall be added to the decision notice in order to comply with the aims of chapter 15 of the NPPF.

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

6 – Representations:

No representations were 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: 2019/90019
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 with Policies PLP1 (as modified), PLP2 (as modified), PLP21 (as modified), PLP22 (as modified), PLP24 (as modified), and PLP57 (as modified) of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

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 PLP24 (as modified) of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the side or rear elevations of the first floor extension hereby approved.
Reason: So as not to detract from the amenities of neighbouring property by reason of loss of privacy and to accord with Policy PLP24 (as modified) of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

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.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			07.01.2019
Block plan			07.01.2019
Existing floor plans and elevations	Dwg no. 3BHR-18-PL01		07.01.2019
Proposed floor plans and elevations	Dwg no. 3BHR-18-PL02		07.01.2019

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 were sought or received during the course of the application as the proposal is acceptable as submitted.

Report Dated: 05.03.2019