

**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: 2021/62/90283/W

Site Address: Hill of Grace, 2 B, Northgate, Honley, Holmfirth, HD9 6QL

Description: Erection of single storey side and rear extensions with balcony over, relocation of garden stairs and new entrance layout

Recommending Officer: Laura Yeadon

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: 23-Mar-2021

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f90283>

Site Description

2B Northgate is a relatively modern detached property located opposite the northern entrance to Honley High School. The property is set up from the roadside within a sloping site which is three storeys in height to the front elevation and two storeys in height to the rear elevation. To the front of the property is a garden and driveway and to the rear is a garden which is at a higher level. A large balcony is located to the front of the property at first floor level which sits within the confines of the footprint of the building. Also, to the rear is a projecting two storey element which houses the boiler room at ground floor. The surrounding area is comprised of residential properties mainly to the south with Honley High School to the west and is surrounded by allocated Green Belt.

Description of Proposal

Permission is sought for the erection of single storey side and rear extensions with balcony over, relocation of garden stairs and new entrance layout.

Single storey side and rear extensions with balcony over

The single storey side extension would be located on the side of the property facing the shared drive with No. 2A. The extension would project to the side by 3.3 metres and would span a depth of 6.6 metres whereby the extension would then chamfer to follow the site boundary. The extension would then project off the rear elevation by 2.2 metres along the rear elevation below ground and would then attach and lie flush with the boiler room projection at lower ground floor level. The balcony would be located above the side extension and would lie flush with the rear elevation of the property. The balcony would be enclosed along the side elevation by balustrade to the point the extension chamfers.

Relocation of garden stairs

To facilitate the extension the external garden stairs would be relocated to opposite side elevation and would be located along the boundary of the site providing external access to the rear garden area.

New entrance layout

The entrance would be altered to provide soft landscaping to be incorporated. The vehicular gates for the property would be re-aligned to lie flush with the side elevation of the extension.

History of negotiations/amendments received

Confirmation of the height and materials of the curved entrance were requested and also that the below ground site plan included the lower ground floor extension.

Relevant Planning History

- 1986/03853 Outline application for erection of one dwelling
Granted Conditionally
- 1990/06811 Renewal of unimplemented outline application for erection of one dwelling
Conditional Outline Permission
- 1998/90289 Outline application for erection of one detached house
Conditional Outline Permission
- 2003/90661 Outline application for erection of detached dwelling
Conditional Outline Permission
- 2006/90980 Renewal of unimplemented outline permission for erection of detached dwelling
Conditional Outline Permission
- 2006/93868 Reserved Matters application for erection of detached dwelling with integral garage
Approval of Reserved Matters
- 2009/91050 Erection of 2 no. detached dwellings
Conditional Full Permission
- 2015/92247 Variation of Condition 2 (plans) and 3 (windows) on previous permission 2009/91050 for erection of two detached dwellings
Removal or modification of condition

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired 11th March 2021 – no representations received

Holme Valley Parish Council – support

Consultation Responses

None required

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity

Neighbourhood Development Plans

Holme Valley Neighbourhood Development Plan has been formally submitted to Kirklees Council and Peak District National Park Authority. It covers the whole of the Holme Valley Parish Area. The plan has not been subject to publicity (Regulation 16, The Neighbourhood Planning (General) Regulations 2012) at this time. There are unresolved objections between the Kirklees Council and the neighbourhood plan body therefore the plan has no weight at this stage.

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 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

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 Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity:

In terms of visual amenity, the proposed extension would be located on the side elevation of the property located adjacent to the shared driveway with No. 2A. The extension would be single storey in height with and would therefore be subservient when read in context with the three storey dwelling. Due to the sloping nature of the site, extension would be screened from public points by the sloping and boundary treatments and the rear extension would be below ground.

The proposed construction materials would be natural stone for the walls with a single ply membrane for the roof to from the balcony area. As the materials would match the host property, these are considered acceptable.

The submitted proposed site plan demonstrates that the works would not result in an overdevelopment of the site and whilst no details of the proposed walling to the entrance have been submitted the Agent has confirmed that the decorative walling would be no more than 0.9 metres and would be constructed from stone. As such, this element of the scheme would not require Planning Permission and therefore the details are not required to be submitted.

It is therefore considered that the proposal would be acceptable in terms of visual amenity and would accord with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of overlooking from the extension and balcony, this would be on the side elevation of the property which faces the shared driveway with property 2A. Given the separation distance between the rear elevation of the property from 2A is approximately 15 metres and would not decrease existing separation distances, this is considered acceptable. The extension and balcony would reduce the separation distance between the property and Knole House however this separation distance would be in excess of 30 metres and therefore there are minimal concerns regarding over looking at close quarters. Beyond the front boundary of the site is Honley High School and as separation distances are not reduced, there are minimal concerns regarding the development.

The external steps to the garden area would be relocated to the side of the property where there is a shared boundary with 5 and 6 Lower Royd. As the steps are for access only and would not provide primary accommodation and due to blanket TPO between the site and No. 5, it is not considered that the proposed relocation of the steps would cause undue harm to privacy.

In terms of overshadowing and/or being overbearing, due to the property being detached and with no residential properties within close proximity of the proposed development, it is not considered that the proposal would have a detrimental impact from overshadowing or be being overbearing.

It is therefore considered that the proposal is acceptable in terms of residential amenity and would comply with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4 – Impact on highway safety:

None

5 – Other matters:

Climate Change - 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 pre-dates 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. Due to the small scale nature of development, specific mitigation measures are not considered to be required in this instance.

Ecology – the site is within the ‘Bat Alert’ layer on the Council’s mapping system. As the proposed extension would not interfere with the roof of the property, it is not considered that a Bat Survey is required.

6 – Representations:

None

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: 2021/90283

Officer Recommendation: Approve

Conditions

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 LP1, LP2, LP24 and LP30 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. The external walls 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 LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	2099-D-20-001		25 th January 2021
Existing site plan	2099-D-20-002		25 th January 2021
Existing ground floor plan	2099-D-20-003		25 th January 2021
Proposed site plan	2099-D-20-004		22 nd March 2021
Proposed ground floor plan	2099-D-20-005		25 th January 2021
Existing and proposed elevations	2099-D-20-006		25 th January 2021

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 requested by the Case Officer that the proposed rear extension was included on the proposed site plan for clarity. This plan was received on 22nd March 2021 and formed part of the assessment of the proposal.

Report Dated: 23rd March 2021

Coal – high