

**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: 2021/62/90671/W
Site Address: 7, Station Approach, Honley, Holmfirth, HD9 6LD
Description: Erection of dormer extension
Recommending Officer: Tom Hunt

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: 13-Apr-2021

Officer Report

Site Description

2021/90671 – 7, Station Approach, Honley, Holmfirth, HD9 6LD

No. 7 is a detached bungalow with accommodation in the roof space. It is located in a small development of varied houses at the head of a cul-de-sac. The existing dwelling is faced in stone with artificial stone roof tiles and brown framed windows. It is set out rising land above the carriageway.

Description of Proposal

Erection of dormer extension

It is proposed to create more space in a bedroom and en-suite in the roofspace above the garage through the formation of a gable end dormer to the front and alterations to roof to the rear. The front dormer would be 2m width by 3m and from eaves height be flush and 2.5 m height including the roof ridge. The rear dormer would be 1.7m width and 2m from eaves and sit above a gable end projection. The dormers would be faced in uPVC cladding (sides) , stone (front) and concrete tile roof to match the existing dwelling.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

Relevant Planning History

92/05330 -- Proposal: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT. Decision: OP - CONDITIONAL OUTLINE PERMISSION. Decision date: 05/04/1993.

93/02278 – Proposal: ERECTION OF 2 PAIRS OF SEMI-DETACHED DWELLINGS. Decision: RM - APPROVAL OF RESERVED MATTERS. Decision date: 08/07/1993.

93/02460 -- Proposal: ERECTION OF 1 DETACHED AND 3 TERRACED DWELLINGS. Decision: RM - APPROVAL OF RESERVED MATTERS. Decision date: 26/07/1993.

2006/94694 – Proposal: ERECTION OF SINGLE STOREY REAR EXTENSION. Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 11/12/2006.

Officer Note: The property has had its permitted development rights removed in: 92/05330, 93/02278 and 93/02460. The proposal was submitted as a planning application so will be assessed on its merits in relation to visual and residential amenity.

Representations

We are currently undertaking 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 which expired on: 08/04/2021

No representations have been received.

Consultation Responses

No technical consultees required.

Holme Valley Parish Council have not commented on the scheme. It was noted that a Planning Meeting took place on 12th April, with this application on the agenda, but the minutes of that meeting were not available when this report was written.

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.

Kirklees Local Plan (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP21 – Highways and access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 30 – Biodiversity**

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both

the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character of the host property and the wider street scene.

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 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 (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 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, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

LP24 of the Kirklees Local Plan requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

The proposed dormer would be clearly subservient, suitably detailed with its gable end and scaled appropriately for its setting to the primary and rear elevations and other dwellings within the wider estate. The rear elevation would appear to be slightly unbalanced however on balance its position to the rear away from view at the highway would be acceptable. The front dormer would echo similar gable end dormers within the streetscene with its part clad design detail and is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area and be acceptable and accord with Policy LP24 of the Local Plan and the draft SPD ‘House Extension and Alterations’.

3 – Impact on residential amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*”

The proposed extension and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities.

Given that the proposed front dormer in this application would be appropriately scaled and have a separation distance of over 35m to its opposite neighbours, no concerns have been raised in regards to overbearing, overlooking or overshadowing to its southern neighbours at No.s 19 and 20. It would not intrude on its neighbour to the west, No. 5’s blank elevation at first storey level, by reason of its position, limited scale and would not add any impact to overshadowing, overbearing or overlooking.

To the rear, the dormer would have an extremely secondary window limiting views out to New Station House north which would be presenting its side elevation at an angle. Due to its scale and limited projection, no concerns have been raised in terms of detrimental impact to overlooking, overbearing or overshadowing.

In this respect the development complies with Policy LP24 of the LP.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking.

The proposed development would not adversely affect the existing parking spaces within the site, would not intensify use and therefore would not cause additional harm to highway safety.

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 limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development. The proposed dormers would not adversely impact on photovoltaic panels.

Biodiversity

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and therefore considered unlikely that the proposals would have an impact on the bat population. The roofspace is already used for habitable accommodation. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

6 – Representations:

No representations had been received.

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: 2021/90671

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 Policy LP24 of the Kirklees Local Plan.

3. The external front walls and roofing materials of the dormer windows 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.

NOTE: Due to its 'Bat Alert' location, a bat roost may be present on site. Bats are a European protected species under section 43 of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone to intentionally 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans - Grouped Plans and Elevations	Plans & Elevations as Proposed. 21D06-FBA-ZZ-XX-DR-A-0701-P02. Dated: Feb 21.	P02 Client Amendments	03/03/2021
Plans - Grouped Plans and Elevations	Plans and Elevations as Existing. 21D06-FBA-ZZ-XX-DR-A-0201-P01. Dated: Feb 21.		03/03/2021
Plans – Location Plan	Location & Block Plan. Project: 21D06-FBA-ZZ-XX-DR-A-0101-P01. Dated Feb 21.		03/03/2021

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. The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

