

**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: 2021/62/91716/W
Site Address: 63, New Road, Netherthong, Holmfirth, HD9 3XY
Description: Erection of single storey extension to rear and
demolition of existing conservatory
Recommending Officer: Lucy Taylor

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: 15-Jun-2021

Officer Report.

Reference: 2021/91716

Location: 63, New Road, Netherthong, Holmfirth, HD9 3XY

Proposal: Erection of single storey extension to rear and demolition of existing conservatory.

Site Description.

63 New Road is a two-storey detached property located in Netherthong, Holmfirth. The property is constructed from stone and has a gable roof infilled with tiles. At present, the property benefits from a conservatory to the rear as well as a substantial extent of rear garden amenity space.

The property is located in a semi-rural residential area where all of the properties are detached in their style of construction. However, along New Road there is a mixed sense of similarity within the streetscene, with the majority of properties constructed from stone, with some having render established on the front and side facings.

The application site is Unallocated in the Kirklees Local Plan however, the front elevation does overlook classified greenbelt land.

Description of Proposal.

Planning permission is sought for the erection of a single storey rear extension following the demolition of an existing conservatory.

Single Storey Rear Extension:

The proposed single storey rear extension will be constructed in place of the existing conservatory, of a slightly larger size and scale.

The rear extension will have a width of 7.3 metres, a projection of 3.5 metres and a height of 3 metres. The walls of the extension will be constructed from render and the extension will have a flat roof erected above. The extension proposes glazing on only the rear elevation in the form of glazed bi-folding doors, made up of 5 glazed panels.

History of Negotiations.

No negotiations have taken place and no amended plans have been sought or submitted.

Relevant Planning History.

No relevant planning history.

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 14th June 2021 – no representation were received.

Consultation Responses.

Holme Valley Parish Council – support the application

Policy/Legislation.

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 in Unallocated on the Kirklees Local Plan however, it has been acknowledged that the front of the host dwelling overlooks classified greenbelt land.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP24** – 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 February 2019, 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
- **Chapter 15** – Protecting and enhancing the natural environment

Assessment.

The Following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 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 NPPF.

Policy LP1 goes on further to state that “the council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In terms of extending and making alterations to a property Policy LP 24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design.

In the case of this application, the principle development on the application site is acceptable and shall be assessed against other material planning considerations below.

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.

It should first be acknowledged that the proposed rear extension to 63 New Road is located to the rear of the dwelling, therefore, will not be visible from the wider streetscene or have any impact upon the classified greenbelt land located to the front of the dwelling. In addition, the presence of an outbuilding to one side elevation and an existing elongated projection to the other side elevation further reinforces the more discreet positioning of the extension from the wider streetscene.

The extension itself is of a single storey nature and relatively small in size and scale. It will be subservient when viewed in conjunction with the two-storey host dwelling. In addition, the proposed flat roofing style further supports the subservient nature of the extension, of a simple form that will not result in

undue bulking, massing or obtrusiveness. In turn, the design of the extension itself is considered appropriate visually, not leading to overdevelopment to the rear of the dwelling. In addition, as development of a conservatory has previously been established in the same location as the proposed site of erection for the extension, its presence to the rear is not considered detrimental to the original architectural style of the dwellinghouse.

In terms of the proposed materials, render is considered to be appropriate. Although not in keeping with the materials used on the host dwelling it will not impact negatively upon the architectural style of the property, located to the rear and the considered to harmonise visually with the appearance of stone. Furthermore, a dormer erected to the rear of the host property is constructed from white panelling, meaning an alternative material has previously been established and that the render will harmonise well with this material. In addition, it should also be acknowledged that other properties along New Road have render established to more visible elevations including the front and sides. The fenestration detailing proposed is minor in size and scale and the glazed bi-folding doors are considered to be an appropriate contemporary addition.

Taking into account all of the above, it is considered that the proposed extension and alterations would comply with local, national and emerging policies in relation to design.

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 site shares its boundary with various properties. Therefore, development at 63 New Road has the potential to have some form of impact upon these neighbours. The impacts that may affect these properties are set out and discussed below:

- *65 New Road* – this property is located to the north of the application site. The proposed rear extension will have no impact upon residential amenity for the occupiers of this neighbouring property. This is because of numerous factors including the principle of development itself, the separation distance present, the site of the proposed development upon the host dwelling and the existing presence of a rear projection between the site of development and this neighbouring property. All of these factors conclude that the development will have no detriment in terms of overbearing and overshadowing and the extension will result in no impact to neighbouring privacy as the extension poses no increased potential of overlooking.

- *61 New Road* – this property is located to the south of the application site. The proposed rear extension will have no impact upon residential amenity for the occupiers of this neighbouring property. This is because of numerous factors including the principle of development itself, the separation distance present, the site of the proposed development upon the host dwelling and the existing presence of an outbuilding between the site of development and this neighbouring property. All of these factors conclude that the development will have no detriment in terms of overbearing and overshadowing and the extension will result in no impact to neighbouring privacy as the extension poses no increased potential of overlooking.

In light of the above the proposal is considered to have an acceptable impact on residential amenity.

4. Impact on Highway Safety:

It has been acknowledged that there would be no further impact upon highway safety as the proposal is unlikely to intensify the domestic use at the property and will not alter the existing parking arrangements. In addition, the extension will not alter existing access to and from the property in conjunction with the adjoining highway. For these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

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 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.

In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures.

Bats

The application site lies within the bat alert layer on the Council’s GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential.

In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

6. Representations:

No representations were received.

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: 2021/91716

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.

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.

Note: The application site is located in a low coal risk area.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Plans and Elevations	155695-02	-	26.4.21
Existing Plans and Elevations	155695-01	-	26.4.21

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 amended plans were sought or submitted.

Report Dated:

15.6.21