

**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: 2021/62/91853/W
Site Address: Bray House, Woodhead Road, Holmfirth, HD9 2PX
Description: Erection of single storey rear extension
Recommending Officer: Katie Chew

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 21-Jun-2021

Officer Report

Site Description

Bray House, Woodhead Road, Holmfirth, HD9 2PX

The application site relates to a large two-storey detached dwelling which is stepped back from the public highway (Woodhead Road). The property benefits from a large driveway and access to the west, with integral garages and parking spaces to the front of the dwelling. Garden/amenity areas can be found to the front, rear and sides of the dwelling.

The host dwelling is constructed from natural stone and artificial stone coursing, with concrete roof tiles.

Description of Proposal

The application seeks planning approval for the erection of single storey rear extension.

The proposed extension is to measure approximately 3.4m x 7.7m, with a maximum height of 2.9m.

Materials proposed within the extension include render and natural stone coursing and single-ply membrane roof.

History of negotiations/amendments received

No amendments were sought in this instance.

Relevant Planning History

2001/92159 – Erection of extensions and alterations. Approved 31st August 2001.

Representations

Final publicity date expires:

Neighbour Letters – Expired 17th June 2021.

No representations have been received to date.

Officer note: 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, details of which are outlined above.

Consultation Responses

No technical consultations are required.

Parish/Town Council Comments

Holme Valley Parish Council – Support.

Local Ward Members

N/A.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan but is located within a Bat Alert Area, Strategic Green Infrastructure Network and Holme Valley Neighbourhood Plan Area.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and Access**
- **LP22 - Parking**
- **LP24 – Design**
- **LP30 – Biodiversity & Geodiversity**
- **LP31 – Strategic Green Infrastructure Network**

Supplementary Planning Guidance:

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 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) updated 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. In this instance the chapters of most relevance include:

- 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

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

- 1) Principle of development
- 1) Scale, design and visual impact of the proposed development
- 2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 3) Impact on highway safety
- 4) Other matters
- 5) Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

As the site is without notation in the Kirklees Local Plan (KLP), it is considered that the principle of development in this instance would be acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 124 provides a principal consideration concerning design which states:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of the development in the local area, thus retaining a sense of local identity.

LP24 states that all proposals should promote good design by ensuring the following:

“a. the form, scale, layout and details of all development respects and enhance the character of the townscape, heritage assets and landscape...”

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”.

The application site is surrounded by a number of other residential dwellings that all vary in scale, size, age and design. Dwellings are typically medium sized detached single and two-storey properties, with garden areas to the front, rear and sides. A number of the dwellings located on Woodhead Road have been extended or altered in some way over the years, it is therefore considered that dependent on design, scale and detailing it may be acceptable to extend the host property.

Given the location of the proposed extension to the rear of the dwelling, the alterations would not be openly visible from the public domain. Nonetheless, the extension is considered to be small in scale and size, and that it would appear subservient to the host dwelling. Whilst proposed materials are to

somewhat differ to what currently exists within the dwelling, the proposed render and natural stone coursing is not considered to appear incongruous in this location as render can be found in numerous dwellings within the immediate vicinity. In respect to detailing and design, the proposals seek to construct a flat roofed extension with roof lantern, whilst this is a somewhat modern addition, it is considered to be complimentary to the host dwelling and similar extensions can be seen throughout Woodhead Road. Moreover the proposed green oak canopy is not considered to detract from the dwellinghouse or the streetscene.

Furthermore, the host dwelling benefits from a curtilage which is considered to be of a sufficient size to support the proposed extensions and alterations without amounting to overdevelopment. There would also be a reasonable amenity space retained for the occupiers of the dwelling.

In conclusion, the proposals are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of this site. The proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 - Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

Impact on Holmeswood

This neighbouring property is located to the north west of the application site, approximately 19m away. Given the small scale and size of the proposals, the large separation distance and that Holmeswood is set at a higher ground level to the application site, there are no concerns in regards to the extension appearing overbearing in nature to this dwelling or causes problems in respect to overshadowing. Furthermore, whilst 2 new windows are to be installed within the northern elevation of the extension, there is a significant amount of screening to the rear of the property which would screen any direct views out of these windows.

Impact on Dalveen

This neighbouring property is located to the north east of the application site, approximately 7m away. The proposed extension is to be located to the rear of the dwelling, it is in officers opinion that any overshadowing that would

arise from the proposals would fall within the application site itself, or along the eastern boundary between Dalveen and Bray House and would not have a detrimental impact on this neighbouring properties amenity. Whilst it is noted that a new door and window are proposed within the eastern elevation of the extension, the extension is to look out towards a retaining wall, and as Dalveen is set at a lower ground level than the application site, views would be over across the rear garden rather than into it. However, it is also important to highlight that the new window and door would be providing light into a non-habitable room. Finally, although the differing ground levels between these dwellings is acknowledged, given the small scale and size of the proposed extension, viewed against the existing dwelling two-storey dwelling, the proposals are not considered to appear overbearing in this location.

The proposal does not give rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan and Section 12 of the National Planning Policy Framework.

4 - Impact on Highway Safety:

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

As the proposed extension relates to the rear of the dwellinghouse, no amendments are proposed to the existing access and car parking arrangements at the site. In addition to this, no additional bedrooms are to be created by the proposals it is therefore considered that the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

5 - Other Matters:

Biodiversity

Whilst it is acknowledged that the application site is located within a bat alert layer, given the nature of the proposals and that the roof and eaves of the host dwelling appear to be well sealed, it is considered unlikely that roosting bats would be disturbed during construction works. However, an informative will be attached should planning permission be granted to ensure that if roosting bats are found on site all works will stop.

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.

The proposal is for a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6 - 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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approve.

Decision Authorisation - Delegated Powers

Application Number: 2021/91853

Officer Recommendation: Approve.

Conditions & Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

1. The development hereby approved 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 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 to

intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a license. 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 found then contact Natural England.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Existing Combined GA Plans & Elevations	BRH-IVI-XX-ZZ-DR-A-20-001	P01	4 th May 2021
Proposed Combined Plans & Elevations	BRH-IVI-XX-ZZ-DR-A-20-002	P01	4 th May 2021
Site Location Plan	-	-	4 th May 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 preapplication 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 have been sought as the proposals were deemed to be acceptable upon submission.

Report Dated: 21/06/2021