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:	2021/62/92013/W
Site Address:	9, Seymour Walk, Meltham, Holmfirth, HD9 4BP
Description:	Erection of two storey extension to rear, demolition of existing conservatory and associated alterations
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: 05-Jul-2021

Officer Report.

Reference: 2021/92013

Location: 9 Seymour Walk, Meltham, Holmfirth, HD9 4BP

Proposal: Erection of two-storey extension to rear, demolition of existing conservatory and associated alterations.

Site Description.

9 Seymour Walk is a two-storey detached property located in Meltham, Holmfirth. The property is constructed from coursed stone and has a dominant gable roof and smaller lean-to roof, both infilled with concrete interlocking tiles.

The property is located within a residential cul-de-sac where there is a strong sense of similarity within the streetscene. This is because all of the properties have a very similar style of design and construction in that they are detached and have a matching appearance, especially with regard to the use of external construction materials.

The application site is Unallocated within the Kirklees Local Plan.

Description of Proposal.

Planning permission is sought for the erection of a two-storey extension to the rear, the demolition of an existing conservatory and associated alterations.

Two-Storey Extension:
The proposed two-storey extension would be located to the rear of the host dwelling, in place of the existing conservatory to the rear following its demolition. The two-storey extension would project from the rear wall of the dominant dwellinghouse by 2.7 metres, have a width of 4.8 metres and a height of 6.6 metres, topped with a gable roof. It should also be noted that the pitch of this gable roof will be less than the maximum height of the host dwelling and the existing pitch of the dominant roof.

The walls of the extension will be constructed from coursed stone and the roof will be infilled with concrete interlocking tiles, in keeping with the appearance of the host dwelling.

With regard to fenestration the extension proposes glazing to the rear elevation and to the western side elevation. To the rear this glazing will be in the form of one regular window and a set of small windows that cover a wide length and to the side elevation another regular window that will be obscurely glazed is proposed as well as a set of French doors. All of fenestration detailing will be constructed from UPVC to match existing.

History of Negotiations.

No negotiations took place and no amended plans were sought or submitted.

Relevant Planning History.

- **99/92585** – *9 Seymour Walk, Meltham* – Erection of Conservatory. *Granted in 1999.*
- **2011/92083** – *9 Seymour Walk, Meltham* – Erection of two-storey extension to front. *Granted in 2011.*
- **2020/93457** – *9 Seymour Walk, Meltham* – Demolition of conservatory and erection of single storey rear extension. *Granted in 2020.*

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 1st July – no representations were received.

Consultation Responses.

Meltham Town Council – no comments were made.

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.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping

- **LP21** – Access/highways
- **LP22** - Parking
- **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

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.

1. **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.

The proposed two-storey extension is to be located to the rear of the property and is to be of a reduced height to that already established therefore, it will be a subservient addition to the host dwelling, not prominent in appearance from the wider streetscene. Further promoting the subservient nature of the extension is the use of matching construction materials, positively encouraging harmonisation between the host dwelling and additional development. In addition, the chosen gable roofing style and reduced roof pitch mitigates any excess bulking and massing from the overall design of the extension, ensuring that it will not be an obtrusive feature following erection. Finally, the proposed fenestration detailing is of a simple form that is in keeping with the forms of fenestration previously established on the host dwelling. Therefore, overall, the proposed two-storey extension is considered appropriate from a visual amenity perspective.

It should further be noted that the proposed two-storey extension has been assessed in conjunction with previous developments and it has been concluded that its erection will not result in over-development at the host property, especially given that the previous conservatory extension will be demolished to facilitate the erection of this new development. Overall, meaning the two-storey extension is an appropriate addition visually when considered against the extent of development at the site.

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.

2. **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 9 Seymour Walk 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:

- 11 Seymour Walk – this property is located to the west of the application site. Given the presence of the neighbouring garage between the two dwellings, substantial separation distance is present between the host dwelling and this neighbouring property and therefore, the erection of the proposed two-storey rear extension will not result in any undue overbearing or overshadowing. In addition, the

solid side elevation of the neighbouring garage acts as a form of extensive boundary treatment, working to further mitigate any further impacts from the proposed development. Finally, the proposed two-storey extension will result in no detriment to neighbouring privacy as no glazing is proposed on the side elevation of the extension that faces this neighbouring property.

- 16 Bishops Way – this property is located to the south east of the application site. Given the extent of separation distance between this neighbouring property and the host dwelling, the proposed two-storey extension will not result in any undue overbearing or overshadowing. In addition, the proposed two-storey extension will not impact negatively upon residential privacy because the proposed glazing to the side elevation at first-floor level is to be obscurely glazed and to the ground floor any overlooking from the proposed French doors is mitigated by the presence of boundary treatments, tall wooden fencing and dense shrubbery.

- 18 Bishops Way – this property is located to the south of the application site. Given the extent of separation distance between this neighbouring property and the host dwelling, the proposed two-storey extension will not result in any undue overbearing or overshadowing. In addition, the proposed two-storey extension will not impact negatively upon residential privacy because the glazing to the rear of the two-storey extension will only overlook a solid side elevation of this neighbouring property therefore, posing no detriment in terms of neighbouring overlooking. In addition, it should be noted that boundary treatment is in place between these two neighbouring properties further mitigating any potential impacts, this is in the form of dense shrubbery.

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

3. 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 proposed works 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.

4. 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. In addition, it should also be acknowledged that the proposed two-storey rear extension is to be constructed from stone. Stone is considered to be a natural material.

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.

5. Representations

No representations were received.

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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers
Application Number: **2021/92013**
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 construction 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 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
Grouped Plans and Elevations	Proposed Extension	-	19.5.21
Existing Floor Plans	First Floor as existing	-	19.5.21
Existing Floor Plans	Existing Floor Plan	-	19.5.21
Proposed Floor Plans	First Floor as proposed	-	19.5.21
Proposed Floor Plans	Proposed Floor Plan	-	19.5.21

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: 5.7.21