

**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: 2021/62/92936/W

Site Address: 54, Greave Road, Hade Edge, Holmfirth, HD9 2AQ

Description: Demolition of existing conservatory, erection of single storey side extension, first floor rear balcony and exterior alterations

Recommending Officer: Lucy Taylor

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: 02-Sep-2021

Officer Report.

Reference: 2021/92936

Location: 54, Greave Road, Hade Edge, Holmfirth, HD9 2AQ

Proposal: Demolition of existing conservatory and erection of single storey side extension with exterior alterations

Site Description.

54 Greave Road is a two-storey semi-detached property located in Hade Edge, Holmfirth. The property is constructed from natural coursed stone and has a gable roofing style, infilled with concrete tiles. The property currently benefits from a conservatory, erected to the western side elevation, and benefits from a substantial amount of garden amenity space to the rear, bounded to each elevation with tall fencing.

The property is located within a semi-rural residential area, with the properties located along Greave Road sharing a strong sense of similarity to one another; of the same style of design and construction, faced with matching exterior materials. To the opposite side of the highway the buildings do not function for residential purposes, with the building directly opposite a school and further east a bandroom.

The application site is Unallocated in the Kirklees Local Plan.

Description of Proposal.

Planning permission is sought for the demolition of the existing conservatory, the erection of a single storey side extension and other exterior alterations to the dwelling.

Single Story Side Extension:

Following the demolition of the existing conservatory, the proposed single storey side extension will be constructed in its place to a larger size/scale. The extension will have a projection of 4.2 metres and a width of 2.65 metres, aligning with the established maximum rear projection and set in from the maximum width of the host property, of an 'infill' design. The height of the

proposed extension will be 3.6 metres, with an eaves height of 2.5 metres due to the lean-to roofing style. The exterior walls of the extension will be constructed from natural coursed stone and the roof will be infilled with concrete tiles, matching the appearance of the host property.

The extension proposes fenestration details to only the rear elevation, in the form of a regular window. Roof lighting is also proposed, in the form of three velux windows to be erected within the lean-to roof. All of this fenestration detailing will be constructed from UPVC, to match the appearance of existing windows/doors previously erected on the host dwelling.

Within the interior of the dwelling, the rear extension will create an extension to the existing kitchen/dining room.

Other Exterior Alterations:

In conjunction with the proposed side extension, the existing first-floor rear window, positioned above the proposed lean-to roof, will be reduced in size. The replacement window will have the same design as those erected elsewhere on the dwelling and will be made from matching UPVC.

The existing small ground floor window to the front elevation of the dwelling will also be replaced by a slightly larger window, made up on two glazed panels rather than one and will not obscurely glazed.

These alterations to the existing fenestration are a result of alterations to the internal layout of the property.

History of Negotiations.

The proposal originally stated 'demolition of existing conservatory, erection of single storey side extension, first floor rear balcony and exterior alterations' however, amendments were sought by the case officer to remove the balcony. This is because, although the other proposed developments are acceptable in principle, the balcony was not – posing detriment to residential amenity in terms of neighbouring privacy and overlooking and resultantly, failing to comply with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework. It should also be noted that the proposed balcony failed to meet the requirements of a balcony development as outlined in the council's House Extensions and Alterations SPD (June 2021).

Amended plans were submitted by the agent, removing the balcony and showing only the proposed single storey side extension and other more minor exterior alterations to the host dwelling. These revised plans have been used to assess and determine development at 54 Greave Road.

Further amendments were also sought regarding the proposed additional window to be erected in the western side elevation at first floor level, serving an interior bedroom. The case officer communicated with the applicant

requesting that this window become obscurely glazed, for reasons of residential amenity.

Upon submitted amended plans, the applicant removed the window from the development scheme. Therefore, it was no longer necessary to consider this window within the assessment or determination of this application.

Relevant Planning History.

- **2004/90514** – Conversion and extension to integral garage to form habitable accommodation. *Granted 2004.*

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, a site notice and within the newspaper, collectively expiring on 31st August 2021 – one neighbour comment was received.

The neighbour comment acknowledged that it would likely be the most affected neighbouring property, with the two properties looking over one another. However, stated that despite been the most affected by development, had no issues with the application.

Although amended plans were sought and submitted, it was not deemed necessary to re-advertise the development scheme at 54 Greave Road through new neighbour letters. This is because the removal of the balcony and first floor side elevation window lessens the impact of development on residential amenity and therefore, it would be unlikely that publishing the amended plans would result in further neighbour comments been 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 is Unallocated in the Kirklees Local Plan.

Although it has been acknowledged that the application site is located in close proximity to classified greenbelt land, no further assessment of this is required due to the developments posing no detriment to significance – given the principles of development themselves and the separation distance present between there erection and the classified land.

Kirklees Local Plan:

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP21** – Highway Safety
- **LP22** – Parking Provision
- **LP24** – Design

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan (HVNP) has reached an advanced stage of preparation and the independent Examiner's Report has been received. Although the plan has yet to be subject to a referendum in the affected area, it is a material planning consideration in decision making and weight has been attributed in accordance with NPPF (July 2021) paragraph 48.

The emerging Policies relevant to this application, following receipt of the independent Examiner's Report which are to be put forward to referendum, including key considerations from these Policies, are:

- **Policy 1** – Protecting and Enhancing the Landscape Character of Holme Valley
- **Policy 2** – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- **Policy 12** – Promoting Sustainability
- **Policy 13** – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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 2** – Achieving Sustainable Development
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding

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:

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 notion in the Kirklees Local Plan. Chapter 2 of the NPPF states that:

“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”

Chapter 2 of the NPPF goes onto further state that objectives should:

“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”

In line with the NPPF, policy 1 of the Kirklees Local Plan declares that:

“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”

LP1 goes further and states:

“The council will always work pro-actively 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 this instance, it can be stated that the principles of development of this application are acceptable; and as a result, are subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

1. Impact on Visual Amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 126 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 development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
*“a. the form, scale, layout and details of all development respects and enhances 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...”*

Developments that are considered to conform appropriately with Local Plan Policy LP24 and the design requirements as set out above, are considered to also conform with Policy 2 of the Home Valley Neighbourhood Plan – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

Kirklees Council’s House Extensions and Alterations SPD (June 2021) states that single storey side extensions should:

- Not extend more than two thirds of the width of the original dwellinghouse
- Not exceed a height of 4 metres; and
- Be set back at least 500mm from the original building line to allow for a visual break

The proposed side extension to 54 Greave Road is considered to appropriately abide by these requirements:

- Proposed width of 2.7 metres with the host dwelling having a total width of 6.65 metres
- Having a maximum height of 3.6 metres
- Due to its infill design, the extension is naturally set back and mitigated from visibility of the wider streetscene of Greave Road, set behind a two-storey element

It should first be noted that the proposed single storey side extension to 54 Greave Road is to replace an existing development on site, enforcing that over-development will not be caused at the host property as a result of this scheme. This is further enhanced through the subservient design of the proposed extension and the use of matching construction materials. The harmonising footprint of the extension and the erection of an unobtrusive lean-to roofing style further supports the subservient form of the proposed extension. These factors ensure that no undue bulking or massing will be present to the side of the property as a result of development. The proposed fenestration detailing is also acceptable, in keeping with the forms previously established on the host dwelling and the roof lighting considered to be an appropriate contemporary addition.

The minor exterior alterations to the first-floor rear window and ground floor front window pose no detriment to visual amenity. This is because the replacement windows will be in keeping with the appearance of other fenestration detailing on the host building, therefore harmonising seamlessly with the original architectural style of the dwellinghouse.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed developments are considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Policy 2 of the Holme Valley Neighbourhood Development Plan.

2. Impact on Residential Amenity:

Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The properties most likely to be affected by the proposed development are those which directly neighbour the site, these being No. 52 Greave Road and No. 56 Greave Road, as well as No. 4 Hopefield Court to the rear of the site. It is considered that the proposed side extension would be a sufficient distance away from other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy, or the creation of an overbearing affect.

No. 56 Greave Road – this property is located to the east and adjoins the application site.

Due to the setting of these neighbouring properties, and their relationship within the streetscene, the proposed single-storey side extension will have no impact upon the occupiers of 56 Greave Road with regard to overbearing, overshadowing or neighbouring privacy. This is because of the ‘infill’ design of the extension which means that the host property itself will mitigate both visibility of the extension and any potential impacts from its development, with no glazing therefore directly facing this neighbouring property. It should also be acknowledged that boundary treatment is in place between the two neighbouring properties, in the form of wooden fencing.

In addition, the proposed alterations to the existing fenestration detailing on the host dwelling pose no impacts upon residential privacy, with the existing arrangement of glazing remaining the same. As such, the new windows will provide the same extent and span of visibility as the existing windows.

No. 52 Greave Road – this property is located to the west of the application site.

No undue impacts of overbearing or overshadowing will be caused for the occupiers of 52 Greave Road following the erection of the side extension to No. 54, due to its single storey nature, the extent of separation distance present between the two properties and the tall wooden fencing boundary treatment in place. The extension poses no detriment to residential privacy with no glazing proposed on the side elevation, therefore, creating no potential of overlooking.

In addition, the proposed alterations to the existing fenestration detailing on the front and rear of the host dwelling pose no impacts upon residential privacy, with the existing arrangement of glazing remaining the same.

As such, the new windows will provide the same extent and span of visibility as the existing windows.

No. 4 Hopefield Court – this property is located to the south, set to the rear of the application site.

Given the principle of development at 54 Greave Road, and the extent of separation distance present between the site of erection and this neighbouring property, no undue impacts of overbearing or overshadowing will be caused as a result of development. In addition, the proposed glazing to the rear is minor (only one regular window) and will provide the same outlook as currently visible from the existing conservatory. In turn, evidencing that the extension poses no increased detriment to neighbouring privacy or overlooking.

It should also be acknowledged that boundary treatment is erected between these two neighbouring properties, in the form of dense shrubbery and hedging, further mitigating any potential impacts of development.

In addition, the proposed alterations to the existing fenestration detailing on the host dwelling pose no impacts upon residential privacy, with the existing arrangement of glazing remaining the same. As such, the new windows will provide the same extent and span of visibility as the existing windows.

For the reasons outlined above, the proposed developments to 54 Greave Road are not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Policy 2 from the Holme Valley Neighbourhood Development Plan.

3. Impact on Highway Safety:

Given that the developments to 54 Greave Road will not result in increased domestic use of the dwelling, and that existing parking arrangements will remain the same on site, no detriment is considered to be posed to highway safety. In addition, it should also be noted that the proposed developments

will not alter existing access to or from the property in conjunction with the adjoining highway (Greave Road).

Given the above, the impact upon highway safety is therefore considered to be acceptable. The proposed development is therefore considered to comply with policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan, Policy 12 of the Holme Valley Neighbourhood Development Plan and Chapter 14 of the National Planning Policy Framework.

5. Representations:

One neighbour comment was received.

This neighbour comment was received in support of the application.

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: 2021/92936

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 walls and roofing 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
GA as Existing	1023 – 01	-	21.7.21
GA as Proposed	1023 – 02	3	2.9.21
Location Plan	1023 – 04	-	21.7.21

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. Amended plans were sought to remove the originally proposed balcony, revised drawings were successfully submitted by the applicant. In addition, the applicant removed the first-floor window proposed in the side elevation therefore, no further action regarding this was required.

Report Dated:

2.9.21