

**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:         | <b>2021/62/94238/W</b>                                                             |
| Site Address:         | Dalveen, Woodhead Road, Holmfirth, HD9 2PX                                         |
| Description:          | Erection of first floor side extension, new side entrance and external 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.**

John Holmes

***AUTHORISED OFFICER***

**Date: 04-Feb-2022**

## **Officer Report.**

**Reference:** 2021/94238

**Location:** Dalveen, Woodhead Road, Holmfirth, HD9 2PX

**Proposal:** Erection of first floor side extension, new side entrance and external alterations

## **Site Description.**

Dalveen is a three storey detached property located in Holmfirth. The property is faced in coursed local sandstone and has a gable roofing form infilled with rosemary tiles. Within the wider curtilage, the property benefits from on-site parking space to the front and eastern side elevation and a garden is present to the front and rear of the property.

The property of Dalveen is significantly set back from the fronting highway of Woodhead Road, with boundary treatment of stone walling and hedging. There is a sense of spaciousness between neighbouring properties.

## **Description of Proposal.**

Planning permission is sought for the erection of a first floor side extension, a new entrance and other external alterations.

### ***First Floor Extension***

The proposed first floor side extension is to be erected above the existing single storey western side elevation, of the same width (5.2 metres). The length of the first floor extension will be 7.4 metres, set back 0.65 metres from the principal elevation of the host dwelling. The height of the proposed first floor extension is 4.7 metres, creating a total cumulative height of 7 metres for the entire western side projection. The extension will be faced in matching coursed local sandstone and a gable roofing form will be erected above, infilled with matching rosemary tiles. The height of the gable roof will be set down from the maximum height of the host dwelling by 0.5 metres.

Regular windows are proposed to the front and rear elevation of the first floor extension and one small obscurely glazed window is proposed to the western side elevation. The windows will be framed to match the existing forms of fenestration to the host dwelling.

Within the interior of the dwelling, the extension will function as two bedrooms and an en-suite bathroom.

### ***New Entrance***

The new entrance is to be constructed to the eastern side elevation of host property, erecting a new entrance door in place of an existing regular window. The new entrance door will be of an appearance that matches existing access doors on the host property.

The existing small single storey lean-to roof to the eastern side elevation of Dalveen will be extended above the new entrance by a length of 4.4 metres. The extended roof will be infilled with matching rosemary tiles. Two columns will be erected to support the extended roof and two external steps will be erected to facilitate access to and from the new access door and amenity space.

The existing Lobby to the principal elevation of the dwelling will become the new formal entrance to the property and this new proposed side entrance will be used as an 'everyday entrance'.

### ***External Alterations***

The external alterations to the host dwelling of Dalveen are related to alterations in existing forms of fenestration. This includes alterations to existing forms of glazing on the ground floor of the western side projection and the replacement of an existing window to the rear of the dwelling with glazed doors.

All of these forms of replacement fenestration detailing will be framed to match the existing forms of glazing on the host dwelling.

### **History of Negotiations.**

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

### **Relevant Planning History.**

No relevant planning history on site.

### **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 24<sup>th</sup> December 2021 – one representation was received.

Although the representation raised no concerns in relation to the proposed plans, concerns were raised in relation to potential impacts of noise, disturbance and disruption during the building works and construction phase. The representation sought that a restriction be placed upon the hours of operation, to enable neighbouring properties to enjoy the benefits of their own properties on evenings and weekends.

The representation also requested that consideration be given to ensuring that, any fires be limited to the grounds of the property only.

Finally, the representation raised that access to neighbouring properties driveways/access points should be kept clear.

### **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 application site is within a Strategic Green Infrastructure Network as identified within the Kirklees Local Plan. The site is within the Holme Valley Neighbourhood Plan and associated landscape character area (LCA4 – River Holme Settled Valley Floor). The site also falls in an area with a known presence of bats and native birds.

#### **Kirklees Local Plan:**

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

#### **Kirklees Council's House Extensions and Alterations SPD:**

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. The guidance and additional details on Local Plan policies set out in the SPD have been produced on the principle of 'comply or justify'.

#### **Holme Valley Neighbourhood Development Plan:**

The site falls within Local Characteristic Area 4 – River Holme Settled Valley Floor

The policies from the Holme Valley Neighbourhood Development Plan that are relevant to this application 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

#### **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:

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) 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.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

In this instance, it can be stated that the principle of development for this application is acceptable, subject to the assessment of impacts to visual and residential amenity, as well as to highway safety and any other material planning impacts that may arise.

### **1. Impact on Visual Amenity**

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 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 Holme Valley Neighbourhood Plan – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

Policy 1 of the Holme Valley Neighbourhood Plan (HVNP) sets out that development proposals should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case River Holme Settled Valley Floor (LCA4).

The key built characteristics of Local Character Area 4 are:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The Council's House Extensions and Alterations SPD further states that first floor side extensions should:

- ideally be visually smaller in relation to the original house
- be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house
- have a roof design that follows the form of the existing roof
- retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens

The proposed first floor extension to Dalveen appropriately complies with all of the design requirements as set out above.

The proposed first floor extension is considered to be a subservient addition, that appropriately harmonises with the original architectural design of the host dwelling. In addition, the new gable roof above the extension is considered to create a more visually congruent form above the dwellinghouse, in comparison to the existing steep lean-to roof. As well as this, the set down position ensures that the original dwellinghouse remains visually dominant. The use of harmonising exterior materials further enhances the extent to which the extension will be subservient following its erection and can be secured by condition in the event of any approval.

Therefore, it is concluded that the extension will not be an obtrusive addition to the host dwelling and will sympathetically work to improve and compliment the existing architectural style of Dalveen.

With regard to the proposed forms of fenestration on the extension and modifications to the existing glazing on the host dwelling, these are in keeping with the existing appearance of the dwellinghouse and will be framed to harmonise with the original windows/glazed doors erected to the host property at present. The new side entrance requires minor additions to the host dwelling and is considered to be in keeping with the architectural form of Dalveen, drawing on and enhancing existing design features including the single storey lean-to roof. Therefore, these additional exterior alterations to the host property are also considered to be acceptable from a visual amenity perspective.

It is also important to acknowledge that, given the set back position from the fronting highway, the proposed works will be of a reduced impact within the wider streetscene, with limited visibility outside the curtilage 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 development is considered to appropriately comply with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Key Design Principles 1 and 2 of the House Extensions and Alterations SPD.

## **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.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

Policy 2 of the Holme Valley Neighbourhood Development Plan states that *‘designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties’.*

The proposal would see the retention of a functional amenity space and is not considered to be overdevelopment.

The properties most likely to be affected by the proposed works to Dalveen are those which directly neighbour the property, these being Lyncroft and Bray House.

It should be noted that due to there size, scale and location upon Dalveen, the new entrance and other fenestration exterior alterations are not considered to create any detrimental impacts upon residential amenity. A full assessment of any impacts to residential amenity as a result of erecting the proposed first floor extension is set out below.

*Lyncroft* – this property is located east of the application site. Given that this neighbouring property is set to the opposite side of Dalveen to that which proposes the first floor side extension and that a separation distance of approx. 29 metres is present between the setting of both properties, it is concluded that the first floor development will have no detriment to the occupiers of Lyncroft. This is with regard to overbearing, overshadowing and neighbouring privacy.

*Bray House* – this property is located west of the application site. The proposed first floor extension will be set approx. 6.95 metres from this neighbouring property and therefore, no significant impacts of overbearing or overshadowing will be caused for the occupiers of Bray House. This is further promoted through the proposed gable roofing form which works to reduce any potential of undue bulking and massing and the set down height of the extension in comparison to the maximum height of the host dwelling.

Furthermore, although a window is proposed to the side elevation of the first floor extension, this will be obscurely glazed. In turn, the extension proposes no detriment to the neighbouring privacy of Bray House with regard to overlooking.

For these reasons, the proposed development at Dalveen is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Plan and Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions and Alterations SPD.

### **3. Impact on Highway Safety**

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Although the proposed works to Dalveen have the potential to increase the domestic function of the property, creating an additional bedroom to the first floor, the existing parking arrangements will remain the same and these are

considered sufficient in supporting this development. The on-site parking amenity space to the front and side elevation of the host property is extensive and will not be altered as a result of the proposed works. In addition, existing routes of access to and from the dwelling in conjunction with Woodhead Road will remain the same.

In turn, erecting the proposed extensions and alterations at Dalveen would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

#### **4. Other Matters**

##### *Climate Change*

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

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 proposal would be required to adhere to building regulations in terms of insulation and as such it is considered insistence of further measures to be incorporated by the LPA would not be reasonable in this case.

The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

##### *Bats*

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

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 worker sought. Subject to informative note, the proposal is concluded to accord with the aforementioned policy.

## **5. Representations**

One representation was received which raised concern regarding the construction phrase of the developments proposed to Dalveen. Unfortunately, these are not considered to be material planning considerations and therefore, cannot be taken into consideration upon the determination of this proposal. However, a note regarding construction hours has been added to the decision notice.

## **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: 2021/94238**  
**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 with Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 15 of the Council's adopted House Extensions and Alterations SPD, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 2, 12 and 14 of the NPPF.

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 and retained thereafter.

**Reason:** In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's House Extensions and Alterations SPD, Policies 1 and 2 of the Holme Valley Neighbourhood Plan and policies within Chapter 12 of the NPPF.

**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:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours Mondays to Fridays 08.00 and 13.00 hours Saturdays With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and

Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Note: The application site is not located in a coal risk area.

Plans and specifications schedule:-

| <b>Plan Type</b>           | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|----------------------------|------------------|----------------|----------------------|
| Location Plan              | 34444(0-)01      | -              | 9.11.21              |
| Existing Ground Floor Plan | 34444(0-)02      | -              | 9.11.21              |
| Existing Elevations (1)    | 34444(0-)03      | -              | 9.11.21              |
| Existing Elevations (2)    | 34444(0-)04      | -              | 9.11.21              |
| Existing Elevations (3)    | 34444(0-)05      | -              | 9.11.21              |
| Proposed Ground Floor Plan | 34444(0-)06      | -              | 9.11.21              |
| Proposed First Floor Plan  | 34444(0-)07      | -              | 9.11.21              |
| Proposed Elevations (1)    | 34444(0-)08      | -              | 9.11.21              |
| Proposed Elevations (2)    | 34444(0-)09      | -              | 9.11.21              |
| Proposed Elevations (3)    | 34444(0-)10      | -              | 9.11.21              |
| Topographical Survey       | 34444(TP)01      | -              | 9.11.21              |

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:** 26.1.22

