

**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: 2021/62/94303/W
Site Address: 14, Westcroft, Honley, Holmfirth, HD9 6JP
Description: Erection of two storey side extension, single storey rear and exterior alterations
Recommending Officer: Laura Yeadon

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: 06-Jan-2022

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f94303>

Site Description

14 Westcroft, Honley is a two storey semi-detached property located within land without notation on the Kirklees Local Plan. The property is set within a corner plot and is constructed from facing brick and has a concrete tiled roof. The property is set back and set slightly down from the roadside by a front garden a driveway and has a single storey flat-roofed attached garage to the side. To the rear of the property is a conservatory and larger garden area. The side boundary of the site faces Westcroft with the boundary treatment being fencing set behind a low boundary wall. Surrounding development comprises of similarly designed hipped roof semi-detached properties some of which have been extended.

Description of Proposal

Permission is sought for the erection of a two storey side extension, single storey rear extension and exterior alterations. The application has been submitted following the recent granting of planning permission under application number 2021/92450 which obtained approval for an identical scheme to that proposed under this application. The difference between the previous scheme and this proposal is that it is proposed that the finishing material to the front (south-west) elevation of the two storey extension and the front elevation of the original dwelling would be finished in an off-white through coloured render. The side and rear elevations of the extensions would remain as approved, constructed of brickwork.

Two storey side extension

The proposed two storey side extension would replace the existing single storey garage and would project to the side by 4.2 metres. The extension would span the full depth of the property lying flush with the existing rear elevation of the property. The extension would be set down from the roof of the host property by 0.2 metres and is set back at first floor level by 0.3 metres. At the ground floor level a slight protrusion to accommodate a garage is proposed.

Single storey rear extension

The proposed single storey rear extension would be set in from the shared boundary with No. 16 by 0.4 metres and would project a total of 3.3 metres from the rear elevation of the property. The extension would be a total width of 6.3 metres with an eaves height of 2.6 metres and an overall height of 3.9 metres to the ridge of the lean-to roof.

Exterior alterations

Exterior alterations include the formation of a small decked area.

As reported above, it is proposed as part of this application that the front elevation of the property and the two storey extension would be finished in an off-white through coloured render with the other elevations being brickwork to match the existing and the roof would be constructed from interlocking tiles to match the existing.

History of negotiations/amendments received

None

Relevant Planning History

2021/92450 Erection of two storey side extension, single storey rear and exterior alterations
Conditional Full Permission

Representations

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.

Final publicity date expired 20th December 2021

Holme Valley Parish Council – no observation

Consultation Responses

None required

Policy

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 22 – Parking
- LP 24 – Design

- LP 30 - Biodiversity

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st July 2021, 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.

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Holme Valley Neighbourhood Plan

The Holme Valley Neighbourhood Development Plan has been passed in a referendum on 4th November 2021. The next and final stage for adoption of the Plan will be at Full Council on 8th December 2021. Until formally adopted the Plan remains a material planning consideration in decision making and weight must be attributed in accordance with NPPF (July 2021) Paragraph 48. When weighing material considerations in any planning judgement, it is always the case that what is material is a legal fact, and the weight to be attributed thereto is, as always, for the decision makers to ascertain..

- Policy 2 – Protecting and enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

The application site is within Landscape Character 6, Honley Village Centre. One of the key characteristics of the area is glimpsed views of a wider rural backdrop that are often framed by built form. Also that the sloping topography creates a strong connection between the centre of Honley and the wider agricultural setting with strong visual links up to Oldfield. In addition, the area affords long distance views to Castle Hill.

Supplementary Planning Documents (SPD):

- House Extensions and Alterations Supplementary Planning Guidance

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of

the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Assessment

The following matters are considered in the assessment below –

- 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 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 National Planning Policy Framework. LP1 goes on further to stating that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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”.

With specific regard to the House Extensions and Alterations SPD the key design principles for consideration are:

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking

The adopted SPD states that in terms of two storey side extensions should:

- not take up all or most of the space to the side of the building;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house

With regards to single storey rear extensions, these should:

- be in keeping with the scale and style of the original house;
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height; not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

On corner plots the SPD states side extensions should contribute to the local character by:

- Facing in both directions to create two frontages, each with windows overlooking the street;
- Being set back from the existing building line on both streets; and
- Following the boundary treatment along both streets, in relation to its position, height and materials.

These issues are considered in the report below.

The property had its permitted development rights removed within the previous application for the insertion of openings within the south-eastern side elevation of the single storey rear extension. This was to protect the amenity of the neighbouring property.

2 – Impact on visual amenity:

Policy 1 of the Holme Valley Neighbourhood Plan (HVNP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 6, detailed in the ‘Policies’ section of this report)

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design. Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The design of the proposal is such that the two storey side extension would have an eaves height and roof ridge height to match the existing. The hipped roof design would be retained within the extension. The design of the two storey element of the proposal would broadly comply with the House Extensions and Alterations SPD with the plans indicating that the extension would be set in from the boundary screening by 3.3 metres. This ensures a level of separation between the site and the roadside. The extension would be set back at first floor level and whilst this is not by the full 0.5 metres a set back of 0.3m is achieved at first floor and justification as to why this is not achievable in terms of impacting upon the space within the property was submitted as part of the previous application.

Having regard to two storey extensions in the locality which are not set back or down it is considered the proposal would have an acceptable visual appearance in this regard and it would be unreasonable of the LPA to insist upon a 0.5m set back / down given the character of two storey side extensions within the neighbouring locality.

In terms of the single storey rear extension this would be set in from the shared boundary with the neighbouring property by 0.4 metres and would have a 3.3 metre projection. Due to being single storey in height this element of the proposal would be clearly subservient.

It is considered that the proposal would have an acceptable impact in terms of size and scale with the extensions, particularly to the rear of the property read as such. It is not considered that the proposed works would result in an overdevelopment of the plot.

There are openings proposed within the front, side and rear elevations of the extensions which are considered to be acceptable in terms of size and proportions.

It is proposed that the front elevation of both the two storey extension and also the existing property would be finished with an off-white through coloured render. Whilst this would introduce a new finishing material to the property, there is the use of render within the wider area and given that the property is sited on land without notation on the Kirklees Local Plan, it is not considered that the use of this material would be significantly harmful to the street scene or to the visual amenity of the host property. The side and rear elevation of the two storey extension would be brickwork to match the host property, as would the single storey rear extension. As these elevations would match the existing there are minimal concerns.

It is therefore considered that in terms of visual amenity, the proposed would comply with the House Extensions and Alterations SPD and accords with policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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.

The scheme has been previously assessed with regards to residential amenity and it was cited that In terms of the impact of the scheme on this property, the two storey extension is not considered to cause undue harm to this property in terms of overshadowing and/or being overbearing or from overlooking.

The report goes on to say that in terms of the single storey rear extension, this would be set in from the shared boundary by 0.4 metres and would project 3.3 metres from the rear elevation of the property. Whilst this is 0.3 metres more than advised within the SPD, the extension would be to the north-west of the neighbouring property and therefore there would be little loss of direct sunlight to No. 16 from the extension. In addition, the extension is set in from the boundary and the property hosts full permitted development rights and therefore could potentially build a similar sized extension with a 3 metres projection and 4 metres height right up to the boundary without the requirement of planning permission (under pd rights). There are no openings within the side elevation of the single storey extension would impede on privacy in terms of overlooking from the structure. Given the realistic fall-back position which could be utilised by the applicant under pd rights, it is considered refusal on the basis of overshadowing could not be substantiated in this case.

In terms of the impact of the scheme on surrounding development, the side elevation of the two storey extension would face No. 11 Westcroft and two small openings are proposed, one at each floor and a rooflight within each roof slope. The openings within the side elevation are to a WC at ground floor and en-suite at first floor. Due to the rooms they would serve, the openings are not considered to lead to an increase on overlooking to the properties

opposite the side elevation of the two storey extension. The two storey extension would lie flush with the existing elevations with the exception of the garage door (which is non-habitable) and therefore, there is not considered to be a material increase in overlooking from that which exists already.

With regards to the single storey extension, this would have an opening within the side elevation and within the rear elevation with rooflights in the lean-to roof. The opening within the side elevation would face across the rear of the proposed extension and there are openings within the rear elevation which face into the garden area. The dwelling beyond the rear boundary is set at a slightly lower ground level and the separation distance between the rear elevation openings would be reduced to approximately 18 metres. Given this distance relates to the single storey element of the proposal this is considered to be acceptable as suitable boundary treatment can screen any overlooking impact.

It is therefore considered that in terms of residential amenity the proposal is acceptable and would broadly comply within the House Extensions and Alterations SPD, Policy LP24 and advice within the NPPF.

4 – 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.

The existing garage would be removed to facilitate the construction of the proposed two storey side extension. The existing garage has a width which falls short of the current standards. The Kirklees Design Guide SPD advises under Section 5.15 advises that the minimum internal garage dimensions should be 6m long and 3 m wide to be of sufficient size to accommodate a vehicle. The proposed garage provision also falls short of the recommended dimensions with the internal length of the garage being 5.2 metres. As such, there would be no loss of internal parking from either the existing or proposed garage. The House Extensions and Alterations SPD indicates at section 4.42 that 4+ bedroom dwelling should provide 3 off-street parking spaces. Taking into account the existing hardstanding at the property which is to the front and side of the property, 3 no. vehicles could comfortably fit within the site which would comply with Policy LP22 regarding parking.

5 – 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 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. No specific mitigation measures are required in this instance.

Ecology - the application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been received from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

6 – Representations:

None

7 – 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: 2021/94303

Officer Recommendation: Approve

Conditions

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 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, LP24 and LP30 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 15 of the House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Plan and advice within Chapters 12, 14 and 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension, shall in all respects match those used in the construction of the existing building. The front, south-west, elevation of the host property and extension hereby approved shall be finished in render in an off white colour finish. The materials and colour finish shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and advice within the National Planning Policy Framework.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order) no doors, windows or any other openings shall be created in the south eastern (side) elevation of the rear single storey extension hereby approved.

Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with policy LP24 of the Kirklees Local Plan, Key Design Principles 3 and 4 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and advice within the National Planning Policy Framework.

NOTE: The Council's GIS system indicates that 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 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.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|-------------------|----------------|--------------------------------|
| Location plan | LP01 | | 12 th November 2021 |
| Block plan | LP01 | | 12 th November 2021 |
| Existing elevations, floor plans, roof plan and section | 2021/029/01 | | 12 th November 2021 |
| Proposed elevations, floor plans, roof plan and section | 2021/029/03 Rev:B | | 12 th November 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 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 amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 6th January 2022

Coal – low

