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:	**2022/62/90045/W**
Site Address:	2, Southwood Avenue, Honley, Holmfirth, HD9 6QP
Description:	Replacement of flat roof with pitched roof
Recommending Officer:	Hubert Lam

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 08-Mar-2022

Officer Report

2022/90045 – 2 Southwood Avenue, Honley, Holmfirth, HD9 6QP

Site Description

The application site is within the district of Honley, in a predominantly residential area characterised by detached and semi-detached dwellings of various types, accessed by Southwood Avenue to it south; the host property is semi-detached dwelling with an associated curtilage and a significant descending height elevation from south to north overall, and benefits from a front yard and rear garden, an integrated garage on its side (west) wing adjoining that of 4 Southwood Avenue. The application site is within the Holme Valley Neighbourhood Development Plan Area and a Bat Alert Area.

Description of the Proposals

The application seeks planning permission for the proposed replacement of the existing flat roof section with a dual-pitched roof section to the dining room on the principal (south) elevation of the dwelling.

Planning History

Reference: 2020/CLD/93689/W
Description: Certificate of lawfulness for existing raised decking
Status: Certificate of Lawful Operations Granted

Reference: 2014/62/91541/W
Description: Proposed erection of single storey side extension to form granny flat annexe with roof balcony to dwelling above
Status: Conditional Full Permission

Reference: 2008/62/93145/W3
Description: Proposed erection of side and rear extensions
Status: Conditional Full Permission

Representations
The application has been advertised by neighbour notification letters. Final publicity expired 14 Feb 2022. No representations were received.

Holme Valley Parish Council – support the application.

Consultee Responses
None undertaken

Policy
Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).
The site is unallocated on the Kirklees Local Plan.

The most relevant Policies for consideration in this case are:

LP1 Achieving Sustainable development
LP2 Place Shaping
LP7 Efficient and effective use of land and buildings
LP24 Design

Holme Valley Neighbourhood Development Plan (2021)

Holme Valley Neighbourhood Development Plan –

Policy 1:Protecting and Enhancing the Landscape Character of Holme Valley. (this site is within LCA7: River Holme Wooded Valley)

Key landscape characteristic of the area are

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

Key built characteristic of the area are

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.
- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.
Policy 12: Promoting Sustainability.

Relevant Supplementary Planning Documents and Guidance

Supplementary Planning Documents (SPD):
Kirklees Council has adopted (as of 29th June 2021) supplementary planning document for House Extensions and Alterations. This is now a material consideration in the assessment of householder planning applications. 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, the wider street scene and the amenities of neighbouring residents.

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, 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 7 – Requiring good design
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Appraisal

Principle

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".

In this case, the principle of extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

Visual Amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 130 of the NPPF is also of relevance to the consideration of this application.

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 proposed roof alterations would involve the removal of the existing flat roof section to the front sitting room on the principal (south) elevation of the dwelling, and the erection of a dual-pitched roof section in its place; the proposed roof height would be increased the existing 2.9m overall for the flat roof to 4.2m at the roof ridge and 3.1m at the eaves at a 30 degree pitch angle, with the installation of 1no Velux rooflights to each of the proposed roof planes (total 2no proposed rooflights), and associated cavity wall sections to the proposed gable end to match the existing house in its external finishing and appearance. The proposed scale, massing, layout, and configuration would be in-keeping with the existing built footprint of the house, with the

extension limited in scope to the height increase due to the proposed alteration in roof configuration.

It was considered that all these elements of the proposed works as described were carefully designed to either utilise or respect the existing dimensions and configuration of the house, the aggregate effect of which would be proportionate and subservient to the main house in terms of their scale and massing, and would be well-related in terms of their design in layout and orientation, and would be of a matching architectural style that could be clearly interpreted as the typical vernacular in its context and surroundings. The use of a dual pitched roof would serve to improve the visual appearance of the dwelling. It is noted that there have been previous extensions to the dwelling but that given the limited scale of the scheme now proposed, the cumulative impact would not over dominate the original dwelling. As such, subject to conditions requiring matching materials of construction, the proposal would be considered acceptable in terms of visual amenity in LP7 and LP24 of the KLP, Policy 2 of the HVNDP, and KDP1 of the SPD.

Residential Amenity

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 application site benefits from a generous associated residential curtilage that would allow for ample spacing between the host property and their nearest neighbouring properties; the proposed roof alterations would be set sufficiently away from any boundaries with third party land.

Due to its location, layout, and separation from the nearest neighbouring properties, the proposed roof alterations would not pose any greater impact on the shading, privacy, and residential amenity than that of the existing dwelling, and would not detract from the character and the setting of its surroundings as seen in outlook from neighbouring properties. As such, the proposed extension would accord with Section 12 of the NPPF, Policy LP24b of the Local Plan, and the specific guidance on residential amenity as described by the Kirklees House Extensions & Alterations SPD KDPs 3-6.

Highways Safety

The dwelling benefits from substantial on-site parking with a provision of at least 2no parking spaces on its private drive, and on-street parking for at least 2no vehicles. The proposal will not materially intensify the site so as to the point where the provision off additional parking provision is critical. Therefore, the proposed development will not materially impact on matters of highway safety and would accord with policies LP21 and LP22 of the KLP.

Ecology and Biodiversity

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. KDP12 states that extensions and alterations should consider how they might contribute towards the enhancement of biodiversity.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified Bat Alert Area, the proposals are relatively modest and the proposed extensions and alterations would not be considered likely to host roosting bats. As such, subject to informative requiring works to cease and Natural England contacted in the event bats are discovered, the proposal would be considered acceptable in light of the aforementioned policy / legislation.

Other Matters

Carbon Budget

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.

The proposed alterations to the window opening and glazing configuration to the rear (south) elevation would help capture passive solar gain and help to reduce the need for artificial lighting. As the scope of the works proposed are relatively modest and would not introduce a significant environmental impact compared with that of the existing house and its associated outbuildings and structures, it is not considered reasonable to add any carbon budget / climate emergency related condition. The scheme therefore complies with the aims of policy LP24 of the KLP and chapters 9 and 14 of the NPPF, which seek to promote sustainable transport and to support low carbon future. KDP8-10 promote energy efficiency and renewable energy and Policy 12 of the HVNDP.

Representations
No representations were received.

Conclusion

Having assessed the application against the relevant local planning policies, SPD and the National Planning Policy Framework, it is considered that the proposed works, in isolation and aggregate, would not bear any significant detrimental impact to the residential and public amenity of the house or its residential setting. Regarding all these elements, the proposal represents a sustainable and appropriate form of development both upon the house and its surroundings.

Recommendation

That this application be GRANTED permission subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. 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: In the interests of sustainable design principles and sound planning practice, in accordance with Policies LP1, LP2, LP7, and LP24 of the Kirklees Local Plan, the adopted SPD on House Extensions and Alterations, Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies within Chapter 12 of the National Planning Policy Framework.

03. The external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building. The materials of construction shall be retained as such thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies within Chapter 12 of the National Planning Policy Framework.

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.

Schedule of Plans and Specifications

Plan Type	Reference	Version	Date Received
Location Plan	LP 01		07 Jan 2022
Planning and Building Regulations Drawing	2021/066/03		07 Jan 2022

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.

Date of Report: 07 March 2022