

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:	2022/62/91467/W
Site Address:	166, Greenfield Road, Holmfirth, HD9 2LP
Description:	Erection of two storey side extension single storey front extension, conversion of existing garage and erection of link structure and alterations to existing raised lawn/seating area to rear
Recommending Officer:	Sam Jackman

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: 05-Sep-2022

Officer Report – 2022/91467

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2F91467>

Site Description

166 Greenfield Road, Holmfirth, is a stone semi-detached property with a blue slate hipped roof with a ground floor bay window feature incorporating a flat roof. The property benefits from a driveway leading to a detached stone garage built into the garden and a single storey side extension extending the existing dining room with a WC.

The property is on a sloping site where the drive gently slopes up towards the property. The rear garden is terraced having a rockery directly to the rear of the property with the lawn almost at eaves height of the garage with a further step up to the existing decking area.

Description of Proposal

The application is for a 2-storey side extension, linked into the existing garage at the rear where the garage will be converted into a garden room & gym. To the front of the side extension a single storey extension with a new canopy over the front door and existing bay window.

The extension and alterations will create a study, storage space, W.C, enlarged utility, garden room, gym, extended dining area, with a master bedroom including an en-suite and walk in wardrobe at first floor.

The measurements of the proposal are as follows:

The front canopy

- 1m in projection
- 5.8m in width (the full width of the front elevation)
- 2.6m in height to the eaves; 3.16m in overall height with a lean-to roof

Single storey front extension

- 2.94m in overall projection (where only 1m projects forward of the front elevation).
- 4.25m in width (distance from the gable)
- 2.6m in height to the eaves; 3.6m in overall height with a lean-to roof

2-storey side extension

- 6.2m in depth
- 4.25m in width (distance from the gable)
- 5.22m in height to the eaves; 7.4m in overall height

Garage link extension

- 1.5m in projection
- 2.7m in width
- 2.56m in height to the eaves; 3.7m in overall height

The existing garage will be retained, with new bifold window installed along with two new sets of bifold's to the rear elevation. The existing rockery will be removed and replaced with a new retaining wall, creating a large flat patio to the rear of the property.

The proposed extension would be built from materials to match the host property using natural stone with a blue slate tiled hipped roof.

History of negotiations/amendments received

Amended plans have been received to remove the front balcony, set the single storey extension back to be in line with the bay windows and reduce the front canopy.

Relevant Planning History

None

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 15.6.22, whereby no representation has been received

Parish/ Town Council

Holme Valley Parish Council - Oppose. The extension is too large, is right up to the property border, and there is no access to the rear. Plans are not clear on the provision of adequate parking.

The amended plans were considered to make marginal changes to the proposal's design (reductions) and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

Consultation Responses

None

Policy

The site is without notation on the Kirklees Local Plan and falls within an area with a known presence of bats

The site also falls within the Holme Valley Neighbourhood Development Plan area and is within associated landscape character area ref: - LCA4, the River Holme Settled Valley Floor.

Kirklees Local Plan:

- **LP 1**– Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** - Biodiversity and geodiversity

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- 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

The application site is within Landscape Character Area 4 - The River Holme Settled Valley Floor.

One key characteristic of the area is framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park. Where the built-up characteristics are terraced cottages, narrow streets within small tight knit settlements.

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 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.

Supplementary Planning Documents:

- Highways Design Guide SPD 2019
- House Extensions and Alterations SPD 2021

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and Conservation Area/ Listed Building
- 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 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess the application, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual/residential amenity covered by principles, 3, 4, 5, 6 & 7 and are considered within the following report. These policies state the following:

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”
- Principle 3 - that “extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.
- Principle 4 - that “extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.
- Principle 5 - Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.
- Principle 6 - Extensions and alterations should not unduly reduce the outlook from a neighbouring property.
- Principle 7 - of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

With specific regards to the proposed development the SPD states that in terms of front, side and rear extensions, the SPD states:

The SPD also clearly refers to front extensions in section 5.2 and the potential impact they could have on the character of the area and visual amenity. The SPD advises that front extensions will not normally be supported unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and
- The materials and design match the existing features of the original house; and
- The extension would not unreasonably affect the neighbouring properties.

In Section 5.19 of the SPD refers to side extensions and the potential impact they could significantly have on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. 5.20 states two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- 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.

5.21 includes first-floor side extension which indicates how spaces between houses, are important in providing a sense of space, local character and attractive appearance of an area and should be retained.

Section 5.1 followed by 5.2 of the SPD refers to the general rules, where a rear extension should:

- Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained;
- Be set behind the original building, and not projecting beyond the sides;
- Maintain external access to the rear garden;
- Respect the original house and garden in terms of its size and scale;
- Use appropriate materials which match or are similar in appearance to the original house; and
- Not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.

Section 5.6 of the SPD specifically refers to single storey rear extension which 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.

The above listed policies and guidance within the House Extensions and Alteration SPD are taken into account within the 'Impact on Visual Amenity' and 'Impact on Residential Amenity' sections of this report.

2 – Impact on visual amenity

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment.

Policy 2 of the HVNDP 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.

166 Greenfield Road Holmfirth is a 1940's stone semi-detached detached property located in a ribbon development a mix of semis and detached properties of various styles located on the edge of Holmfirth.

The proposed extension is a two-storey side extension to the west of the property replacing the existing single storey side extension. To the front of the side extension would be a single storey extension along with a single storey extension linking the side extension to the existing garage.

Within the area there are both two storey & single storey side extensions all with different styles and details with No 160 having a similar design, to that proposed, therefore, a two-storey side extension is considered to be in keeping within the local area. Adding this massing to the side of the property means the potential for the terracing effect, given the neighbours extension is close to the boundary, albeit not on the boundary, similar to that of the

proposed extension, it is noted that a gap does exist. As such, the hipped roof, the set back of the first floor being at 2m, and the difference in is such that the proposal is considered to be acceptable in this regard.

The proposed hipped roof is considered to be in keeping of the host property, furthermore its set lower than the main roof ensuring it remains subservient. Matching stonework is proposed which would also not harm the character of the area or the host property. Therefore, the proposed side extension is to have no harm upon the visual amenity of the area.

The proposed front extension to the front of the side extension which would project forward of the front elevation of the host property, where the lean-to roof would then extend along the front elevation over the front door and existing bay window. Where these additions would be visible from the main highway, having the potential to impact upon the appearance of the streetscape, when combined with the two-storey side extension.

However, given the property is set back approx. 14m from the road and given the greater set back of the side extension of 2m rather than the 0.5m suggested in the SPD. It is considered the combined extensions when viewed from the street would have no significant impact upon the visual amenity in this case, particularly taking account of additions to neighbouring properties in the locality being of a similar design.

The rear extension won't be visible from the highway and is small in scale with a footprint of approx. 3.9²m adding some mass but marginal to the rear of the property, but being single storey, would have little impact on the host property.

The rear extension is to have a dual pitched roof linking into the existing garage roof which would be in keeping whilst ensuring the extension remains subservient. The rear extension is therefore considered to have no significant impact upon the visual amenity.

The design and appearance of the proposed extension accords with Policy LP24 of the Kirklees Local Plan along with the Supplementary Planning Document reducing the likelihood of a terracing effect. It would be subservient to the host dwelling and is in keeping with the existing building in terms of scale, materials and detailing and therefore, would respect the character of the wider area.

The extension is considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD), Policy 2 of the HVNHP and policies within Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy 2 of the HVNDP 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.

No.166 has two side neighbours; the attached neighbour no.164 and the detached no. 168, with No 27 Allergill Park to the rear and Northcote, Briar Court to the front.

Impact on No.164 Greenfield Road the attached neighbour

The proposed single storey rear extension in this case would project 1.5m and would be set in from the shared boundary by 7m with No. 164 which is to the east of the application site with a dual pitched.

Key design principle 5 of the SPD recommends that the 45-degree rule should be treated as a starting point in assessing impact for all rear extensions, i.e., a line drawn from the midpoint in the nearest adjacent habitable room window at an angle of 45 degrees should preferably not intersect the extension. In this instance, given the distance from the boundary and the neighbours extension the rear extension wouldn't create any detrimental overbearing or overshadowing impact on this neighbour.

With regards overlooking of this neighbour the proposal shows new bifold doors within the garage conversion where this window would overlook the applicant's patio and towards the neighbour's extension which projects approx. 3m, close to the boundary. Within the side elevation of the neighbour's extension there are high level windows therefore, given this relationship the bifold's wouldn't lead to any significant level of overlooking to no. 164 occurring and is considered acceptable.

The proposed 2-storey side extension is kept within the confines of the front and rear elevation of the host property and on the opposite gable therefore, this would have no significant impact on this neighbour. Along with the front extension given the separation level of projection of the front extension and fact there would be no side windows. Therefore, these two elements would have little impact on these neighbours with regards being overbearing or overshadowing or overlooking

Impact on No.168 Greenfield Road the detached neighbour

This neighbour has already built a 2- side extension the depth of their property close to the shared boundary, where this property is at a higher level and has 2 ground floor windows in the side elevation. Albeit these window would appear to be for the garage and potentially a utility/kitchen. Therefore, given that the side extension is not the full depth of the property with the ridge set down. Furthermore the single storey front and rear extensions are single storey and small in scale. Therefore, the extension would have little impact on these neighbours with regards being overbearing or overshadowing.

With regards overlooking the proposal includes 2 ground floor side windows overlooking the shared boundary however, given the existing hedge to both properties, the difference in levels and albeit the neighbours have 2 ground floor & a first-floor bathroom window in their gable they appear to be non-habitable room windows, therefore, it is considered no significant overlooking would occur.

Impact on No. 27 Allergill park to the rear

This property is located to the rear and is elevated above the host property due to the topography within the area, along with a mature conifer hedge. Furthermore the overall separation distance is approx. 26m. Therefore, the proposed extension would have little impact on these neighbours with regards being overbearing or overshadowing with the proposed first-floor windows in line with the host property again removing the likely hood of additional overlooking.

Impact on No. Northcote, Briar Court to the front

This property is located to the front and in this case is set down from the road, along with it being a bungalow. However, in this case the separation distance is approx. 40m. Therefore, the proposed extension would have little impact on these neighbours with regards being overbearing or overshadowing and with the proposed first-floor windows set back from the front elevation again removing the likely hood of additional overlooking.

Therefore, it is considered that the proposed extensions are acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, Policies 3,4,5 & 6 of the HVNHP as well as policies within chapter 12 of the National Planning Policy Framework.

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.

In this case the proposal would create a 4-bedroom property where albeit the garage will be lost, the access is restricted due to the existing single storey side extension and potential only used for storage. The remaining drive would remain at approx. 13.5m in length and is double in width where the property can still accommodate 3 cars as such would meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of the National Planning Policy Framework.

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.

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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

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.

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 is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

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:

Holme Valley Parish Council - Oppose. The extension is too large, is right up to the property border, and there is no access to the rear. Plans are not clear on the provision of adequate parking.

Response: - Amended plans have been received reducing the size of the front extension and deleting the balcony, which simplifies the extension. Furthermore the extension is set off the boundary albeit there is no access to the rear garden, this is a preferred option but not a requirement. The design of the extension on balance is considered to be acceptable.

The amended plans were considered to make marginal changes to the proposal's design (reductions) and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

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: 2022/91467

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 51 of the Planning and Compulsory Purchase Act 2004.

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, LP6, LP21, LP22, LP24 and LP33 of the Kirklees Local Plan, principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with Policies within Chapters 2, 4, 12, 14 and 15 of the National Planning Policy Framework.

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 be retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and 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.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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
Application form			29.4.22
Location Plan			29.4.22
Existing layout & elevations	115-22-PL02		29.4.22
Proposed layout & elevations	115-22-PL03_D		30.6.22

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.

The Case Officer requested amended plans during the process of the application to seek an amendment which would reduce the impact of the development on the visual amenity of the street scene. This decision is based on the amended/additional documents submitted.

Report Dated: 2.9.22

Coal - None