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:	**2022/62/91783/W**
Site Address:	Clare Dene, 75, Hall Ing Lane, Honley, Holmfirth, HD9 6QW
Description:	Erection of single storey rear extension
Recommending Officer:	Ellie Worth

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: 12-Aug-2022

Officer report

Site description
Clare Dene, 75 Hall Ing Lane, Honley is a detached bungalow faced in red brick with a tiled roof. Its design features include projecting gables to the front and rear. The site also benefits from a detached garage to the north east. Pedestrian and vehicular access can be taken from the south western boundary onto Hall Ing Lane. Boundary treatment consists of timber fencing and hedging.

The site is situated within a predominantly residential area, whereby the dwellings vary in design and form. The site is also unallocated on the Kirklees Local Plan.

Description of development
The proposal seeks permission for the erection of a single storey rear extension. The measurements of the scheme are as follows:

- 2m in projection
- 3.4m in width
- 2.5m in height to the eaves; 4m in overall height

The extension would be constructed from a timber frame with double roman roof tiles to match those that exist on the host dwelling. The windows would also be constructed from a high performance timber to match.

Internally an en-suite would be provided.

On site parking for at least three vehicles will be retained on the driveway to the side of the dwelling.

History of negotiations/amendments received
No amendments have been sought throughout the course of this application.

Relevant Planning History
At the application site:
2007/91297 Erection of dining room/entrance hall extension – Granted.
96/91338 Erection of single storey extension – Granted.

Neighbouring properties:
2020/94211 Demolition of existing dwelling and erection of detached dwelling with detached garage – Granted (77 Hall Ing Lane).

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 6th July 2022, whereby no representations have been received.

Holme Valley Parish Council: In support.

Consultations responses
None necessary.

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

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:
• LP1 – Achieving Sustainable Development
• LP2 – Place Shaping
• LP21 – Highway safety
• LP22 – Parking
• LP24 – Design
• LP30 – Biodiversity

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. The policies most relevant in this case 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 11 – Improving Transport, Accessibility and Local Infrastructure
• Policy 12 – Promoting Sustainability
• Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 7 - River Holme Wooded Valley as identified on the neighbourhood plan.

Key landscape characteristics of the area are stated to be:
• 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 characteristics of the area are stated to be:
• 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.

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 4 – Decision-Making Transport
• Chapter 12 – Achieving Well-Designed Places
• Chapter 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Documents (SPD)
• House Extensions and Alterations SPD (2021)
• Highways Design Guide (2019)

Assessment
The following matters are considered in the assessment below:
1. Principle of development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

1. Principle of development
The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. 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 development on the application site is acceptable and shall be assessed against other material planning considerations below.

2. Impact on visual amenity
Policies LP1, LP2 and LP24 of the Kirklees Local Plan are all relevant, as these policies seek to achieve good quality design that retains a sense of local identify, which is in keeping with the scale of development within the area and is visually attractive. With reference to extensions, it is advised within LP24(c) that these *''are subservient to the original building and are in keeping with the existing building in terms of scale, materials and details...''.*

These aims are also reinforced within Chapter 12 of the NPPF (Achieving well designed plans) where paragraph 126 provides an overarching consideration of design stating that: *"the creation of high quality buildings and places are 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".*

Policy 1 of the HVNDP relates to protecting and enhancing the landscape character of Holme Valley, and states that: *"All development proposals should demonstrate how they have been informed by the characteristics of the Landscape Character Area (LCA) in which they are located". The* Policy goes on to note that proposals should be designed in accordance with the character and management principles in respect of landscape set out for each LCA in order to avoid detrimental impact on the LCA. This Policy also notes that a full hard and soft landscaping scheme is to be submitted with all planning applications for new buildings.

Policy 2 of the HVNDP relates to protecting and enhancing the built character of the Holme Valley and promoting high quality design. Policy 2 notes that proposals should be designed in accordance with the management principles for each LCA in respect of built character in order to avoid detrimental harm to the LCA.

With regard to the House Extensions and Alterations SPD, Key Design Principles 1 and 2 are relevant which state:
• 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."

In this case, officers consider the development to appear subservient to the host property, as it would be retained at single storey, is only part width and is in contrasting materials to the host property - with a pitched roof to match. Whilst there would be some additional outdoor amenity space development as part of the proposal, it would not result in the overdevelopment of the site and would still be useable for the occupiers.

Paragraph 5.5 of the House Extensions and Alterations SPD sets out that "*single storey rear extensions can have an adverse impact on neighbouring properties and gardens. Careful consideration should therefore be given to the design of these extensions to ensure their height and windows do not harm the privacy of neighbours''.*

Furthermore, paragraph 5.6 of this SPD states that single storey rear extensions 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."

In this instance, the extension would be somewhat in keeping with the host dwelling given its design and form. Materials on the other hand would include timber, however, it has been noted that there are some existing examples on the existing dwelling of such material. Therefore, this secondary material can be supported, with the extension being relatively small in size and scale and not being overly prominent within the street scene. The height of the extension would be 4m and its projection would be 2m. Lastly, in terms of the distance from the boundary, to the plans show approximately 3m to be retained. This would exceed the aforementioned SPD and therefore the works are considered to adequately comply with the thrust of policy.

In respect of Policy 1 of the HVNDP, the proposed extension would only be single storey in scale and would be well concealed within the site. As such, it would not appear as a prominent feature in the landscape.

In terms of fenestration, high levelled windows are proposed, along with two roof lights and a glazed apex. This would allow natural light into the en-suite without prejudicing neighbouring amenity. The glazed apex would also not be visible within the wider landscape and therefore any impact would be limited.

Therefore, having taken into account the above, it has been considered that the proposal would harmonise, to an acceptable degree, with the host property and would not cause detrimental harm to the visual amenities of the area, in accordance with Policy LP24 of the KLP, the principles within the Council's House Extensions and Alterations SPD, Policies 1 and 2 of the HVNDP and Chapter 12 of the NPPF.

3. Impact on residential amenity
The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to *"provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings."*

Policy 2(10) of the HVNDP also states that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

• 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 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property’’.*
• Principle 6 – that: *"extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*
• Principle 7 – that: *“extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.”*

The impact of the development on each of the surrounding properties will be assessed in turn.

73 Hall Ing Lane is the neighbouring property to the North West of the application site. It has been noted that the proposed extension would have limited impact upon these neighbours’ amenity, due to its small size and scale and these neighbours being situated at a lower level. As such, the only relationship in which the extension would have with no. 73 is with their roof space. However, there is significant boundary treatment in place, in the form of hedging to mitigate the majority of the impact. Therefore, any overbearing and overshadowing would be minimal.

In terms of overlooking, the submitted plans only show medium/high levelled windows and therefore, there would not be any direct loss of privacy at these neighbours. The changes in levels also help retain neighbouring amenity, meaning that any outlook would be across the site, rather than down onto these neighbours garden space.

77 Hall Ing Lane is the neighbouring property to the South East of the application site. It has been noted that planning permission was granted in 2020 for the demolition of the existing dwelling and the erection of a new dwelling. However, given that the works are proposed at the opposite side of the host property, away from these neighbours, any overbearing and overshadowing would be minimal.

Any outlook from the proposed windows would also be obscured by the applicants detached outbuilding. Therefore, it is considered that a reasonable level of amenity would be retained at these neighbours.

To the rear of the site appears to be woodland.

Overall, it has been considered that the impact on amenity is acceptable and therefore the proposal is considered to comply with LP24(b) and (c) of the Kirklees Local Plan, Policy 2 of the HNVDP, Chapter 12 of the NPPF and the Principles of the Council’s House Extension and Alterations SPD.

4. Impact on highway safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Principle 15 of the House Extensions and Alterations SPD states that extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking. With Principle 16 going on to say that proposals should maintain appropriate storage arrangements for waste.

In this case, the development proposed would not intensify the domestic use, nor would it alter the existing parking arrangement at the site. As such, the driveway to the side of the property would continue to provide off street parking for at least 3 vehicles.

Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Principles 15 and 16 of the SPD, Policy 11 of the HVNDP, the Highways Design Guide SPD and Chapter 9 of the NPPF.

5. Other Matters

Climate change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Policy 12 of the HVNDP seeks to ensure that energy efficient designs are used in all new buildings.

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. Principles 10 and 11 also look to combat climate change.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures. However, it has been noted that large areas of glazing would be installed into the

extension's rear elevation, which would help aid passive solar gain and reduce the need for artificial light.

Bats
Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Hoime Valley Neighbourhood Development 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 House Extensions and Alterations SPD echoes local policy.

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, with the main works being set down. As such, the development would accord with the aims of Chapter 15 of the NPPF, Policy 13 of the HVNDP, Policy LP30 of the Kirklees Local Plan and Principle 2 of the House Extensions and Alterations SPD.

6. Representations
No representations have been received.

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 materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers
Application Number: 2022/91783
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, LP24 and LP30 of the Kirklees Local Plan, the aims of the Council's House Extensions and Alterations Supplementary Planning Document, the Holme Valley Neighbourhood Development Plan and Government guidance contained within the National Planning Policy Framework.

3. The external roofing materials of the rear extension hereby approved, shall in all respects match those that exist on the host property. The roof shall thereafter be retained with this finish.
Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Chapter 12 of the National Planning Policy Framework and

the Principles within the Kirklees House Extensions and Alterations Supplementary Planning Document.

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 13.00hours, 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: 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.

Plans and specifications schedule:

Plan Type	**Reference**	**Version**	**Date Received**
Existing floor plan and elevations	22017D-02-P01	-	23rd May 2022
Proposed floor plan, elevations and location plan	22017D-03-P02	-	23rd May 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 Planning 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. In this instance, no amendments have been sought throughout the course of this application.

Report Dated: 10th August 2022