

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:	2023/62/90686/W
Site Address:	8, Bayfield Close, Hade Edge, Holmfirth, HD9 2QX
Description:	Demolition of existing porch and erection of rear extension and 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: 24-Apr-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/90686
Location	8, Bayfield Close, Hade Edge, Holmfirth, HD9 2QX
Proposal	Demolition of existing porch and erection of rear extension and alterations
Publicity end date	Thursday 13 th April 2023
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated land
Extension to Time (EoT)	N/A EoT Date:
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) July 2021
National Planning Practice Guidance (NPPG)

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

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Holme Valley Neighbourhood Development Plan (HVNDP):

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley.
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.
- Policy 12 – Promoting Sustainability.

Landscape Character Area 3 – Hade Edge Upland Pastures

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- 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 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	

Parish/Town Council comments sought (Kirkburton)	Yes	No response to date
Planning History	Yes	• 1989/03194 – Outline application for residential development – Refused • 1990/05080 – Outline for residential development – Conditional Outline Permission • 1991/05929 – Erection of residential development – Approval of reserved matters • 2000/93377 – Erection of first floor extension – Conditional Full Permission
Consultations required	No	

Assessment

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraph 5.1 and 5.6 on pages 23 and 24 (and listed below) where they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – garden area would remain to the rear of the property with hardscaped garden to the front	
Be set behind the original building, and not projecting beyond the sides	Yes – would lie flush with the existing side elevation of the property	
Maintain external access to the rear garden	Yes – external access from the existing path to the side of the property would be retained	
Single storey rear extensions should:		

Be in keeping with the scale and style of the original house	Yes – pitched roof would be in keeping with the pitch on the host dwelling	
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	It would comply with this	
Not exceed 4 metres in height	It would comply with this	
Not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	The total projection would be 3.8 metres and would therefore comply with this	
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – the height would exceed 2.5 metres by being 3.3 metres however being within a prominent location and clearly visible from Dunford Road it has a better visual appearance than a flat roof would have – also located adjacent to parking areas beyond the rear of the neighbouring garden and garage so little impact on amenity
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – would retain 0.6m gap – however given the extension is flush with the existing side elevation – visually acceptable

Design and Visual Amenity:

The site falls within Landscape Character Area 3 – Hade Edge Upland Pastures

The key landscape characteristics of the area are:

- The open landscape has long distance views of the settled corridor of the River Holme and Kirklees district beyond as well as local views of open water bodies such as Boshaw Whams and Holme Styes.
- Stone boundary walls are common features creating a strong sense of visual unity.
- A network of Public Rights of Way (PRoW) follows local lanes or field boundaries. Minor roads and PRoW, including sections of the Kirklees Way and the Barnsley Boundary Walk long distance footpaths, connect farmsteads located on the valley sides. National Cycle Route no. 68 also passes through this area.

The key built characteristics of the area are:

- Dispersed settlements characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape.
- Hade Edge is the largest of the settlements containing some services and modern and older development and lies on a plateau at Dunford Road / Penistone Road.
- Former textile/woollen mills set within the valley of the River Ribble.
- Vernacular building materials include millstone grit in properties and boundary walls.

Summary of local street scene/character: Two storey detached property finished in natural coursed stone with a concrete tiled roof. Parking for 2 no. vehicles to the front of the property within site boundary. Boundary screening consists of fencing and walls. Surrounding development is comprised of dwellings with matching construction materials however vary in terms of style and design.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Policy 1 & 2 of the HVNDP	Limited projection at 3.8 metres, single storey in height. Whilst visible within the rear elevation street scene, is small in scale with a large single storey extension located on rear of No. 12. As such the proposal is	✓

	Chapter 12 NPPF	considered in keeping with the character of the locality.	
Impact on original house	- KDP2 of the SPD - Policy LP24 Design (c) and (d) of the KLP - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	Limited impact – materials to match, natural coursed stone to walls and concrete tiles to roof	✓
Height, scale and massing	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	Single storey and part-width of the rear elevation, appears proportionate to the host dwelling	✓
Facing materials and detailing	- KDP 9 of the SPD - Policy LP24 Design (d) (iii) of the KLP - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	To match, this can be secured by inclusion of a condition on any grant of permission.	✓
Roof style	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	Pitched roof – in keeping with host property	✓
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Policy 1 & 2 of the HVNDP	Large openings to rear west elevations and patio doors within south elevation – appear in keeping	✓

	Chapter 12 of the NPPF		
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	Private domestic extension – no alterations to access the main dwelling	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 6A Bayfield Avenue – located to the north of the application site – garage adjacent to the proposed extension and parking spaces beyond – 45 degree rule would not be met but separated by presence of garage

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	- KDP 3 & 4 of the SPD - Policy LP24 Design (d) (iv) - Policy 2 of the HVNDP - Chapter 12 of the NPPF	Openings would face into garden area to the rear (west) and side (south) elevations. Rear elevation openings face garden area and roadside and south elevations would face into garden and boundary screening	✓
Impact on light and outlook of neighbours (to sides, rear and front)	- KDP 4, 5, 6 of the SPD - Policy LP24 Design (b) - Policy 2 of the HVNDP - Chapter 12 of the NPPF	Limited impact on closest neighbour No. 6A due to presence of existing garage	✓

Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Acceptable level of remaining garden space retained	✓
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The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	N/A	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Property hosts driveway accessed off Bayfield Close – no additional bedrooms proposed – parking unaffected	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	None shown on plan however sufficient space available within red line boundary	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	None	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Policy 13 of the HVNDP • Chapter 15 of the NPPF	None	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Policy 12 of the HVNDP • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number:

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 to accord with Policies LP1, LP2, LP21, LP22, LP24 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 15 and 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 12 and 14 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 retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 1, 2 and 9 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing block plan, elevations and ground floor plan	(0-) 01		1 st March 2023

Plan Type	Reference	Version	Date Received
with As Existing Pictures 1, 2 and 3			
Proposed block plan, elevations and floor plan with proposed Pictures 1, 2 and 3	(0-) 02		1 st March 2023
Design and Access Statement	Project No. 229		1 st March 2023
Climate Change Statement	Appendix A		1 st March 2023

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated:

24th April 2023