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:	**2023/62/91304/E**
Site Address:	9, Holmfirth Road, Shepley, Huddersfield, HD8 8BB
Description:	Erection of two storey extension and alterations
Recommending Officer:	Edward Cheseldine

DECISION - REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Aug-2023

Officer Report

2023/91304 - 9, Holmfirth Road, Shepley, Huddersfield, HD8 8BB

Site Description

9 Holmfirth Road is a two-storey, end row terrace in the area of Shepley. The building appears on the 1893 County Series Maps held by Kirklees Council. The dwelling is constructed with stone exterior walls which fall under a stone tiled roof. The roof features a gable-end style. The dwelling is part of a row of three houses which are set back from the road by generous front gardens. Holmfirth Road features other stone built properties that are similar in appearance to the application site.

The dwellinghouse is situated within designated Green Belt.

Proposal Description

The applicant is seeking permission to erect a single and two storey, rear extension.

The extension would project ~2.85m from the existing rear elevation, to a width of ~6.55m. The first-floor will be stepped in to a width of ~5.00m. The extension will reach a height of ~4.70m to the eaves, to a maximum height of ~6.30m including the gable end roof.

Features of the extension include floor to ceiling windows with a single window on the ground floor and floor to ceiling windows on the first-floor. There are to be no side windows. In order to protect privacy of neighbours and future occupants it would be conditioned that side openings would require planning permission.

Materials of the extension will be in keeping with the existing dwelling with stone exterior walls and stone roofing materials.

Public Representations

The application was advertised by neighbourhood letters which expired on 16 June 2023. There were two representations received.

Full comments can be viewed on the Kirklees Planning Website. A summary of the comments are as follows:

- The extension would result in an overshadowing impact to neighbouring properties.
- The extension would result in a loss of outlook to the adjoining property.
- The design and appearance of the extension is incongruous to the terrace row.

In consideration of the representations, amended plans were received. An evaluation of these factors will be displayed in the visual and residential amenity sections of the report.

History of Negotiations

Following the public representations, amended plans were submitted by the planning agent. The width of the extension was reduced by ~4.00m with alterations to the windows.

Consultation Report

None.

Relevant Planning History

2006/94835 – Erection of two storey and single storey extension and formation of parking/turning area.

Policies

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 located within the Green Belt on the Kirklees Local Plan.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP57** – Extensions, alterations & replacement buildings in the Green Belt

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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.

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, and 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 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

1) Principle of development
2) Impact on openness of the Green Belt and visual amenity
3) Impact of residential amenity
4) Impact on highway safety
5) Other matters
6) Conclusion

Principle of development

The application site is located on land allocated as Green Belt on the Kirklees Local Plan.

Chapter 13 of the NPPF requires local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions of which include the extension or alteration of a building provided that it does not result in disproportionate additions in terms of size to the original dwellinghouse.

Policy LP57 of the Kirklees Local Plan states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

Impact on openness of the Green Belt and visual amenity

Rear extensions should relate to the form and massing of the host dwelling, whilst retaining a reasonable outdoor living environment. Rear extensions should not impact upon neighbouring properties and must leave a spatial

separation between development and property boundaries. Extensions should relate to existing buildings in terms of size, scale and form, appearing as natural enhancements to the streetscape. Considering the additional massing of the building, care should be taken as to not appear dominating other buildings or the visual character of properties in the local vicinity.

Policy complying with designed is entrenched within the English planning system. National guidelines, found within the National Planning Policy Framework (2021), forms policy regarding design. Chapter 12, Achieving well-designed places, ensures planning decisions take into consideration how development will add to the overall quality of the area, provide a visual attractiveness and is sympathetic to development's current surroundings.

Additionally, local policy, directed through the Kirklees Development Plan (2019), reinforces the weight given to design. Policy LP 24 states proposals should promote good design by ensuring,

A) the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
B) 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 5.6 of the House Extensions and Alterations Supplementary Planning Document states that two-storey rear extensions should:

- Be proportionate to the size of the original house and garden;
- Not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);
- Not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;
- Not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- Be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and
- Not adversely affect habitable room windows where they adjoin a neighbour's boundary.

In terms of size measurements, the proposed extension meets the above criteria, by projecting les than 3.00m and being situated over 1.50m from the property's boundary shared with the adjoining dwelling.

The Planning Practice Guidance (PPG) sets out that “openness is capable of having both spatial and visual aspects” – in other words, the visual impact of the proposal may be relevant. In this case, whilst the extension would be located to the rear of the dwelling, the impact of the proposal by virtue of the introduction of an additional rearward projection must be considered. The terrace row benefits from a simple rectangular form whilst the rear elevation of No. 9 maintains its original historic features. The introduction of a rearward projection would produce a cross-gable feature which departs from the existing architectural features presently found on the terrace row. Although the projection of the extension is modest, when cumulatively assessed with the existing side extension, two out of three of the original elevations would be covered dominating the appearance of the host dwelling. Due to the size of extension, the roof style would produce a ~5.30m rearward roof ridgeline which would appear as a large addition to the structure due to the scale of the dwelling.

The proposal would be built upon land that currently has a combination of loose gravel and ground material of which there is no greenery left. Satellite imagery shows there to be a surface change between 2012 & 2018 for which there is no planning permission present. The extension will encroach upon this rear area of former green space to dimensions of 6.55m (W) x 2.85 (L) x 4.50 (H), impacting its open character.

The proposal therefore fails to comply with Policy LP57(a) of the Kirklees Local Plan and the aims of Chapter 13 of the NPPF as the original house would not remain the dominant element when considering the visual impact. The proposals also fail to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would not form a subservient addition to the property in keeping with the existing building; nor advice within the House Extensions and Alterations Supplementary Planning Document, specifically KDP1 with respect Local Character, taking into account the terrace row. In addition, the proposal would not accord with KDP2 with regards to the impact on the original house as the design of the extension is neither well balanced, proportionate or sympathetic to the existing house or the aims of chapter 12 and 13 of the National Planning Policy Framework.

Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The House Extensions & Alterations Supplementary Planning Document goes into further detail with respect to outlining principles:

- Key Design Principle 3 states, '*extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours'*.

Impact on 11 Holmfirth Road

No. 11 is situated to the north of the application site and is the adjoining terrace property. In terms of privacy, there will be no openings facing No. 11, therefore there will be no material harm. In terms of an impact to light, there is a ~4.00m gap to the property boundary, as such there will be no loss of light. The roof shape and modest projection will mitigate the loss of sunlight during the winter months when the sun is low. Due to distance between the extension and boundary gap, there will be no loss of outlook observed from No. 11's windows.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (c) in terms of the amenities of neighbouring properties, Key Design Principles 3, 4, 5, & 6 of the Extensions & Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

<u>Impact on highway safety</u>:

Currently there are two existing parking spaces within the curtilage of the property. Under the proposals the number of bedrooms will increase from being a two-bedroom property to a three-bedroom property. The number of parking spaces is acceptable under Kirklees Highway Policy. Access to the side and rear for bin storage will be maintained.

As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

<u>Biodiversity</u>

The proposal is for the construction of a two-storey rear extension which will affect the main roof of the existing dwelling. Although the site is not situated in an area that is known to include bat habitats, if signs of bat habitats were found, expert advice should be taken and the advice of a licensed bat worker sought.

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Conclusion:

This application for the erection of extension to 9 Holmfirth Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations Supplementary Planning Document, the Kirklees Local Plan, the National Planning Policy Framework and other material considerations.

The proposed extension would form disproportionate additions to the dwelling, which would constitute inappropriate development in the Green Belt. Furthermore, the level of development proposed together with previous extensions would not be visually subservient to the original house and would be harmful in terms of the appearance and character of the dwelling. To permit the proposals would be contrary to policies LP24 and LP57 of the Kirklees Local Plan, advice within the House Extensions and Alterations Supplementary Planning Document and advice within chapters 12 & 13 of the National Planning Policy Framework.

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.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation **REFUSE**

Decision Authorisation – Delegated Powers
Application Number: 2023/91304
Officer Recommendation: REFUSE

Reasons for Refusal

1. The cumulative impact of the existing and proposed extensions would detrimentally alter the character of the original building and adjoining terrace row to an extent that harms the historic character and design of the dwellinghouse. To permit the proposals would be contrary to Policies LP24 and LP57 of the Kirklees Local Plan, advice within the House Extensions and Alterations Supplementary Planning Document and with chapters 12 & 13 of the National Planning Policy Framework.

2. The cumulative impact of the existing and proposed extensions would be disproportionately large in relation to the original part of the building and represents inappropriate development, which is harmful to the Green Belt and the visual amenity of the area. The proposed development is therefore contrary to Policy LP57 of the Kirklees Local Plan and paragraph 149c of the National Planning Policy Framework.

Plans and specifications table: -

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	02	2	22/06/2023
Grouped Plans and Elevations	01	1	03/05/2023
Location Plan	LP	1	03/05/2023

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 Planning Authority has, 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. Amendments were received however as the principle of development in the Green Belt is unacceptable, no further amendments could be considered.