

**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:	2023/62/91428/W
Site Address:	Cotton Cottage, 40, Binns Lane, Holmfirth, HD9 3JU
Description:	Erection of single storey side extension
Recommending Officer:	Luke Walstow

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: 17-Aug-2023

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91428
Location	Cotton Cottage, 40, Binns Lane, Holmfirth, HD9 3JU
Proposal	Erection of single storey side extension
Publicity end date	16 August 2023
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Biodiversity Opportunity Zone – Valley Slope Strategic Green Infrastructure Network – Holme Valley Corridor
Extension to Time (EoT)	Yes EoT Date: 18/08/2023
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	✓	

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.
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain.

Landscape character area: LCA4: River Holme Settled Valley Floor

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 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk

- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	N/A
Parish/Town Council comments sought	Yes	Holme Valley Parish Council – Support
Planning History	Yes	2013/90919. Outline application for demolition of vacant bungalow and detached garage and erection of 2 no. new detached dwellings with new site access and road widening. <i>Conditional Outline Permission – 21/05/2013.</i> 2013/93772. Erection of 3 dwellings with associated parking and amenity space. <i>Conditional Full Permission – 06/03/2014.</i> 2015/92167. Discharge conditions 3 (materials) and 6 (site frontage) on previous permission 2013/93772 for erection of 3 dwellings with associated parking and amenity space. <i>Discharge of conditions – 27/08/2015.</i> 2016/90662. Reserved matters for erection of one dwelling pursuant to outline permission 2013/90919 for demolition of vacant bungalow and detached garage and erection of 2 detached dwellings with new site access and road widening. <i>Approval of Reserved Matters – 28/04/2016.</i>
Consultations required	No	N/A

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Assessment

Dimensions

Length: 7 metres

Width: 3 metres

Height: 3 metres to flat parapet roof, 3.35 in total height (inclusion of lantern rooflight)

Permitted development rights have been removed for the application site.

The Kirklees SPD sets out that single storey side extension extensions should comply with certain parameters set out at paragraph 5.6 on page 28 (and listed below) and if they do not, they need to be justified:

Single Storey Side Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Not extend more than two thirds of the width of the original house	The side extension would not extend more than 2/3rds width of dwelling.	N/A
Not exceed a height of 4 metres	The maximum height of the side extension would be 3 metres.	N/A
Be set back at least 500mm from the original building line to allow for a visual break	The side extension would be set back 0.5 metres from the front wall of the host dwelling, therefore allowing a visual break.	N/A

Design and Visual Amenity: Are the considerations in the following table acceptable?

The site is located within landscape character LCA4: River Holme Settled Valley Floor. The River Holme flows in its valley from Holmbridge through Hinchliffe Mill and Holmfirth to Thongsbridge. Mixed semi-natural woodlands are found in places along the river with further woodland pockets on the valley sides. Above the settled valley floor, the upper slopes are characterised by pastoral fields divided by stone walling.

Key Landscape Characteristics:

- 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.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

Key Built Characteristics:

- Ensure new development respects framed views from the settled floor to the upper valley sides and views across to opposing valley slopes and views towards the Peak District National Park.
- Retain and restore existing stone field boundaries and use stone walling in new boundary treatments.
- Maintain and enhance the network of PRoW to promote access and consider opportunities to create new links to existing routes particularly physical and visual links to the River Holme.
- Consider opportunities through major developments to provide interpretation of the historic industrial role of the river and mill ponds within the local landscape.
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Summary of local street scene/character: The street-scene comprises of a mixed range of residential house types, ranging from detached dwellings, semi-detached. And terraced. Dwellings within the immediate terrace have gardens to the front and rear.

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	The proposed development would be visible from the highway. Due to being subservient in scale, height, being constructed from	✓

	• Policy 1 & 2 of the HVNDP • Chapter 12 NPPF	materials similar to that of the host dwelling, it can be concluded the extension would be acceptable, although it would slightly interrupt with plan side elevation of the terrace.	
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	The side extension is small in scale when compared to the size of the host dwelling, set well back and within a large side garden. The materials proposed would match the host dwelling, adding to the overall quality of the proposed design	✓
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	The height and dimensions of the side extension are SPD compliant and is would be a subservient addition to the site and is acceptable in terms of scale and massing.	✓
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	The proposed external walls would be constructed from natural stone, which matches materials used in the construction of the host dwelling. The extension has been set back from the corner of the dwelling to preserve the character of the quoins at the rear of the property.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	The proposed roof style of the extension would to be a flat roof. This would ensure the bulk and height of the extension remains subservient. The lantern light is a minor addition.	✓

	- Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF		
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 - Chapter 12 of the NPPF	Windows are proposed on the each elevation (glazed door to the rear). The style and size harmonise with the existing dwelling.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Policy 1 & 2 of the HVNDP - Chapter 12 of the NPPF	Accessibility to the proposed extension can be gained through the host dwelling and a door in the rear elevation of the extension. Accessibility to the rear garden would remain as existing.	✓

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:

- Weavers Cottage (42 Binns Lane) – Adjoined terraced dwelling to the application site located to the North. Due to the positioning of the side extension, this neighbour would not be impacted by the proposed development.*
- Binns Villa – Detached dwelling located a significant distance to the west of the application site. With boundary trees and hedges aligning the western elevation, this property would not be materially impact by the proposed development.*

	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	KDP 3 & 4 of the SPD	The proposed side extension would not	✓

sides, rear and front)	• Policy LP24 Design (d) (iv) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	impact the privacy any neighbour that shares a boundary with the application site due to its positioning.	
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	Similar to the above, due to the positioning of the side extension, no neighbour sharing a boundary with the application site would be impacted in terms of overbearing, overshadowing or have the outlook damaged.	✓
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	The side extension would utilise outdoor space to the side of the host dwelling. The dwelling has open space to the front and a private garden to the rear. Officers conclude that the amount of outdoor space retained is acceptable for current and future occupants.	✓

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	There are no proposed changes to highway access with the proposal. The development is considered to acceptable in relation to highway safety.	✓

Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposed extension would not serve as an additional bedroom, meaning the presumed potential occupants are to remain as existing. This results in existing car parking arrangements to be concluded as acceptable	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Waste storage and collection is considered to be as existing.	✓

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	N/A	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Policy 13 of the HVNDP • Chapter 15 of the NPPF	N/A	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Policy 12 of the HVNDP	Small scale domestic development to an existing dwelling. As such, no special measures required in	✓

	Chapter 14 of the NPPF	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.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
Holmfirth Parish Council - Support	N/A	✓

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: 2023/91428

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 LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Policies 1,2, 12 and 13 of the Holme Valley Neighbourhood Development Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing and Proposed Plans and Elevations	PL-01A	A	16 May 2023
Design and Access Statement			23 May 2023
Climate Change Statement			16 May 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: 17/08/2023

Coal - Low

