

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:	2023/62/92532/W
Site Address:	11, Town End Avenue, Wooldale, Holmfirth, HD9 1QW
Description:	Demolition of existing garage and erection of two storey extension and construction of single storey extension including external alterations including application of render to external walls
Recommending Officer:	Lucy Taylor

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: 11-Jan-2024

Officer Report.

Reference: 2023/92532

Location: 11, Town End Avenue, Wooldale, Holmfirth, HD9 1QW

Proposal: Demolition of existing garage and erection of two storey extension and construction of single storey extension including external alterations including application of render to external walls

Site Description.

11 Town End Avenue is a two-storey detached property located in Wooldale, Holmfirth. The property sits in a corner plot position, where the highway of Town End Avenue meets Town End Crescent. The external walls of the property are faced in buff brick, cream render and random stone. The property benefits from on-site parking spaces and outdoor garden amenity space.

Within the wider streetscene, there are a range of property types, including two-storey and single storey dwellings. Whilst a sense of similarity is somewhat established regarding the detached nature of the properties and the use of harmonising exterior materials, the design of the dwellings varies.

Description of Proposal.

Planning permission is sought to demolish the existing garage, erect a two-storey extension and single storey extension, as well as external alterations including application of render to external walls.

The existing attached garage to the southern side elevation of the property would be demolished and replaced with a two-storey side extension. The two-storey side extension to the southern side elevation would have the following dimensions:

- Projection (width) – 5.2 metres (2/3 width of host dwelling)
- Length – 7.65 metres (0.5 metre set back from principal elevation)
- Maximum height – 6.3 metres (set down 1.2 metres from host ridge height)

A single storey attached garage is proposed to the northern side of the host property. The single storey garage extension to the northern side would have the following dimensions:

- Projection (width) – 4.2 metres
- Length – 6.4 metres
- Maximum height – 3.85 metres

The extensions would be faced in buff brick, stonework and render. Fenestration detailing would consist of a garage door and regular window to

the front elevations, a regular access door side elevation of the single storey extension, glazed bi-fold doors and windows to the side elevation of the two-storey extension and windows to the rear elevation.

History of Negotiations.

In accordance with the design principles of the House Extensions and Alterations SPD and for reasons of obtaining high standards of visual amenity and residential amenity, the case officer sought amendments to the originally proposed scheme. The extensions sought were as follows:

- Reduce the width of the proposed two-storey side extension so that it does not project beyond 2/3 of the width of the original house.
- Set the two-storey extension back 0.5 metres from the principal elevation of the original house.
- Reduce height of single storey side extension (garage) to 4 metres.
- Extent of render to principal elevation of original house remain as existing, to first floor only. Give consideration to reducing the extent of render to the proposed two-storey side extension.
- Give consideration to moving the 1st floor rear window to the side elevation of the two-storey extension.

In response to case officer recommendations, the applicant submitted amended plans. Therefore, the overall determination of this application is based on the revised drawings submitted 5th January 2024.

Relevant Planning History.

No relevant planning history at the application site or to neighbouring properties.

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 20 October 2023.

In response to publicity, no representations were received.

Whilst officers note that revised plans were sought and submitted, in this instance, it was not deemed necessary to re-advertise the scheme. This is because the principle of development remained as originally proposed, with modifications to reduce the overall extent of built form and endeavouring to improve the scheme from a residential amenity perspective.

Consultation Responses.

Holme Valley Parish Council – (comments based on original scheme, no comments have been received regarding the revised plans) – oppose,

concerns on parking provision and the size of the proposed extension in relation to the original building being too large in proportion.

Policy/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). The Holme Valley Neighbourhood Development Plan is also relevant in this case.

The application site is located within the Holme Valley Corridor Strategic Green Infrastructure Network.

The site falls within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP31 – Strategic Green Infrastructure Network
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

House Extension and Alterations SPD: The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council. The guidance and additional details on Local Plan policies set out in the SPD have been produced on the principle of 'comply or justify'.

Highways Design Guide SPD

Holme Valley Neighbourhood Development Plan:

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

The site falls within Local Characteristic Area 4 – River Holme Settled Valley Floor.

The policies from the Holme Valley Neighbourhood Development Plan that are relevant to this application 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 12 - Promoting Sustainability

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 December 2024, together with Circulars, Parliamentary 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 and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment.

The following matters will be considered as part of the assessment of the proposal. These considerations will be looked at in detail individually:

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. 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 instance, it can be stated that the principle of development in this case could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration concerning design which states: *“The creation of high-quality beautiful and sustainable buildings and places is 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.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that 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...’*
- *‘c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...’*

Developments that are considered to conform appropriately with Local Plan Policy LP24 and the design requirements as set out above, are considered to also conform with Policy 2 of the Home Valley Neighbourhood Plan – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Local Characteristic Area 4 – River Holme Settled Valley Floor.

The built characteristics of LCA4 are listed below:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

Paragraph 5.17 of the House Extensions and Alterations SPD refers to single storey side extensions, stating that they should:

- not extend more than two thirds of the width of the original house;
- not exceed a height of 4 metres; and
- be set back at least 500mm from the original building line to allow for a visual break.

Paragraph 5.20 of the House Extensions and Alterations SPD refers to two-storey side extensions, stating that they 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.

Paragraph 5.23 of the House Extensions and Alterations SPD specifically refers to corner plots, stating that side extensions should be considered as being both side and front extensions and as such will relate to both street frontages. Therefore, both elevations should be designed as street frontages. On corner plots, side extensions should contribute to the local character by:

- facing in both directions to create two frontages, each with windows overlooking the street;
- being set back from the existing building line on both streets; and
- following the boundary treatment along both streets, in relation to its position, height and materials.

The proposed single storey garage extension is considered to be a subservient addition to the host property, appropriately complying with the design principles of the House Extensions and Alterations SPD, projecting less than two thirds of the width of the original house and having a maximum height below 4 metres. The single storey garage extension would be set back 1 metre from the principal elevation of the host property and would retain a separation distance of approximately 1.3 metres from the side boundary shared with No. 9 Town End Avenue.

The proposed two-storey side extension is also considered to be an appropriate addition to the host property visually, projecting two-thirds the width of the host property and retaining substantial space to the side of the house, to form part of the outdoor amenity space provision. The two-storey side extension would be set back 0.5 metres from the principal elevation of the host property and would be set down from the host ridge height by 1.2 metres, promoting an overall subservient appearance. Furthermore, in accordance with corner plot guidance as set out within the House Extensions and Alterations SPD, the two-storey side extension would be set back from the building line of the property to the rear, No. 6 Town End Crescent and features openings which would create an active side frontage to the street.

Both extensions would be faced in materials that are in keeping with the architectural design of the host property (buff brick, stonework and render). Upon any grant of approval, a condition would be imposed to ensure that the render be coloured off-white rather than light grey, to ensure its application does not disrupt the existing character of the streetscene. The roofs of the extensions would be infilled with matching concrete tiles.

The forms of fenestration detailing proposed to the extensions are considered to be acceptable and in keeping with the design of the host property, with the two-storey side extension to have glazing to the front and side elevation, in accordance with the guidance on corner plots as contained within the House Extensions and Alterations SPD.

With the inclusion of the aforementioned condition, it is considered that the proposal would not cause detrimental harm to the visual amenities of the host property or the locality. The proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the

Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Key Design Principles 1 & 2 of the House Extension and Alterations SPD.

3) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Policy 2 of the Holme Valley Neighbourhood Development Plan states that *‘designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties’*.

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.

In accordance with Key Design Principle 7 of the House Extensions and Alterations SPD, a sufficient extent of outdoor amenity space would be retained at 11 Town End Avenue.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the site, these are listed below:

No. 9 Town End Avenue:

This property neighbours the application site to the north.

Given the position of this dwelling in relation to the application site, the proposed two-storey side extension to the southern side elevation of No. 11 would not impact upon the residential amenity of No. 9 with regard to any impacts of overbearing, overshadowing or overlooking.

The proposed side extension (garage) to the northern elevation of No. 11 is to be single storey in height and would retain a separation distance of approximately 1.3 metres from the shared boundary with No. 9, with an even greater separation distance of approximately 7 metres from this neighbouring dwelling itself. This extent of separation distance, in conjunction with the design and dimensions of the proposed extension, is considered sufficient to

mitigate any undue impacts of overbearing and/or overshadowing to the occupiers of No. 9 Town End Avenue.

No glazing is proposed in the side elevation of the garage extension facing this neighbouring property, resulting in no detrimental impacts to residential privacy as a result of overlooking.

No. 6 Town End Crescent:

This property is located to the rear of the application site.

The proposed extensions would retain a minimum separation distance of 6 metres from the shared boundary with No. 6 and an even greater minimum separation distance of 7 metres from the neighbouring dwellinghouse itself. This extent of separation distance, in conjunction with the design and dimensions of the proposed extension, are considered sufficient to mitigate any undue impacts of overbearing and/or overshadowing to the occupiers of No. 6 Town End Crescent.

The rear window to the single storey side extension would serve the garage internally, a non-habitable space. Therefore, it is not considered that this window would result in any undue impacts of overlooking towards the neighbouring dwelling of No. 6 Town End Crescent.

The two-storey side extension proposes one window to the rear elevation. Whilst there is a kitchen window to the western facing elevation of No. 6, it is not considered that the proposed extension's rear window would result in undue impacts of overlooking. This rear window would be offset in relation to the position of the kitchen window at No. 6 (would not be directly adjacent) and the bottom of the window glazing would be 1.7 metres above first floor level to prevent overlooking. Therefore, it is considered that any outlook from this window would be over and above the roof of this neighbouring bungalow dwelling.

It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

For these reasons, the proposed development at 11 Town End Avenue is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

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.

Whilst the potential number of bedrooms within the interior of the property would increase from three to four as a result of the proposed extensions, it is considered that sufficient provisions for parking are available on-site. A garage extension forms part of the works, and a driveway is to be installed to the front elevation.

Upon any grant of approval, a condition will be imposed to ensure that this driveway be surfaced in a permeable material, to ensure surface water is suitably controlled.

In turn, erecting the proposed extensions would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

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. Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

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.

As part of this application a Climate Change Statement was submitted, which sets out various mitigation measures. Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs further mitigation to address the climate change emergency. The proposed development would therefore

comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The development would not see the removal of any existing trees or hedgerows. Therefore, the proposal is not considered to have a significant impact upon the strategic infrastructure network and is concluded acceptable in this regard.

6) Representations

None.

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: 2023/92532

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 Policies LP1, LP2, LP21, LP22, LP24, LP31 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 2, 4, 9, 12, 14 & 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building and be thereafter retained.

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

4. The proposed render to the exterior walls of the host dwelling and extensions shall be of an off-white colour to harmonise with the existing stonework and the design of render to other properties within the streetscene.

Reason: In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

5. The extensions hereby approved shall not be brought into use until the driveway as indicated on the hereby approved site layout plan (dwg no. C401-001 Rev. P2) has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

NOTE: The application site is located in a low risk coal area.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Plans	C401-001	P2	05.01.24
Elevations	C401-002	P2	05.01.24

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

In response to case officer recommendations, the applicant submitted amended plans.

Report Dated: 08.01.24