

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:	2023/62/93233/W
Site Address:	Far Brow, Huddersfield Road, New Mill, Holmfirth, HD9 7JU
Description:	Erection of single storey front extensions and alterations
Recommending Officer:	Molly Storer

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: 02-Jan-2024

Officer Report

Site Description

Far Brow, Huddersfield Road, New Mill, Holmfirth, HD9 7JU

The application site comprises of a large, detached bungalow with subterranean garage, large driveway and turning area to the front. Garden/amenity areas can be found to the front, rear and sides of the dwellinghouse.

The application site is not located within a Conservation Area or in close proximity to any Listed Buildings.

Description of Proposal

The application seeks planning permission for the demolition of existing porch, erection of porch, two single storey front extensions and exterior alterations, principally windows.

The proposed porch is to be located in a similar location to the existing porch and is to measure approximately 1m x 3.2m, with a ridge height of ~4.3m.

The first single storey front extension is to be located off the lounge and is to measure approximately 1.2m x 5m, with a ridge height of ~4m.

The second single storey front extension is to be located off bedroom 5 and is to measure approximately 1m x 4.75m and also have a ridge height of ~4m.

Many of the exterior alterations have been completed under previous planning permission 2022/91271. This included the installation of new windows, installation of a door, existing windows being built up and new paved areas. In regard to exterior alterations this application proposes a new area of paving, a window in the side (west) elevation and a new window in the front (south) elevation. In addition, all new and existing windows will be changed to light grey UPVC, all new and existing screens will be changed to dark grey UPVC, all gutters will be changed to dark grey aluminium and all fascias to be changed to light grey UPVC. It is considered that the majority of these alterations are unlikely to require planning permission.

The new extensions are to be constructed from stonework to match the existing dwelling, not render finish as previously proposed. The extension to the lounge would include a partly oak frame and grey concrete roof tiles also to match existing are proposed throughout.

History of negotiations/amendments received

None.

Relevant Planning History

2021/90755 – Work to TPOs 08/00. Approved 21st April 2021.

2006/92178 – Erection of 2 no. prefabricated timber stables for tack and hay storage. Approved 13th July 2006.

2006/91546 – Erection of extension. Approved 31st May 2006.

2005/90847 – Erection of stable block and formation of access track. Approved 5th May 2005.

2004/92472 – Erection of detached double garage and garden store. Approved 31st August 2004.

2004/91113 – Erection of detached garage/store with playroom over. Withdrawn 16th June 2004.

2004/91278 – Erection of single storey extension to side and rear (modified proposal). Approved 14th May 2004.

2003/94229 – Erection of single storey extensions. Approved 10th December 2003.

2022/91271 - Demolition of existing porch, erection of porch, single storey front extension and exterior alterations. Approved 24th May 2022

Representations

Final publicity date expires:

Neighbour Letters – Expired 21st December 2023.

No representations have been received to date.

Officer note: We are currently undertaking the legal 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, details of which are outlined above.

Consultation Responses

No technical consultations required.

Parish/Town Council

Holme Valley Parish Council – Support.

Local Ward Members

N/A.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan but is partly located within a Bat Alert Area and Holme Valley Neighbourhood Area.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP21 – Highways and access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP30 – Biodiversity & Geodiversity**
- **LP51 – Protecting and Improvement of Local Air Quality**

Neighbourhood Development Plan

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.

Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley.

“Overall, proposals should aim to make a positive contribution to the quality of the natural environment”

Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

“Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should

protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.

Policy 11: Improving Transport, Accessibility and Local Infrastructure.

“New development...should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council’s latest guidance on highways design”.

Policy 12: Promoting Sustainability.

“All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions”.

Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain.

“All development proposals should demonstrate how biodiversity will be protected and enhanced”.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated December 2023, 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. Most specifically in this instance, the below chapters are of most relevance:

- 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

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- House Extensions and Alterations SPD (2021)

Summary of Principal Planning Issues

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Scale, design and visual impact of the proposed development
- 2) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 3) Impact on highway safety
- 4) Other matters
- 5) Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF paragraph 11 and Policy LP1 of the Kirklees Local Plan outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout this proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

As the site is without notation in the Kirklees Local Plan (KLP), it is considered that the principle of development in this instance could be acceptable; and as a result, is subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby paragraph 131 provides a principal consideration concerning design which states:

“The creation of high-quality 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”.

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

Policy 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...”

Policy 1 of the Holme Valley Neighbourhood Development Plan HVNDP sets out that development proposals should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), River Holme Wooded Valley (LCA7).

Amongst other things LCA 7 identifies a key landscape characteristic of the area being glimpsed views towards the wider landscape through gaps between built form and views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth. In terms of the built environment LCA7 sets out that settlements are characterised by a close association between built form and landscape, industrial features such as weirs and mill buildings, and 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 movements).

Policy 2 of the HVNDP states that proposals should be designed to “minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.

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

‘Key design principle 1 (Local character and street scene) – 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’.

Key design principle 2 (Impact on the original house) – 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’.

Moving on to the proposed front extensions. Paragraphs 5.13 & 5.14 of the Council’s House Extensions and Alterations SPD state that front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed. These types of extensions would not normally be permitted unless:

- *‘The house is set well back from the pavement or is well screened; and*
- *The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and*
- *The materials and design match the existing features of the original house; and*
- *The extension would not unreasonably affect the neighbouring properties’.*

In this instance the proposed porch extension, bedroom extension and lounge extension would all be set well back from the road and would be somewhat hidden given its location up a private access road. However, it is acknowledged that the dwelling may be visible from further afield given the topography of the site. The proposed extensions are small in scale and size and are considered to be subservient to the original building, and to be designed so as not to significantly harm the character of the original house or area. The materials and design would adequately harmonise with the existing features of the dwelling. Finally, the extensions are not considered to unreasonably affect any adjacent neighbouring properties (as discussed in more detail in the below subsection).

In addition, the proposed exterior alterations relate to the installation of new windows, and paving. In addition, all new and existing windows will be replaced with light grey UPVC, all new and existing screens will be replaced with dark grey UPVC, all gutters will be replaced with dark grey aluminium and all fascias to be replaced with light grey UPVC.

It is in officers' opinion that these changes are considered to be small-scale and would not significantly detract from the host dwelling, or the immediate area. The changes would provide some modernisation of the existing bungalow and the majority of these works are unlikely to require planning permission.

Principle 7 of the Kirklees House Extensions and Alterations SPD highlights that new development should ensure that an appropriately sized and useable area of private outdoor space is retained. In this instance the majority of the front garden/amenity space would be retained, with all of the existing garden/amenity space to the side and rear to be left as existing. The proposals are therefore considered to be in accordance with Principle 7.

In conclusion, for the above forementioned reasons, the proposal is considered to comply with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the adopted House Extensions and Alterations SPD, Policies 1 & 2 of the Holme Valley Neighbourhood Development Plan and Chapter 12 of the National Planning Policy Framework.

3 - Impact on Residential Amenity:

Sections B and C of LP24 state 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 occupiers.

Principle 3 of the House Extensions and Alterations SPD highlights that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.

Principle 4 relates to habitable rooms and side windows and seeks to ensure that design and layouts of habitable and non-habitable rooms reduce conflict between neighbouring properties relating to privacy, light and outlook.

Principles 5 and 6 relate to overshadowing/loss of light and overbearing impact. The above principles will all be discussed in more detail within the assessments below.

Impact on Braeside

This neighbouring property is located to the west of the application site. Given the small scale, size and location of the proposed front extensions there are no significant concerns in regard to over shadowing or that they will appear overbearing in nature on the adjacent neighbouring property. In addition, whilst the proposals will see a small increase in the amount of glazing at the property, through the new window in the western elevation, given that the site is bounded by mature hedging to the west, there are no concerns in regards to undue overlooking or the loss of privacy in this instance.

There are no other dwellings proximate to the site that would be materially affected by the development.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring occupants, complying with Policy LP24(b) of the Kirklees Local Plan, Policy 2 of the HVNDP and Chapter 12 of the National Planning Policy Framework. The proposals are also in accordance with the Council's adopted House Extensions and Alterations SPD.

4 - Impact on Highway Safety:

Local Plan Policies LP21 and LP22 and the Council's adopted Highways Design Guide are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Furthermore, principles 12 and 19 of the Housebuilders Design Guide seeks to ensure that acceptable levels of off-street parking and waste storage are provided. Paragraph 115 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.

Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (parking) and the Council's latest guidance on highways design.

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.

As no significant changes are proposed to the existing access and parking arrangements and that no additional bedrooms are to be created from the proposals, there are no concerns in regard to highway safety on this occasion. In addition, existing waste arrangements are predicted to remain as existing.

It is therefore concluded that the proposed scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, Principles 15 and 16 of the House Extensions and Alterations SPD, Policy 11 of the Holme Valley Neighbourhood Development Plan, and the guidance contained within Chapter 9 of the National Planning Policy Framework.

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 pre-dates 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 sets out that all new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions. 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.

The proposal is for 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. The submitted climate change statement does not provide details of how the extension would respond to the climate emergency. 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. The proposed development would therefore comply with Policy LP51 of the Kirklees Local Plan, Principles 8, 9, 10 and 11 of the House Extensions and Alterations SPD, Policy 12 of the Holme Valley Neighbourhood Development Plan and Chapter 14 of the National Planning Policy Framework.

Biodiversity

Chapter 15 of the National Planning Policy Framework is 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 Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Holme 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.

Whilst it is acknowledged that the application site is located within a Bat Alert Area, given the nature and scale of the proposals and that the host dwelling appears to be well sealed to the eaves it is unlikely that roosting bats will be found during construction works on site. However, should planning permission be granted it is recommended that an informative is included which provides information for the applicant should roosting bats be found during construction works.

There are no other matters for consideration.

6 - 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: 2023/93233

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.

1. 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, LP30 and LP51 of the Kirklees Local Plan, Chapters 2, 4, 9, 12, 14 and 15 of the National Planning Policy Framework, Policies 2, 11, 12 and 13 of the Holme Valley Neighbourhood Development Plan and Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15 and 16 of the adopted SPD 'House Extensions and Alterations'.

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 to intentionally 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 found, then Natural England should be contacted.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	-	-	01/11/2023
Existing floor plans	104-132-01	-	01/11/2023
Proposed floor plans	104-135-100	A	01/11/2023
Existing grouped plans and elevations	104-132-02	A	06/11/2023
Proposed grouped plans and elevations	102-135-101	B	06/11/2023
Climate Change Statement	-	-	06/11/2023
Holme Valley Parish Council Comments	-	-	07/12/2023

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The applicant was not contacted during the course of the application as the plans were deemed acceptable as submitted.

Report Dated: 29/12/2023