

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:	2023/62/93422/E
Site Address:	9, Holmfirth Road, Shepley, Huddersfield, HD8 8BB
Description:	Erection of two storey extension and alterations
Recommending Officer:	Edward Cheseldine

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.

Emma Thompson

AUTHORISED OFFICER

Date: 17-Jan-2024

Officer Report

2023/93422 - 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 OS County Series Maps held by Kirklees Council. The dwelling is constructed with stone exterior walls which fall under a stone slate roof. The roof features a dual-pitch. 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 for a two-storey side extension, which will be above an existing single-storey side protrusion. The proposed extension will project ~2.25m from the existing side elevation, it will be ~6.10m in depth, with an eaves height of ~3.30m and ridge height of ~6.00m.

Materials will match the existing building, featuring stone exterior walls and stone slates on the roof. The ridgeline will be set down and back from the existing ridgeline by ~1.20m, with a pitched slope.

Public Representations

The application was advertised by neighbourhood letters which expired on 04 January 2024. There were no representations received.

History of Negotiations

None.

Consultations

Kirkburton Parish Council – No comment.

Relevant Planning History

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

2023/91304 – Erection of two storey extension and alterations – Permission refused

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 House Extensions & Alterations Supplementary Planning Document 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 December 2023, 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

Side extensions should relate to the form and massing of the host dwelling, whilst retaining a reasonable outdoor living environment. Care should be taken so side extensions do not take up all the space to the side of the house. 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;

Paragraphs 5.20 & 5.22 of the House Extensions and Alterations Supplementary Planning Document states that two-storey side extensions 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;
- Be set back at least 500mm from the front wall of the house.
- Have a roof design that follows the form of the existing roof.

Considering the design, the property is an end-terrace property, ~6.00m to the property boundary will remain after the erection of the extension. The form of the extension is wrapped around the existing protrusion, therefore the property will not appear wider when viewed with the proposed extension. The extension is set back ~0.30m from the original dwellinghouse, meeting the front of the previous extension. The terrace row and original dwelling has a simple block form, stepping the extension back further would disrupt the original feature of the dwellings. The roof design is dual-pitched which compliments the original roof design, it is sloped to accommodate the setback approach, to form habitable living space.

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. There is an existing side extension on the property, the extensions will be assessed accumulative and well as individually. In terms of a visual impact, the extension fits within the profile of the building, maintaining the form of the property and terrace row. It will appear subservient to the original dwelling because of the roof shape and set down approach. The projection, when assessed accumulatively will extend the property by 50%, when considered with the proposed extension, it being set down and back, there is a clear subservience to the extensions which will appear visually smaller than the original dwellinghouse. In terms of a spatial assessment, this application differs from application 2023/91304 insofar as it extends from a previously developed elevation. Two out of three of the original elevations will remain.

The proposal therefore complies with Policy LP57 of the Kirklees Local Plan and the aims of Chapter 13 of the NPPF, as the extensions cumulatively will not appear disproportionate and the original house remains the dominant element of the building, whilst the character of the Green Belt is unchanged. The proposal also complies with LP24 (a) & (c) of the Kirklees House Extensions & Alterations Supplementary Planning Document.

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

11 Holmfirth Road is the adjoining terrace property to the north-west of the site. There are no proposed windows that will face onto this property, therefore privacy relations will remain unchanged. The extension is for a side extension which will maintain the existing spatial layout of the property in relation to the neighbour. Therefore, there will be no impact to light levels, an impact to outlook or an overbearing effect from the extension.

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.

Impact on highway safety:

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.

Biodiversity

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 to erect a two storey, side extension at 9 Holmfirth Road Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, and impact to the Green Belt, the proposed extension is considered to be acceptable.

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 constitute sustainable development and is therefore recommended for approval.

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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European 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 bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications table: -

Plan Type	Reference	Version	Date Received
Location plan	LOC	1	22/11/2023
Elevations and site plans as existing	01A	1	21/11/2023
Elevations and site plans as proposed	02C	1	21/11/2023

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. No amendments were sought.