

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:	2023/62/93669/W
Site Address:	80, Far Banks, Banks Road, Honley, Holmfirth, HD9 6NW
Description:	Erection of two storey side extension and associated alterations
Recommending Officer:	Joanna Rednall

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: 12-Feb-2024

THE SITE

80, Far Banks is a two-storey detached dwelling located in Honley, Holmfirth. The external walls of the property are constructed from coursed natural stone and the property has a gable roofing style infilled with blue slate. The property benefits from a paved driveway at the rear of the dwelling, with the main amenity space being a large lawned garden to the front, although there are also extensive garden areas to the rear. Access to 80 Far Banks is via a small private road to the rear of the property. The application dwelling is one of a line of residential, detached and semi-detached properties, which are elevated high above Far Banks/Banks Road and situated on the side of a hill.

The application site is located within the Green Belt.

THE PROPOSAL

The applicant is seeking planning permission for the erection of two storey side extension and associated alterations.

The measurements of the two storey extension would be as follows-

- ~5.6 metres eave height
- ~8.7 metres ridge height
- ~4.2 metres width
- ~8.5 metres length

The proposed works would include a single storey rear extension that projects ~1.2 metres from the rear elevation of the two storey extension. This extension would have a width of ~3.4 metres and an eave height of ~2.5 metres. The single storey would have a total height of ~3.5 metres to the ridge of the lean-to roof.

In terms of construction materials, the external walls of the extension would be constructed from coursed natural stone to match the existing appearance of the dwelling. The roof would be gabled in design and surfaced in blue slate to match the existing dwelling. The windows and doors would be in PVCu to match the existing property. In addition, the extension would have ashlar stone gutter corbels to match the existing on the front and rear elevations.

Internally, the extensions would provide a kitchen and boot room on the ground floor and an additional bedroom, walk in wardrobe, and ensuite on the first floor.

At the rear of the dwelling, the existing garden retaining wall would be extended with steps up to the existing drive level and a formal parking and turning area provided.

PLANNING HISTORY

There is no planning history for the site which is considered relevant to the current proposal.

HISTORY OF NEGOTIATIONS/ AMENDMENTS RECEIVED

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

PUBLICITY & REPRESENTATIONS

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters. Final publicity date expired 9th February 2024. No representations were received as a result of this publicity.

Holme Valley Parish Council – support

CONSULTATIONS

No statutory consultations were requested for this application.

ALLOCATION & 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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is located within the Netherthong Rural Fringe LCA within the Neighbourhood Plan and the Green Belt within the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP57** – Green Belt

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 the Holme Valley
- **Policy 2** – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- **Policy 11** – Improving Transport, Accessibility and Local Infrastructure
- **Policy 12** – Promoting Sustainability
- **Policy 13** – Protecting Wildlife and Securing Biodiversity Net Gain

The site is within LCA 5. This is described as:

The application site is within Landscape Character Area 5 - Netherthong Rural Fringe

Key landscape characteristic of the area are

- The elevation offers extensive views of the surrounding landscape with long distance views towards Castle Hill and Huddersfield and the valley sides afford framed views towards settlements in the valley below.
- Within Netherthong and Oldfield views of the surrounding landscape are often glimpsed between buildings.
- Distinctive stone wall field boundary treatments divide the agricultural landscape.
- Public Rights of Way (PRoW), including the Holme Valley Circular Walk, cross the landscape providing links between settlements. National Cycle Route no. 68 also crosses the area.

Key built characteristic of the area are

- In Netherthong and Oldfield buildings are grouped around courtyards to provide protection from the elements whilst Deanhouse has a predominantly linear plan.

- Vernacular buildings largely comprise farmhouses, barns and two and three storey weaver's cottages of millstone grit with stone mullioned windows.

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, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 13 - Green Belts
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

ASSESSMENT

The following matters are considered in the assessment below –

1. Principle of development

1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Impact upon Air Quality
6. Other matters – e.g. trees/ecology (e.g. bats)
7. Representations
8. Conclusion

1 – Principle of development

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 the 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.

1.2 – Land Allocation (Green Belt)

The site is designated Green Belt in the Kirklees Local Plan

Is the development inappropriate in the Green Belt?

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 152 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 154 a few exceptions to this is includes the extension or alterations of a building provided that this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan sets out that proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable, provided that, in the case of extensions, the original building remains the dominant element 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 character of the original part of the building.

Whether the proposal is inappropriate development in the Green Belt

The proposal would clearly constitute an extension to the building and it appears that the dwelling in its current form constitutes the 'original building' with regard to the definition contained within the NPPF when viewing the planning history of the site and historic mapping. An assessment is therefore required as to whether this extension would constitute a disproportionate addition over and above the size of the original building.

Policy LP57 also provides other criteria for extensions in the green belt, this being that the:

- c. the proposal does 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
- d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

The proposed two storey extension, and small rear outrigger, is not disproportionate (visually) in scale and would leave most of the original dwellinghouse dominant all aspects. The proposed two-storey extension would provide an additional ~288 cubic metres to the dwellinghouse, of which hosts an existing volume of ~464 cubic metres. This, due to its siting, design and appearance, would be considered a proportionate increase to the existing dwelling and would not over-dominate the existing house; recognising that the increases is just over 60% of the original volume of the dwelling. In addition, it is noted that this application would be the first extension to 50, Far Banks, therefore the cumulative impact of previous extensions would not be applicable in this case. This is an individual conclusion based on the design and

appearance of the proposed extension in this case. Despite the increase in volume of the dwelling, the design and appearance is proportionate to the original building. The proposed extension would follow through the design of the original dwelling in terms of height, and length, therefore would not materially detract from the Green Belt setting with regards to design and materials. Given these factors, it is considered that the proposed extension would be proportionate additions to the original dwelling: in this site specific unusual case.

In relation to LP57 (c) the proposal would not result in any additional hardstanding at the application site that would adversely impact on the openness of the Green Belt, those areas are to the rear of the dwelling. and would not impact the existing curtilage and means of access at 50, Far Banks.

Regarding LP57 (d), Section 5 of the House Extensions and Alterations SPD provides detailed guidance on specific types of proposals on side extensions: these are considered in more detail below but, in summary, the design and materials are considered acceptable so as not to detract from the Green Belt setting.

The extension would, on balance, appear a subservient addition to the existing dwelling in terms of its scale given its design and appearance and the characteristics of the site. The construction materials of the extension are proposed to match the existing dwelling. Given the above, the proposed extension is considered, in this specific case and given the individual factors related to this site, to constitute appropriate development within the Green Belt, in accordance with Policy LP57 of the Kirklees Local Plan and Chapter 13 of the NPPF.

The development would not cause material harm to the Green Belt and therefore the principle of development is considered acceptable in this regard, subject to the proposal being considered acceptable in terms of visual amenity, residential amenity and all other relevant considerations.

2 – Impact on character and appearance of the area

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Policy 1 of the Holme Valley Neighbourhood Plan HVNDP 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 Netherthong Rural Fringe (LCA5).

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

Furthermore this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraph 5.20 on page 29 (and listed below)

5.20 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; and*
- *Be set back at least 500mm from the front wall of the house*

In terms of the materials, the external walls of the extensions would be constructed using coursed natural stone to match the existing dwelling, and blue slate roof tiles to match the existing. These proposed materials would comply with KDP 1 and 2 of the SPD, as well as Policy 2 of the HVNDP. With regard to design, the windows on both the front and rear elevations are proposed as almost identical in size and shape, and would have ashlar stone surrounds to openings to match the existing dwelling. These features would resemble the original dwelling, therefore are considered to be in keeping with the character of the site and would not detract from the existing dwellinghouse.

The proposed extension would not take up most of the space to the side of the house, and a gap of approximately 2.5 metres would be retained between the side elevation of the extension and the red line boundary. Whilst the two-storey extension would only be set back approximately 0.15 metres from the front and rear walls of the house, this would be considered acceptable in terms of visual amenity as the proposed extension would not over-dominant the existing dwelling or cause over-development of the site.

The small single storey outrigger to the rear of the dwelling, would accord with the SPD guidance for single storey rear extensions, page 24, sections 5.5 and 5.6.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Policies 1 and 2 of the HVNDP, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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.

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

82 Far Banks, Honley

This dwelling is located on this south-facing elevation of the application site. As the proposed extension would be principally located on the north-facing elevation of 80, Far Banks, the level of privacy would not be unduly impacted as a result of the development. In addition, the extension lies flush with the application property and therefore would be no conflict between privacy, light and outlook of this neighbour. The outrigger is small in scale and would not materially impact on the amenities of this property. A site visit confirmed that there is one first-floor north-facing window at 82 Far Banks, due to the location of the proposed works being on the north-facing elevation of the

application property, the level of outlook or natural light enjoyed at this neighbouring dwelling would not be unduly impacted. It is therefore considered that the proposed works would not cause detrimental harm to visual amenity at 82, Far Banks.

Oakwood, Far Banks

This dwelling is located to the east of the application site on a lower ground level. Due to the separation distance of over 40 metres between these two dwellings, it is not considered that the proposed works would cause detrimental harm to the level of privacy, outlook, or light currently enjoyed at this dwelling. The proposed works are therefore not considered to cause detrimental harm on the residential amenity of this neighbour.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Policy 2 of the HVNDP, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF 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.

The proposed extension would result in an additional bedroom, taking the number of bedrooms at 80, Far Banks to 4. While the proposed plans do not include off-street parking provisions, given the size of the existing hard-standing surface at the rear of the dwelling, this would be considered acceptable off-street parking for three vehicles. In addition, the proposed development would not alter existing highway access, leading to the conclusion the proposal has neutral impact upon highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local

Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

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. Given the small scale of the proposed development, it is considered that the proposed development would not bring detrimental harm to biodiversity at this site. The proposed extension would not result in the removal of any trees or hedges at the site. This is considered acceptable in terms of Policy 13 of the HVNDP and Policy 30 of the Local Plan.

Chapter 15 of the National Planning Policy Framework are 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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

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. The extension would be constructed from natural stone which is a sustainable, recyclable material which would locally sourced.

New roofing materials, windows and doors would be sourced locally to minimise transportation. This is considered to be acceptable in terms of KDP 8, 9, 10 & 11 of the SPD and Policy 12 of the HVNDP.

6 – Representations:

None received

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: 2023/93669

Officer Recommendation: Approval

Conditions

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 (as amended).

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 to accord with Policies LP01, LP02, LP21, LP22 & LP24, Lp30, LP51 & LP57 of the Kirklees Local Plan, Policies 1, 2, 11, 12, & 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, 13, 14 & 16 of the National Planning Policy Framework

2. 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 in accordance with Policies LP01, LP02 & LP24 LP57 of the Kirklees Local Plan, Policies 1, 2, of the Holme Valley Neighbourhood Development Plan, Principles 1, 9 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

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 intentionally to 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 discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			19/12/23
Climate change statement			13/12/23
Proposed elevations	23064D -04 -P03		13/12/23
Existing plans and elevations	23064D-02-P03		13/12/23
Proposed plans	23064D -03 -P03		13/12/23
Proposed block plan	23064D-05-P02		13/12/23
Planning statement	23064S		13/12/23
Location plan			19/12/23

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

12th February 2024

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