

**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:	2023/62/93800/W
Site Address:	46, Liphill Bank Road, Holmfirth, HD9 2LQ
Description:	Erection of infill extension to form new porch and associated alterations
Recommending Officer:	Laura Yeadon

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-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93800
Location	46, Liphill Bank Road, Holmfirth, HD9 2LQ
Proposal	Erection of infill extension to form new porch and associated alterations
Publicity end date	23 rd February 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated however is within the Bat Alert layer and within the Strategic Green Infrastructure Network
Extension to Time (EoT)	No EoT Date: N/A
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Officer note: *It is noted that the submitted plans indicate that the north facing elevation is the front elevation of the property however, due to the character of the dwelling it is considered that the south facing elevation is the principal elevation of the property and therefore Officers consider that the proposed infill extension would be located on the rear elevation of the dwelling.*

Policy

National

National Planning Policy Framework (NPPF) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 31** – Strategic Green Infrastructure Network
- **LP 51** – Protection and improvement of air quality

Holme Valley Neighbourhood Development Plan (HVNDP):

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley.
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.
- Policy 12 – Promoting Sustainability.
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain.

Landscape character area 4 – River Holme Settled Valley Floor

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 11: Water retention
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	Yes	Holme Valley Parish Council – support the application
Planning History	Yes	2005/90163 – extension – Approved 2005/93808 – Change of use and conversion of existing dwelling to form 2 dwellings – refused – appeal upheld 2018/93785 – removal of existing open porch and erection of single storey porch extension – approved
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out that rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified. Whilst the property is located within a corner plot, paragraph 5.23 of the SPD is not relevant in this case as this relates specifically to side extensions:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	Yes – the amenity space to the front of the building would be retained – there is limited amenity space to the rear of the property	
Be set behind the original building, and not projecting beyond the sides	Yes – the extension would be located on the rear of the property infilling a section between the rear attached rear shed and	

	the side boundary low wall	
Maintain external access to the rear garden	Yes – access is maintained however this is limited to a strip of land abutting the roadside	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	Yes – the proposed extension would be infill an existing covered area with natural stone and oak framing to match the existing house and shed	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes - it would comply with this criteria	
not exceed 4 metres in height	Yes – it would comply with this criteria	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	Yes – the property is a terraced dwelling and the extension would not project more than 4 metres	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters in height	Yes – the extension would not exceed 3 metres in length	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – however there are no ground floor openings within the adjacent property adjacent to the proposed extension and there is a boundary wall separating the site from

		the attached neighbouring property
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Design and Visual Amenity:

The application site is within Landscape Character Area 4 – River Holme Settled Valley Floor.

The key landscape characteristics of the area are:

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

The key built characteristics of the area are:

- 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.

Summary of local street scene/character: End-terraced property constructed from natural stone with a stone tiled roof. Liphill Bank Road wraps around the front, side and rear elevations of the property. To the south facing elevation, the property is 4 storeys in height and to the north facing elevation the property is 3 storeys in height. To the south facing elevation is a lower ground floor integral garage with a driveway providing access off Liphill Bank Road.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 NPPF	Limited projection of 1.6 metres. Limited view from public vantage points due to topography of the site. Subservient structure by virtue of being a single storey infill extension	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Subservient due to being single storey – materials to match host dwelling and existing oak shed structure.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Single storey and part width of north-facing elevation forming an infill extension between the existing shed and boundary wall	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Materials to match to the proposed element of the scheme.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c)	Simple lean-to structure with roof materials to match the existing roof of the dwelling	✓

	and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF		
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Small window proposed within the north facing elevation	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Private domestic extension – no alterations to general access arrangements	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 44 Liphill Bank Road – attached neighbouring property to the east of the application site – extension has a limited projection of 1.6 metres and is single storey in height infilling a section on the rear elevation between the existing shed and boundary wall – limited impact on this property due to position of openings within neighbouring property
- Not other properties within close proximity of the proposed extension

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to	• KDP 3 & 4 of the SPD	Side elevation facing No. 44 has a limited projection of 1.6 metres	✓

sides, rear and front)	• Policy LP24 Design (d) (iv) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	and has no openings and therefore limited impact on this property. No other properties within close proximity of the site that would be affected	
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Limited impact due to limited projection and overall size and scale of the works	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Acceptable level of remaining garden space	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	N/A	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	No additional bedrooms proposed – parking unaffected	✓

	Chapter 12 of the NPPF		
Provision for waste storage	- KDP 16 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	None shown on plan however bin storage area to the rear on the existing path	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	- KDP 13 of the SPD - Policy LP24 Design (d) (i) (iv) Policy LP33 Trees - Chapter 12 of the NPPF	N/A	N/A
Impact on ecology	- KDP 12 of the SPD - Policy LP30 - Policy 13 of the HVNDP - Chapter 15 of the NPPF	The site is located within the Strategic Green Infrastructure Network and therefore Policy LP31 of the Local Plan needs to be considered. The Policy states that priority will be given to safeguarding and enhancing green infrastructure networks, assets and the range of functions they provide. As the proposed development is a house extension within an established residential area with no public right of access within the site, it is not considered that the any specific requirements	✓

		to enhance the green infrastructure network. Bat alert layers on Council's mapping system – no bat survey required as structure is single storey in height and would not impact on the roof of the dwelling	
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Policy 12 of the HVNDP • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The front garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

It is noted the shed structure to the rear has been incorporated as part of the host property, with the construction of a roof canopy above it. This element of the development has been undertaken at some point between 2018 and 2023. It is considered there is potential elements of the development undertaken could constitute permitted development, and these works could potentially have been undertaken more than four years ago in any event. On the balance of probability it is considered likely these elements of the scheme, which are already in place, are lawful.

The proposal is therefore concluded as acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
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Holme Valley Parish Council – support the application	Noted	✓
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Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2023/93800

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24, LP30, LP31 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, Policies 1, 2, 12 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework

3. Other than the areas indicated to be timber, detailed on submitted drawing 23_819 101, 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 of the Kirklees Local Plan, Principles 1 and 2 the Council's

adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing elevations and floor plan	23_819 100		2 nd January 2024
Proposed elevations and floor plan	23_819 101		2 nd January 2024
Existing location plan and site plan	23_819 102 A		16 th January 2024
Proposed location plan and site plan	23_819 103 A		16 th January 2024
Climate Change Statement	Appendix A		16 th January 2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 11th March 2024