

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:	2024/62/90091/W
Site Address:	20, Upper Bank End Road, Holmfirth, HD9 1EW
Description:	Erection of single storey extension to side and rear with raised terrace and balustrade
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.

John Holmes

AUTHORISED OFFICER

Date: 05-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90091
Location	20, Upper Bank End Road, Holmfirth, HD9 1EW
Proposal	Erection of single storey extension to side and rear with raised terrace and balustrade
Publicity end date	23 rd February 2024
Number of representations received	None received
Kirklees Local Plan Allocation/Designation	Unallocated
Extension to Time (EoT)	No
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	✓	

If 'No' to all above, proceed with a fast track report

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.

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 and beautiful places

- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

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 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.

The application site is within Landscape Character Area 4, the 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 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- 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	
Holme Valley Parish Council comments	Yes	Support but with some concern for parking provision
Planning History	Yes	2007/92415 Erection of ground floor extension – conditional full permission 2021/90917 Erection of single storey extension to side and rear with raised terrace and balustrade – conditional full permission
Consultations required	No	

Assessment

Permission is sought for the erection of single storey extension to side and rear with raised terrace and balustrade.

Side extension

The single storey side extension would project ~2.8 metres from the south-facing elevation and extend ~6.7 metres along the side elevation of the application property. The eaves height would be ~2.6 metres with a total height of ~5.8 metres to the ridge of the gable roof. The side extension would be set back ~3.2 metres from the front elevation of 20 Upper Bank End Road and the front (east-facing elevation) roof slope of the extension would host one velux rooflight.

Internally, the side extension would serve a shower room and a sitting room.

Rear extension

The single storey rear extension would project ~2 metres from the rear elevation with a width of ~3.8 metres. The gable roof on the side extension would adjoin the rear extension, and the side (east facing) elevations would adjoin to form a 'wraparound' extension. The rear extension would also serve the sitting room.

Within the rear (west facing) elevation of the extension would be French patio doors with one long glazed window either side of the patio doors, as well as an additional long window proposed within the side (south-facing) elevation of

the rear extension. In addition, 3 velux windows are proposed within the rear roof slope.

With regard to construction materials, the exterior walls of the extensions would be constructed using coursed natural stone with the gable roof constructed from blue/ grey slate. Along the roofline would be stone tabling.

Raised terrace and balustrade

The raised terrace would project ~2 metres from the rear elevation of the extension. It would have a width of ~3.8 metres and would be raised ~0.8 metres from external ground level with steps erected to allow access to and from the rear garden and rear extension. The proposed balustrade would be erected along the side and rear elevations of the terrace, and would have ~1.1 metre high glazed panelling to all exposed sides of the patio.

The Kirklees SPD sets out that side & rear extensions and balcony/ roof terraces should comply with certain parameters set out at paragraphs 5.1, 5.4, 5.6, 5.15, 5.16 and 5.17 on pages 23, 24, 28, 31 and 32 (and listed below) and if they do not, they need to be justified:

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	At least half the garden area would be retained as a result of the development.	
Be set behind the original building, and not projecting beyond the sides	The extension would lie flush with the proposed side extension and would not project beyond the sides.	
Maintain external access to the rear garden	External access to the rear garden would be retained.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The exterior walls would be constructed using coursed natural stone to match the host dwelling. The roof would be gable in design to match the original house.	
not normally cover more than half the total	Over half of the total area around the	

area around the original house (including previous extensions and outbuildings)	original house would be retained.	
not exceed 4 metres in height		Due to the gradient of the site, the proposed height is considered acceptable to achieve sufficient internal ceiling levels. In addition, the gable roof style ensures that no undue bulking and massing will be caused as a result of the extension and that the proposed works will not lead to overdevelopment of the site.
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	The extension would project ~2 metres from the rear wall of the original house.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	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		A gap of 0.9 metres would be retained which is considered acceptable in this case and would not cause undue bulking/ terracing affect of the application site.
Side extensions should:		
Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties	Two small windows in north-facing elevation of neighbouring property 22, Upper Bank End Road would directly face the extension. However, they appear to serve a	

	hallway / utility room and therefore are not habitable.	
Positioning windows to minimise or avoid any potential overlook into neighbouring gardens	No windows proposed in side elevations. Rear openings would not overlook any neighbours.	
Single storey side extensions should:		
not extend more than two thirds of the width of the original house	The extension would not extend more than two thirds of the width of the original house.	
Not exceed a height of 4 metres		The extension would exceed a height of 4 metres, however this is considered acceptable in this case given the gradient of the site.
be set back at least 500mm from the original building line to allow for a visual break	The extension would be set back at least 500mm from the original building line.	
Balconies and roof terraces should be:		
Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens	Minimal ~2 metre projection and ~0.8 metre elevation would mitigate detrimental impact of overlooking of neighbouring homes and gardens.	
Sited away from locations that are sensitive to additional noise levels or disruption	The application site is not within an area that is particularly sensitive to noise.	

Design and Visual Amenity:

20, Upper Bank End Road is within Landscape Character Area 4, the River Holme Settled Valley Floor.

One key characteristic of the area is 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.

- 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.

Key built characteristic 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:

20, Upper Bank End Road is located in a semi-rural residential area whereby the terrace properties immediately adjoining the application site share a strong sense of similarity with one another. The predominant construction material is stone for the terrace dwellings, whereas the properties located opposite the application site differ in design and style, creating a mixed sense of similarity along the street scene of Upper Bank End Road.

20, Upper Bank End Road is located close to the East boundary of the Underbank Conservation Area.

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	Further comments	✓ / X / N/A
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	the Kirklees Local Plan and the NPPF		
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	The extensions would be constructed to similar materials with matching roof design and would therefore be considered in keeping with the street scene. Limited views of the raised terrace from the street scene.	✓
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 constructed from matching materials and single storey in height. The side extension would be proportionate and set back from the building line and ridge line of the existing house.	✓
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	Side extension would be set back from original building line and ridge line would be set below the ridge of the original house. The raised terrace would be proportionate in scale to the original dwelling.	✓
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	Proposed materials to match original house. The proposed fenestration to the side and rear would be considered in keeping and harmonise with the host dwelling. A condition to ensure materials match is recommended.	✓
Roof style	• 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	Gable roof in design would be proportionate to the original house and ensures no undue bulking and massing is caused.	✓

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	Full length opening within rear elevation considered acceptable.	✓
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: Are the considerations in the following table acceptable?

The main properties affected are:

- *22, Upper Bank End Road – located to the south of the application site. The proposed extension would be set off the shared boundary by ~0.9 metres with a proposed full-length window on the corner of the side/rear extension which has some potential to overlook part of the rear amenity space at No.22, given that the extension would be elevated by ~0.8 metres. To prevent any detrimental impact on overlooking this window would be conditioned to be obscurely glazed, in addition a screen to this elevation of the raised terrace would be ensured by condition.*
- *18, Upper Bank End Road – located on the north-facing elevation of the application site. Due to the side extension being located on the south-facing elevation of No.20, the main body of the house would prevent any detrimental impact on this neighbour. Given that the proposed rear extension and raised terrace would be set off the shared boundary by ~4 metres, this distance is considered sufficient in mitigating any detrimental overshadowing or overbearing on this neighbour.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
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Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Window on side elevation to be conditioned as obscure glazed. Screening to be secured to the southern elevation of the terrace to prevent overlooking	✓
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	Single storey in height with minimal rear projection would mitigate any detrimental impact on loss of light and outlook of neighbours.	✓
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	Over half of rear garden space would be retained.	✓

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	The proposed extensions would not alter the existing access to and from the property in conjunction with the adjoining highway.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	The level of driveway space would be reduced as a result of the development, however the number of bedrooms	✓

	Chapter 12 of the NPPF	at the site would remain the same. One parking space would be retained to the front of the proposed side extension. There is currently one vehicular parking space to the front of the host properties driveway which is utilised. Weight is afforded the realistic fall back that a single storey addition could be constructed to the side of the host property by utilising pd rights, and which could be flush with the front of the host property such that a shorter driveway than that as proposed could realistically occur in the event of a refusal of the proposed development. It is therefore considered a refusal on grounds of impact upon parking provision could not be substantiated in this case.	
Provision for waste storage	- KDP 16 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	Sufficient space to the front of the dwellinghouse as identified in the proposed plans and elevations. The access to the rear which would be retained also allows for the option that waste storage to the rear of the host property be undertaken.	✓

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	Bat alert layer – no interference with existing roof so unlikely that bats would be affected – note would be attached to decision notice regarding bats.	
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 rear 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.	✓

The proposal is therefore 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
Holme Valley Parish Council - Support but with some concern for parking provision	One parking space would be retained and the number of bedrooms would remain the same. Parking provision addressed in the 'Highways and Parking' section of this report.	✓

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: 2024/90091

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 of the Kirklees Local 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 and 14 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 and be retained thereafter.

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.

4. The floor to ceiling height window serving the sitting room, in the southern side elevation of the extension hereby approved, shall be fitted with obscure glazing, minimum grade 4 before it is first occupied. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the said window shall thereafter be so retained obscure glazed.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

5. Notwithstanding the plans submitted, the raised terrace shall not be brought into use until a 1.8 metre obscurely glazed screen (to a minimum privacy level of Grade 4 or equivalent) or timber fencing to a height of 1.8m high has been constructed to the southern elevation of the raised terrace. The obscure glazed screen or timber fencing shall thereafter be retained.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the House Extensions and Alterations SPD 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			18/01/24
Climate change statement			18/01/24
Plans and elevations as proposed	DL840 02		18/01/24

Plan Type	Reference	Version	Date Received
Existing layout	DL840 01		18/01/24

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 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: 04/03/2024

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