

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:	2024/62/90266/W
Site Address:	1, Wooldale Road, Wooldale, Holmfirth, HD9 1QN
Description:	Erection of two storey side and single storey rear extensions
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.

John Holmes

AUTHORISED OFFICER

Date: 15-Apr-2024

OFFICER REPORT

Site Description

1 Wooldale Road is a two storey, semi-detached property in the area of Holmfirth. The dwelling is located on a corner plot with the front (west) elevation facing Wooldale Road and the north elevation facing onto Town End Road.

The property is constructed from natural coursed stone, facing brickwork and render with interlocking concrete roof tiles. It benefits from a driveway to the front and garden amenity space to the front wrapping around the side to the rear.

The surrounding properties are largely residential dwellings and a Listed Building (75-77 Town End Road) is situated around ~10m to the northwest of the site. The site is also adjacent to Wooldale Conservation Area to the northwest.

Description of Proposal

The applicant is seeking permission for the erection of a two storey side and single storey rear extension. The two storey extension to the side would project 3.2m from the original side wall, extending 6.5m of the depth of the dwelling. The rear elevation of the two storey extension would, at the first floor, tie into the rear elevation of the host property. The single storey rear extension will project 3m from the rear and wrap across the dwelling by 9.1m.

The two storey side extension will be set back from the front elevation by 1.4m and will have a height to the eaves of 5.1m with an overall height of 6.8m which is set down from the original roof ridge by 0.6m. The single storey rear extension will measure 2.8m to the eaves and have an overall height of 3.9m.

The walls are proposed to be natural coursed stone, facing brickwork and render to match the existing property.

History of negotiations/amendments received

None.

Relevant Planning History

None.

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. The application has been publicised as affecting the setting of a listed building and

affecting the setting of a conservation area. As such, we have publicised this application via neighbour notification letters, site notice and newspaper advertisement.

Final publicity date expired 22nd March 2024 – no representations received

Consultation Responses

K.C. Conservation and Design – Consulted informally and due to the extension having matching materials, being set back and being subservient advise that the impact on the adjacent Conservation Area and Listed Buildings will be low and therefore raised no formal comments.

Holme Valley Parish Council – Support, would like to see a more developed climate mitigation statement. – However this was not considered necessary to proceed with the application.

Policy

The site is located in an area with a known presence of bats and within the Green Infrastructure Network (within the Kirklees Local Plan) and falls within the Holme Valley Neighbourhood Development Plan. The site is located within proximity to the Wooldale Conservation Area and Listed Buildings.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 31** – Green Infrastructure Network
- **LP 35** – Historic Environment
- **LP 51** – Air Quality

Holme Valley Neighbourhood Development Plan:

The Holme Valley Neighbourhood Development Plan was adopted December 2021 and therefore forms part of the Development Plan.

The site falls within Local Characteristic Area 4 – River Holme Settled Valley Floor.

The policies from the Holme Valley Neighbourhood Development Plan that are relevant to this application are:

- 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

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.

- **Chapter 2** – Achieving sustainable development
- **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
- **Chapter 16** – Conserving and enhancing the historic environment

Supplementary Planning Documents / guidance

House Extensions & Alterations SPD (adopted June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment

1. Principle of Development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with Chapter 12 of the NPPF, regarding design and the adopted SPD. In this case, the principle of development is considered to be acceptable and the proposal shall now be assessed against all pertinent material planning considerations.

2. Impact on Visual Amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that 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. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes onto state that 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 details.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP 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 Local Characteristic Area 4 – River Holme Settled Valley Floor.

The built characteristics of LCA4 are listed below:

- 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.

As this proposal is for a side and rear extension, the following paragraphs of the House Extensions & Alterations SPD are of relevance. Paragraphs 5.15, 5.19 & 5.20, with regards to the side extension, require the development to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space. Paragraphs 5.1, 5.2 & 5.6 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The plans show that the extension will be limited in terms of its projection (only projecting beyond the rear wall by 3m and beyond the side wall by 3.2m). Furthermore, given the permitted development fall back option of completing the majority of the rear extension element separately under PD it is considered that the additional impact of the part connecting these two elements on the corner would not cause significant visual harm and would suitably instead harmonise with the original house subject to condition requiring materials to match.

Paragraph 5.23 relates specifically to side extensions on corner plots. It states that:

On corner plots, side extensions should be considered as being both side and front extensions and as such will relate to both street frontages. Therefore, both elevations should be designed as street frontages. On corner plots, side extensions should contribute to the local character by:

- Facing in both directions to create two frontages, each with windows overlooking the street;
- Being set back from the existing building line on both streets; and
- Following the boundary treatment along both streets, in relation to its position, height and materials.

In this instance plans show that the development would be set back from the existing building line on Town End Road and Wooldale Road and is set well within the site within large grounds to the side. Given the set back of the two storey extension to side it is considered the proposal would acceptably comply with this part of the SPD in this case. This conclusion is drawn having regard to the building line of no.84 Town End Road, and distance of the proposal from no.84.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that:

“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”

The Listed Buildings in proximity to the application site are 75 and 77 Town End Road which are described as:

“Pair, part of group. No 75 is late C18. No 77 is early to mid C19, in keeping. Hammer dressed stone. Stone slate roof (No 77 turned). Quoins and gable copings on carved kneelers (No 75). Two storeys. Central doorways (No 75 with deep lintel).”

Although these buildings are located across the street from the application site the separation distance will be over 30m between the proposed extension and the Listed Building due to the large garden of No.1 and the road separating the two sites. It is therefore considered by Conservation officers that the development will not affect its setting. Conservation officers also stated that the development will not impact on the setting of Wooldale Conservation Area this is due to the extensions being significantly set back within the site and being subservient to the original dwelling.

The site characteristics in this case are considered to be such that, whilst upon elevated land, the development would read as a subservient addition to the host property in this case and that whilst there is not a set back from the rear elevation of the host property, at the first floor level of the extension to side, the impact of the proposal would not be significant in this case. The proposal is set well back from the highway and weight is afforded to the elements which could be constructed under pd rights. As such it is considered the impact of the proposal upon the host property and wider locality is acceptable.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP35 and LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity:

Sections B and C of LP24 states 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 users.

Policy 2 of the Holme Valley Neighbourhood Development Plan states that *‘designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties’.*

The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

Impact on 3 Wooldale Road

This property is the adjoined neighbour to the south of the application site. Although the extension will not be separated from the boundary with No.3 there is weight given to the PD fall back in this instance. In addition the height to the eaves is 2.8m and the lean-to roof design helps to reduce any overbearing impact / overshadowing to this neighbouring property. Although there will be some shading to the garden at No.3 in the evening of summer months this is not considered to be of such significance as to warrant a reason for refusal in this case, particularly taking account of the orientation of the site in relation to this property.

There are no openings proposed which would result in any loss of privacy to this property. With regards to the impact on the adjacent 3 Wooldale Road, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP (c) in term of minimising impact on neighbouring occupiers and policies within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 84 Town End Road

This property is the neighbouring property to the east of the application site. The orientation of the properties and separation distance of ~9.6m limits the potential for any overbearing or overshadowing. Even though there are large bifold doors and a window in the rear elevation this would be of limited impact due to them facing onto a wall with two small high level window. With regards to the impact on the 84 Town End Road, having regard to the rear – side relationship between these dwellings, and considering the impact of the

scheme in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP (c) in term of minimising impact on neighbouring occupiers and policies within chapter 12, paragraph 130 of the NPPF, the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any significant impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Policy 2 of the Holme Valley Neighbourhood Development Plan, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Paragraph 135 (f) of the National Planning Policy Framework.

4. Impact on Highway Safety:

Policies LP21 and LP22 of the Kirklees Local Plan and 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 Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

The proposals will result in some intensification of the domestic use. However, the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. 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.

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 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.

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. Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The application has been submitted with a Climate Change Statement which states that insulation levels to the existing property are to be upgraded and that there will be efficient use of materials. The response of Holme Valley Parish Council is noted, however it is considered the level of information provided is proportionate to the scale of the development proposal in this case and it would be unreasonable of the LPA to insist upon a higher level of information to be submitted. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The development would not see the need for removal of any existing trees or hedgerows from the area(s) where the development proposal would be sited. Therefore, the proposal is not considered to have a significant impact upon the strategic infrastructure network and is concluded acceptable in this regard.

Ecology

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.

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.

Whilst some works to the existing dwelling would need to be undertaken, given the scale of the proposal it is considered that it would be unreasonable of the LPA to insist upon a full bat survey in this case. Nevertheless, it is considered appropriate to include an informative note upon any grant of permission which draws the attention of the applicant / developer to the requirements of the law should a bat be encountered on site.

There are no other matters for consideration.

6. Representations

None

7. Conclusion

This application to erect a two storey extension to the side and rear of 1 Wooldale Road 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, the proposals are 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

Decision Authorisation - Delegated Powers

Application Number: 2024/90266

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP35 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 15 of the House Extensions & Alterations SPD, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and the policies contained within Chapters 2, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. The external walling 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 to accord with Policy LP24a of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies within chapter 12 of the National Planning Policy Framework.

NOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). 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	-	-	
Climate Change Statement	-	-	06/02/2024
Proposed site/block layout	661-A03	-	02/02/2024
Location plan	661-A10	-	01/02/2024
Proposed plans and elevations	661-A02	-	01/02/2024
Existing plans and elevations	661-A01	-	01/02/2024

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 Planning 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 necessary to seek any amended plans throughout the course of the application.

Report Dated

15/04/2024