

# **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:         | <b>2024/62/90442/W</b>                         |
| Site Address:         | 15, Westcroft Fold, Honley, Holmfirth, HD9 6FH |
| Description:          | Erection of single storey side extension       |
| 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: 21-May-2024**

## HOUSEHOLDER DELEGATED REPORT

|                                                   |                                                                                     |
|---------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>Application Number</b>                         | 2024/90442                                                                          |
| <b>Location</b>                                   | 15, Westcroft Fold, Honley, Holmfirth, HD9 6FH                                      |
| <b>Proposal</b>                                   | Erection of single storey side extension                                            |
| <b>Publicity end date</b>                         | 27 March 2024*                                                                      |
| <b>Number of representations received</b>         | None received                                                                       |
| <b>Kirklees Local Plan Allocation/Designation</b> | Housing Allocation – Land to the northeast of Westcroft, Honley – HS171. Built out. |
| <b>Extension to Time (EoT)</b>                    | <b>EoT Date:</b> 24 May 2024                                                        |
| <b>Recommendation</b>                             | Conditional Full Permission                                                         |

\*the amended plans and information was not re-publicised as this did not fundamentally change the proposed development.

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

### 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
- NPPF Chapter 15 – Preserving 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
- **LP30** – Biodiversity
- **LP33** - Trees
- **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.

Landscape Character Area 6: Honley Village Centre

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 /<br>NO | SUMMARY                                                                                                                                                                                                                             |
|------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Negotiations/Amendments during course of application | Yes         | Following an informal consultation with KC Arboricultural Officers, further information was sought regarding the protected trees on site. An Arboricultural Impact Assessment and amended plans were submitted 9 <sup>th</sup> May. |
| Holme Valley Parish Council comments sought          | Yes         | Support                                                                                                                                                                                                                             |
| Planning History                                     | Yes         | 2023/91955 Erection of detached garden room<br><i>Conditional full permission</i>                                                                                                                                                   |
| Consultations required                               | Yes         | KC Trees (informal) – no comments                                                                                                                                                                                                   |

### **Assessment**

Permission is sought for the erection of single storey side extension.

The measurements of the extension are as follows:

- ~3.5 metre side projection
- ~8 metre length
- ~2.6 metre eave height
- ~3.5 metre ridge height

The exterior walls are constructed from natural stone with stone sills, heads and quoins with a dark metal standing seam roof. Within the lean-to roof is three rooflights.

The side (north-west) facing elevation has significant glazing with anthracite aluminium bi-folding doors, with an additional window on the front and rear elevations.

The site is adjacent to Honley Conservation Area.

The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraphs 5.15, 5.16 and 5.17 on page 28 (and listed below) and if they do not, they need to be justified.

| <b>Side extensions</b>                                                                      | <b><u>Yes - COMPLY</u></b>                                                                                                                                                                                                                                                                      | <b><u>No - JUSTIFY</u></b> |
|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Ensure reasonable levels of natural light to the habitable rooms in neighbouring properties | Single storey in height with a separation distance of ~18 metres achieved between the extension and neighbouring properties.                                                                                                                                                                    |                            |
| Positioning windows to minimise or avoid any potential overlook into neighbouring gardens   | Full-length windows within side elevation. Separation distance of ~18 metres achieved between application property and neighbouring dwelling (4, Scotgate Fold). Noting the differences in ground levels, this is deemed sufficient to avoid undue impact and there is screen fencing in place. |                            |
| <b>Single storey side extensions should:</b>                                                |                                                                                                                                                                                                                                                                                                 |                            |
| 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 not exceed 4 metres in height                                                                                                                                                                                                                                               |                            |
| be set back at least 500mm from the original building line to allow for a visual break      | The extension would be set back ~0.8m                                                                                                                                                                                                                                                           |                            |

**Design and Visual Amenity:** Are the considerations in the following table acceptable?

Summary of local street scene/character:

15, Westcroft Fold is located at the end of a cul-de-sac in Honley, Surrounding development consists of detached dwellings to the south with a row of terrace properties to the east. The dominant construction material is

stone with concrete tile roofs. This development is set high above the highway of Scotgate Fold which runs to the north of the site. The banking to the north of the property and the road mark the boundary of Honley Conservation Area.

There are three protected trees on site.

The application site is within Landscape Character Area 6 - Honley Village Centre

Key landscape characteristic of the area are-

- Wooded valleys associated with Mag Brook and Magdale.
- Glimpsed views of a wider rural backdrop are often framed by built form. The sloping topography creates a strong connection between the centre of Honley and the wider agricultural setting with strong visual links up to Oldfield. The area affords long distance views to Castle Hill.
- Stone wall field boundary treatments
- A network of Public Rights of Way (PRoW) follows the routes of local lanes or field boundaries with some giving access to Mag Brook and Honley Wood Bottom.

Key built characteristic of the area are

- Honley's historic core is dominated by 18th and 19th century stone dwellings with distinctive yards or folds.
- The south-west of Honley has more eclectic architecture with largely 20th century residential properties in cul-de-sacs. These are generally in-keeping with the historic townscape due to scale and use of traditional materials.
- Weaver's cottages with rows of mullioned windows are found throughout area.
- Former mill buildings associated with Mag Brook have been redeveloped for commercial or residential use and form local heritage features.

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

|  | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b> | <b>Further comments</b> | <b>✓ /<br/>X /<br/>N/A</b> |
|--|-------------------------------------------------------------------------------------------------------|-------------------------|----------------------------|
|  |                                                                                                       |                         |                            |

|                                                |                                                                                                                                                                                                                 |                                                                                                                                                                                                                   |   |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Impact on the Local character and street scene | <ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 NPPF</li> </ul>                    | Single storey in height with materials to match existing dwelling. Although visible from Scotgate Fold and the Conservation Area, it would be viewed as an addition to a modern dwelling in a modern development. | ✓ |
| Impact on original house                       | <ul style="list-style-type: none"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul>             | Side projection is proportionate to existing dwellinghouse.                                                                                                                                                       | ✓ |
| Height, scale and massing                      | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Single storey in height, proportionate to original house                                                                                                                                                          | ✓ |
| Facing materials and detailing                 | <ul style="list-style-type: none"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul>              | Materials to match.                                                                                                                                                                                               | ✓ |
| Roof style                                     | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Lean-to roof considered subservient.                                                                                                                                                                              | ✓ |

|                             |                                                                                                                                                                                                                 |                                                                                                       |   |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---|
| Window proportions          | <ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Full length windows within side elevations. Given the age and design of the house, this is acceptable | ✓ |
| Accessibility for all users | <ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Policy 1 &amp; 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul>                              | Private domestic extension – no alterations to access.                                                | ✓ |

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

**Residential Amenity:** Are the considerations in the following table acceptable?

The main properties affected are:

4, Scotgate Fold – located to the north-west of the application site.

A separation distance of ~18 metres is achieved between the extension and this dwelling, mitigating the detrimental harm to privacy/overlooking. This neighbour is also located on a lower ground level to the application site with a screen fence in between, therefore mitigating detrimental harm to loss of light/overbearing.

124, Westcroft – located to the south-west of the application site

A separation distance of ~22 metres is achieved, and this neighbour is located on a higher ground level to the application property. Although there would be one opening facing this dwelling, these factors are considered sufficient to mitigating detrimental harm to overshadowing/privacy/overbearing.

14, Westcroft Fold – located to the south-east of the application site

This neighbour is a detached dwelling adjacent to the application property. The main body of the application property would block the extension from this neighbour, therefore mitigating detrimental harm to overbearing/overshadowing/privacy.

|                                                                      | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                                                  | <b>Further comments</b>                                           | <b>✓ /<br/>X /<br/>N/A</b> |
|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------|
| Impact on privacy of neighbours (to sides, rear and front)           | <ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Policy 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul> | Acceptable for the reasons above.                                 | ✓                          |
| Impact on light and outlook of neighbours (to sides, rear and front) | <ul style="list-style-type: none"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Policy 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul>        | Acceptable for the reasons above.                                 | ✓                          |
| Remaining garden space of application property                       | <ul style="list-style-type: none"> <li>• KDP 7 of the SPD</li> <li>• Policy LP24 Design (b) and (c)</li> <li>• Policy 2 of the HVNDP</li> <li>• Chapter 12 of the NPPF</li> </ul>      | Over half the garden space would be retained which is acceptable. | ✓                          |

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:** Are the following acceptable?

|                          | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b> | <b>Further comments</b>           | <b>✓ /<br/>X /<br/>N/A</b> |
|--------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------|
| Impact on highway safety | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> </ul>                                 | No alterations to highway access. | ✓                          |

|                             |                                                                                                                                                       |                                                                                                                                                     |   |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---|
|                             | <ul style="list-style-type: none"> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>                              |                                                                                                                                                     |   |
| Parking provision           | <ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul> | The domestic use of the dwelling would not increase. There is sufficient space on front driveway to accommodate the existing dwelling in this case. | ✓ |
| Provision for waste storage | <ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>        | None shown on plans however there is sufficient space within the red line boundary.                                                                 | ✓ |

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:** Are the following acceptable?

|                 | <b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>                                                                | <b>Further comments</b>                                                                                                                                                                                                                                                                                                                                                               | <b>✓ /<br/>X /<br/>N/A</b> |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Impact on trees | <ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul> | During the negotiation process the applicant's agent was requested to submit further information regarding the TPOs on site. An Arboricultural Impact Assessment has been provided and satisfactory for KC Trees officers to raise no objections to the proposed development subject to the development being undertaken in accordance with the given within section 5 of the report. | ✓                          |

|                                          |                                                                                                                                                                                 |                                                                                                                                                                                                                                             |   |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Impact on ecology                        | <ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>                                                  | Bat alert layer – note attached to decision notice regarding bats                                                                                                                                                                           | ✓ |
| Carbon Budget / Climate change statement | <ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Policy 12 of the HVNDP</li> <li>• Chapter 14 of the NPPF</li> </ul> | 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                  | <ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>                                                | An adequate amount of 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, HVNDP, the SPD and the NPPF.

**Representations, including Parish/Town Council comments:**

| Summary of Representation            | Officer response | Addressed<br>✓ / X / N/A |
|--------------------------------------|------------------|--------------------------|
| None received/Parish Council support |                  | ✓                        |

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:** 2024/90442

**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, LP33 and LP51 of the Kirklees Local Plan, Policies 1, 2 & 12 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, 15 and 14 of the National Planning Policy Framework.

3. The development shall be carried out in complete accordance with the recommendations of the Arboricultural Impact Assessment ref WC-274.1a by Woodsage Consulting.

**Reason:** To ensure the development does not directly or indirectly impact on the viability of trees and to accord with Policies LP30 and LP33 of the Kirklees Local Plan, Principles of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 12, 15 of the National Planning Policy Framework.

**Note:** The trees within and overhanging the application site are protected by Tree Preservation Order 29/93/t7, 29/93/t8, and 29/93/t9. A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent. Failure to comply with conditions that seek to protect trees or take sensible precaution during the development works, maybe consider wilful damage and result in enforcement action.

**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                 |              |         | 21/02/24      |
| Climate change statement         |              |         | 16/02/24      |
| General arrangements as existing | 23082D-01-P1 |         | 16/02/24      |
| General arrangements as proposed | 23082D-02-P5 |         | 09/05/24      |
| Arboricultural Impact Assessment | WC-274.1a    |         | 09/05/24      |

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.

Following an informal consultation with KC Arboricultural Officers, further information was sought regarding the protected trees on site. An Arboricultural Impact Assessment and amended plans were submitted 9<sup>th</sup> May.

**Report Dated:** 20/05/24

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