

**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:	2024/62/90613/W
Site Address:	Tenter Hill Cottage, Tenterhill Road, New Mill, Holmfirth, HD9 7LY
Description:	Erection of single storey extension
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 02-May-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90613
Location	Tenter Hill Cottage, Tenterhill Road, New Mill, Holmfirth, HD9 7LY
Proposal	Erection of single storey extension
Publicity end date	25 th April 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated for development in the Kirklees Local Plan. In Holme Valley Neighbourhood Development Plan area, designated Local Character Area 7: River Holme Wooded Valley
Extension to Time (EoT)	Yes – 03/05/2024
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 30** – Biodiversity and geodiversity
- **LP 51** – 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.

Local Character Area 7: River Holme Wooded Valley

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	
Parish/Town Council comments sought	Yes	Holme Valley Parish Council – support
Planning History	Yes	2003/92458 – Erection of conservatory – Conditional Full Permission. 2011/93235 – Erection to rear of dwelling to provide double garage extension with storage over – Withdrawn. 2012/92099 – Works to TPO(s) 08/96 – Part Granted/Part Refused.
Consultations required	No	

Assessment

The single storey rear extension would be:

- 6.2 in length
- 5.5m in width
- 3.4m to the eaves
- 4.7m overall height – this is measured from the rear garden level the extension will be accessed via steps to the rear and will be set 0.7m above the garden level.

The Kirklees SPD sets out that single storey rear extensions should comply with certain dimensions set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

Single-storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be in keeping with the scale and style of the original house	Yes – the proposed materials of reclaimed natural stone for the walls and a blue slate roof will match that of the existing property. The gable roof design will harmonise with the original dwelling and due to the substantial footprint of the house the extension will be subservient in scale. It is acknowledged that there is a history of disparate additions to the property.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – it will not cover more than half the total area around the original house.	
not exceed 4 metres in height		No – due to the topography of the site the ground level slopes down slightly towards the rear garden. Therefore, the overall height when measured from the rear garden level is 4.7m however when measured from the ground level at which the front elevation is situated on the overall height measured 4m and is therefore considered acceptable.
not project out more than 4 metres from the		No – the extension would project 6.2m

rear wall of the original house for detached houses		however this is considered acceptable as the extension will not project materially further than existing development on the rear, northeast elevation.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – the extension exceeds 3m in length and 2.5m to the eaves. However due to the positioning of the extension it will be screened from public vantage points and will still be subservient to the original dwelling house.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes – a gap of 5m will be retained to the neighbours boundary	

Design and Visual Amenity:

LCA 7 of the HVNDP describes the characteristics of the area and refers to a preference for natural stone and landscape views be maintained. The proposal to the rear would sufficiently ensure that public views would not be affected and also be in reclaimed natural stone.

The host property is a large detached, two storey property in the New Mill area of Holmfirth. The main portion of the existing house has a hipped roof, whilst part of the rear projection has a gable roof. There is a two-storey flat roofed extension and a conservatory too. The site is bounded by woodland to the northeast and east and host a large garden to the southeast of the site. Due to the topography of the site the ground level slightly decreases from the southwest at the front of the property towards the northwest – rear of the property.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF • Policy 1 & 2 of the HVNDP 	Single storey extension located to the rear which will be screened by the original house and not be overtly visible from the public view. The extension will be constructed from natural stone which is favoured on the HVNDP for this area.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 	The single-storey rear extension would be constructed from natural stone to match the host property, would not protrude further than existing development to the rear and would be subservient with the host. It is noted it would add yet another roof form and style, but along this elevation this is not critical to the scheme.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 	As above.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 	Facing materials and simple detailing would harmonise acceptably with the original host and the previous organic additions to it.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) 	Gable roof to match that of roof form on the northwest side elevation.	✓

	<ul style="list-style-type: none"> and (d) of the KLP • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 		
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 	While the glazing to the rear would be larger with the introduction of large sliding doors to the ground floor this would be of low visual impact to the street scene and be deemed therefore acceptable. There will be two small single panel windows on the ground floor of the northwest elevation and an existing window moved altered to suit the extension these will be small and will not affect neighbouring properties.	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF • Policy 1 & 2 of the HVNDP 	Private domestic extension which would not change the existing access into / around the property.	✓

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:

- *The Grange to the northeast - this property hosts a two storey outbuilding along the boundary with Tener Hill Cottage. As this outbuilding screens the rest of the house residential amenity will be assessed on this building. The separation distance between the main dwelling at The Grange and Tener Hill Cottage is ~23m and therefore will not be affected in terms of privacy or overshadowing.*
- *There are no other properties that would be affected by the development. There are no properties located to the rear and due to*

the development being to the rear of the property dwellings to the front will not be affected by overlooking or overshadowing.

	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 sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF • Policy 2 of the HVNDP 	In regard to The Grange there are some small windows proposed in the elevation facing this property however these will replace more extensive glazing on this existing elevation. Although the new windows will be in closer proximity to this property a separation distance of ~5m will still remain. Furthermore, these windows will face onto a blank elevation at the neighbouring property. Therefore, there are no concerns in regard to privacy.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF • Policy 2 of the HVNDP 	Due to the 5m separation distance between the proposed extension and The Grange in addition to the orientation of the houses it is considered that light into this property will not be significantly affected.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF • Policy 2 of the HVNDP 	Rear garden would still have a proportionate and useable private rear amenity space given the limited projection of the proposed rear extension.	✓

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?

	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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF • Policy 11 of the HVNDP 	This would not alter the existing arrangement by increasing occupancy levels and subsequently demand for parking	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF • Policy 11 of the HVNDP 	As above.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

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?

	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	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	There is one protected tree on site however this is located to the southeast of the site and has a separation distance from the extension of 35m.	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF • Policy 12 of the HVNDP 	While it is within a bat alert layer, the small scale alteration to the host would not have significant impacts to roosting potential. It would not impact on the roof. It is recommended that a bat informative be attached to notify the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	✓
Public Right Of Way	<ul style="list-style-type: none"> • Policy LP24 • KDP 1 & 17 	Public Right Of Ways Bridleway (HOL/51/60 and 30) are located adjacent to the south east and south west of the site. In addition, the access to the site from Holmfirth Road is also a public footpath. The proposed works are at a separation distance of ~16m away and will not affect the PROWS their setting or their users. A note will be attached to the report to ensure this is not impacted upon and the other legal duties on the developers regarding PROW.	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF 	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning	✓

	<ul style="list-style-type: none"> Policy 12 of the HVNDP 	application with regards to carbon emissions. A Climate Change Statement has been submitted with this application which states that materials will be locally sourced and reclaimed materials will be used and as well and low voltage lighting.	
Drainage and Flood Risk	<ul style="list-style-type: none"> KDP 14 of the SPD Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	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
HVPC - support	noted	✓

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: 2024/90613

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 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, Policies 1 and 2 within the Holme Valley Neighbourhood Development Plan and policies within Chapters 2, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. The external walls and roof 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, Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policies 1 and 2 within the Holme Valley Neighbourhood Development Plan 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.

Note: Public bridleways HOL/51/60 and HOL/52/30 and public footpath HOL/52/10 are adjacent to the development site/form access to the site and must not be interfered with or obstructed, prior to, during or after development works.

The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. Contact via email can be made at publicrightsofway@kirklees.gov.uk

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	01/03/2024
Design and access statement	-	-	01/03/2024
Site location plan	241 (0-) 02	-	01/03/2024
Scheme as proposed	241 (0-) 03	-	01/03/2024
Existing survey	241 (0-) 01	-	01/03/2024
Application form	-	-	01/03/2024

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. No amended plans were sought.

Report Dated: 30/04/2024