

**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:	2024/62/90718/W
Site Address:	9, Springfield Avenue, Honley, Holmfirth, HD9 6ED
Description:	Erection of front and rear dormer windows and associated works
Recommending Officer:	Laura Yeadon

DECISION – REFUSED

I hereby authorise the refusal 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: 01-May-2024

Officer Report

[Weblink](#)

Site Description

9 Springfield Avenue, Honley is a semi-detached bungalow located within a residential area without notation on the Kirklees Local Plan. The property is stone fronted and has a rendered side and rear elevation and the roof is finished with concrete tiles. There is a bay window to the front elevation which is replicated on the attached neighbouring property. Amenity space is comprised of lawned gardens to the front and rear with a driveway to the side leading to a detached pre-fabricated garage.

Surrounding development is predominantly residential with the properties on the eastern side of Springfield Avenue being semi-detached bungalows with the properties on the western side being two storey semi-detached properties, set down from the roadside.

Description of Proposal

The application is for the erection of a front and rear dormer and associated works.

Associated works

In this case the associated works comprise of a hip to gable roof extension.

Front dormer

- Width – 5.4 metres
- Projection – 2.8 metres
- Height – 1.8 metres

Rear dormer

- Width – 5.8 metres
- Projection – 3.5 metres
- Height – 2.3 metres

The proposed construction materials would be pebble dash render to the side elevation for the gable wall extension with the dormers being constructed from uPVC plank cladding with the remainder of the roof being profiled concrete interlocking tiles to match the existing. The proposed openings would be white uPVC.

History of negotiations/amendments received

No negotiations have taken place as it was considered that the required amendment would be significant and alter the description of development.

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. As such, we have publicised this application via neighbour notification letter.

Final publicity date expired 24th April 2024 – no representations received

Holme Valley Parish Council – support the application

Consultation Responses

None required

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and Holme Valley Neighbourhood Development Plan.

The site is without notation on the Kirklees Local Plan.

The site also falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area 6, Honley Village Centre.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and Improvement of Local Air Quality

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- 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

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

The key landscape characteristics 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.

The key built characteristics 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.

Supplementary Planning Documents:

- House Extensions and Alterations SPD
- Highways Design Guide SPD

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 4 – Decision-making
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – 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.”
- Principle 2 – 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 detail.”

With specific regard to the House Extensions and Alterations SPD the other key design principles for consideration are:

- 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 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

Paragraphs 5.24, 5.25, 5.26 and 5.27 of the House Extension SPD relate to the provision of dormers with bungalows specifically addressed within paragraph 5.31.

Paragraph 5.24 states that unsympathetic roof extensions and dormer windows can have a significant impact on both the individual building and street scene and poorly design dormers can make a building appear top heavy and cluttered.

Paragraph 5.25 goes on to say that the design of dormers should reflect the character of the area, the surrounding buildings and also, appearance and materials of the existing house. It cites that ideally, dormers should be located to the rear and should be as small as possible.

Paragraph 5.26 states that consideration should be given to surrounding buildings and the appearance should be small in scale and characteristic of the street scene.

Paragraph 5.27 states that dormer windows should:

- relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the ridge of the house;

- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

With specific regard to bungalows, paragraph 5.31 states that careful consideration should be given to extensions to bungalows as these can have a negative impact on the street scene and character of the area by changing the height, rhythm of form of a roof in relation to the rest of the street scene.

The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

2 – Impact on visual amenity:

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 6, detailed in the 'Policies' section of this report)

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

Policies LP1, LP2 and LP24 of the Kirklees Local Plan are all relevant, as these policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development within the area and is visually attractive. With reference to extensions, Policy LP24(c) of the Kirklees Local Plan states these should be 'subservient to the original building' and 'in keeping with the existing building in terms of scale, materials and details.'

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

These are also reinforced within Chapter 12 of the NPPF (Achieving well designed and beautiful places) where paragraph 131 provides an overarching consideration to design stating that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make the development acceptable to communities." Paragraph 135 goes

on to state that planning decisions should ensure developments are sympathetic to local character, including the surrounding and built environment.

The scheme proposes a hip to gable roof extension, a front dormer extension and a rear dormer extension. The character of this part of the street scene is such that it is characterised by hipped roofed semi-detached single storey properties which are relatively uniform in roofscape with little interruption to the roof forms.

The proposed development would introduce a new roof form to the street scene and a front dormer extension which would be large in scale and would be an alien feature within the street scene whereby no other dormer openings are located within the front elevation roof slopes. Due to the change in roof form in addition to the front dormer, the development would be incongruous in relation to the character of the host dwelling and in the wider street scene and would not comply with the Council's adopted SPD.

In terms of reference to the specifics of the SPD the hip to gable roof form and front dormer would not relate to the appearance of the house and existing roof as a new feature would be introduced which cumulatively when taking into account the development as a whole would dominate the roof form and would not be considered subservient. Therefore, it is not considered that the works would comply with paragraph 5.27 of the SPD or Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

Whilst there is potential to explore the hip to gable extension and rear dormer under Permitted Development, there is no similar consideration for the front dormer as any roof addition to the front elevation requires planning permission. As such, as an application for planning permission has been submitted, the works are assessed against the applicable planning policy.

When taking the development as a whole into consideration, the works, in particular the front dormer extension and hip to gable extension would result in alterations to the roof form which would appear incongruous by introducing alien features into the street scene whereby there are no other such features at present. Due to the cumulative size, scale and siting, the development would result in a development which would alter the street scene where the roof slopes are uniform in design and introducing alien features where none are currently evident.

The proposed development would therefore be detrimental to visual amenity contrary to Policies LP24 (a and c) of the Kirklees Local Plan, Key Design Principles 1, 2 and Section 5 of the Council's adopted House Extensions and Alterations SPD, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land

and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Sections B and C of Policy LP24 of the Kirklees Local Plan state 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 NPPF states that for planning decisions should ensure that developments have a high standard of amenity for existing and future users.

In terms of this proposal, due to the attached neighbouring property hosting no roof openings or dormers with no proposed increase in footprint to the dwelling, in terms of overshadowing or being overbearing, the proposal is acceptable on this property. In terms of the adjacent property, No. 11, it is not considered that the hip to gable extension would cause significant harm to this property due to the difference in levels and the driveways to the properties separating the dwellings.

In terms of overlooking, the dormer would not reduce any established separation distances and therefore would not cause undue harm from overlooking.

Key Design Principle 7 of the SPD requires that extensions ensure that appropriately sized and usable areas of outdoor space are retained. In this instance, there are no proposed alterations to the footprint of the building and therefore the works would retain the outdoor amenity space, as existing. It is therefore considered that the development would comply with this principle.

Therefore, it is considered that the proposed works are acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan 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 Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In this case the works would retain the existing garage provision however, it appears on plan that the garage space falls short of modern standards. The works would result in additional bedroom provision for the property which would result in a total of 3 no. bedrooms formed. As such, two parking spaces are required to be available which can be provided on the existing driveway. It is therefore considered that the works would comply with Key Design Driver 20 of the Highways Design Guide and Key Design Principle 15 of the House Extensions and Alterations SPD and Policies LP21 and LP22 of the Kirklees Local Plan.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

5 – Other matters:

Climate Change - 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.

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 pre-dates 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.

A Climate Change Statement has been submitted with the application which is considered appropriate to the development proposed.

Coal legacy – The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an

informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 186 and 191 of the National Planning Policy Framework.

6 – Representations:

None

7 – 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 proposals do not accord with the development plan and/or the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material consideration.

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number: 2024/90718

Officer Recommendation: Refuse

1. The proposed hip to gable roof alteration and front dormer extension would result in overly prominent and incongruous features being introduced to the street scene. Cumulatively, due to the size, scale, siting & design of the works as a whole, the hip to gable roof alteration and front dormer extension would have a harmful visual impact upon the host dwelling and wider street scene. The proposed works would therefore be contrary to Policies LP24 (a and c) of the Kirklees Local Plan, Key Design Principles 1, 2 and detailed guidance within Section 5 of the Council's adopted House Extensions and Alterations SPD, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing elevations, floor plans and section	24-0219-01		11 th March 2024
Proposed block plan, elevations and floor plan	24-0219-02		11 th March 2024
Climate Change Statement			11 th March 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 negotiations have taken place as it was considered that any required amendment would be significant.

Report Dated: 30th April 2024

Coal – low