

**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:	2024/62/90907/W
Site Address:	16, Moorside Road, Honley, Holmfirth, HD9 6HR
Description:	Erection of extension to front dormer
Recommending Officer:	Joanna Rednall

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: 11-Jun-2024

The Site

16, Moorside Road is a semi-detached bungalow located in Honley, Holmfirth. The property is constructed from stone to the front elevation and brick to the side and rear elevation, with a hipped roofing style infilled with concrete tiles. The property benefits from an area of hardstanding surfacing to the side with a detached garage to the rear. To the front of the property is a small, lawned garden.

The site is located in a residential area where there is a mixed sense of similarity within the street scene. Adjacent to the application property are similar, semi-detached bungalows with small front dormers. The properties opposite the application site are two-storey, semi detached properties. The dominant construction material is stone to front elevations with brick to the side and rear elevations.

The Proposal

The applicant is seeking planning permission for erection of extension to front dormer.

The measurements of the extension are as follows:

- ~1.3 metre height
- ~5.2 metre length
- ~1.4 metre projection

The extension would be set ~1.3 metres above the eave height and ~1.1 metres below the ridge. The dormer would have a flat roof to match the existing, and would be faced with white UPVC cladding. There would be two windows within the front/ north east facing elevation serving a bedroom and landing.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

History of Negotiations

Negotiations were undertaken with the applicant's agent recommending a reduction to the size of the dormer extension. Amended plans were received 14th May showing the dormer set in from the side of the roof plane, however, it is not considered that the revised scheme overcomes the concerns raised. The determination of this application is on the basis of the amended plans received.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters.

Final publicity date expired: 21 May 2024.

No representations were received as a result of the publicity.

Holme Valley Parish Council – support

Consultations

None

Allocation & Policies

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 the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is unallocated within the Kirklees Local Plan (the site falls in landscape character area 6 (LCA6) in the Holme Valley Neighbourhood Development Plan. As such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety

- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

Holme Valley Neighbourhood Development Plan

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.

The following policies of this plan are considered most relevant: -

- Policy 1 – Protecting and Enhancing the Landscape Character of the 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

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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

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.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters
6. Representations
7. 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 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

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.

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 Netherthong Rural Fringe (LCA5).

Policy 2 of the HVNP 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.

Furthermore this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

Paragraph 5.27 of the Council's adopted House Extensions & Alterations relates specifically to dormer extensions:

5.27 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.*

The scheme proposes an extension to an existing front dormer. The character of this part of the street scene is such that small, front dormers are relatively uniform to the roof form of each semi-detached bungalow. The proposed development would extend the front dormer by ~5.2 metres, increasing the total length of the front dormer to ~8.5 metres. The dormer would not project above the ridge of the house and is set below the ridgeline of the existing roof plane.

In terms of fenestration, the openings would also have a satisfactory visual finish, as they would be of a similar size and scale to those that already exist on the dwellinghouse.

The amended plans saw a small scale reduction to the expanse of the dormer, with it being set in from the side elevation. However, due to the cumulative size of the dormer extension, the development would alter

character of the host property and impact upon the existing street scene whereby existing front dormers are uniform and small in terms of their size and scale. The proposal is considered to introduce alien features into the street scene where none are currently evident.

The applicant has raised examples of bungalows with front dormer extensions in an email dated 5th June with attached photographs of similar development to that proposed at No.16. However, it is not considered that significant weight can be afforded to the examples provided by the applicant as they are not situated in close proximity and relate to development on other streets which have a differing context within which they are sited.

Flat roof dormers to front, within the context of the street scene within which this proposal would sit, are small scale and uniform in terms of size, design and scale. The front dormer extension would therefore result in alterations to the roof scape which would appear incongruous by introducing a large front extension into a street scene whereby there are no other such features at present.

The proposed front dormer extension, by virtue of its scale, massing and relationship with the host dwelling, would result in a disproportionate and incongruous addition to the original dwelling and would have a design that forms an inharmonious addition within the roofscape and street scene. The development is contrary to Policy LP2 and LP24 a) and c) of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Policies contained within Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

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.

Policy 2 of the HVNP 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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

14, Moorside Road

This neighbour is adjoined to the application property from the north-west facing elevation. The dormer extension would not introduce any openings that face this dwelling. Therefore, in terms of overlooking/overbearing/overshadowing/ privacy, the proposal is acceptable on this property.

19, Moorside Road

This neighbour is located opposite the application property. The proposed openings would directly face this neighbour, and a separation distance of 22+ metres is achieved between the two dwellings. This is considered sufficient in mitigating detrimental harm to overlooking/overbearing/overshadowing/ privacy.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within 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 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.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would not be significantly affected by the proposed development. With this being the case, proposed parking arrangements are considered to be acceptable.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

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.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

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.

Whilst the proposal would see works to the roof, the proposal would be to alter a roof slope of a property which already utilises the existing roof and in this case it is considered the likelihood to impact upon a protected species such as bats is low, particularly as the locality is not identified as one where bats are likely to be located.

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 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.

Considering the modest nature 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. A Climate Change statement has been submitted with this application and the measures therein (increased insulation / efficient glazing) considered sufficient in this regard, in this case, given the scale of the proposed development.

6 – Representations:

Holme Valley Parish Council – support

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.

The proposal is therefore considered to be contrary to policy LP2 which seeks to ensure all development proposals build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places.

Recommendation – Refuse

Decision Authorisation – Delegated Powers

Application Number – 2024/90907

Officer Recommendation:

Reason

1. The proposed front dormer extension, by virtue of its scale, massing and relationship with the host dwelling, would result in a disproportionate and incongruous addition and would have a design that forms an inharmonious addition within the roofscape and wider street scene. The development is contrary to Policy LP2 and LP24 a) and c) of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Policies contained within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			11/04/2024
Climate change statement			16/04/2024
Location Plan			11/04/2024
EXISTING PLANS AND ELEVATIONS	23_202.1		11/04/2024
PROPOSED PLANS AND ELEVATIONS	23_202.1.1A	REV A	14/05/2024

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.

Negotiations were undertaken with the applicant's agent advised to give consideration to reducing the size of the dormer extension. Amended plans were received 14th May against which this application has been determined.

Report Dated:

10/06/2024

Low coal