

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:	2024/62/91758/W
Site Address:	14, Laithe Bank Drive, Holmbridge, Holmfirth, HD9 2PL
Description:	Erection of two storey and single storey side extensions and alterations.
Recommending Officer:	Lucy Taylor

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 18-Sep-2024

Officer Report.

Reference: 2024/91758

Location: 14, Laithe Bank Drive, Holmbridge, Holmfirth, HD9 2PL

Proposal: Erection of two storey and first floor side extensions and alterations

Site Description.

14 Laithe Bank Drive is a two-storey detached property located in Holmbridge, Holmfirth. The property sits within a corner plot. The property is faced in natural stone, render and brickwork and the gable roof above is infilled with interlocking concrete pantiles. Within the wider curtilage, the site benefits from on-site parking amenity space and outdoor amenity space to the front, side and rear elevations.

The site is located within a residential area, where there is a sense of similarity established between the dwellings, with regard to design and exterior materials.

Description of Proposal.

Planning permission is sought for the erection of two storey and single storey side extensions and alterations.

To the south eastern elevation, a two-storey lean-to extension is proposed, with a projection of 3 metres, a length of 9.4 metres (0.5 metre set back), an eaves height of 3.3 metres and a ridge height of 5.3 metres.

To the north western side elevation, a single storey lean-to extension is proposed, with a projection of 3 metres, a length of 8.85 metres (1 metre set back), an eaves height of 2.3 metres and a ridge height of 4.5 metres.

The extensions would be faced in natural stone to match existing and silicone through colour render. The roofs would be infilled with concrete interlocking pantiles to match existing.

Fenestration detailing would consist of windows and access doors.

History of Negotiations / Amendments Received.

The case officer raised concerns regarding the initial design of the proposed scheme, in conjunction with the previous refusal of planning application 2024/90965.

In response to case officer concerns, the applicant / planning agent submitted amended plans to show a lean-to two-storey extension to the south eastern

side elevation and a single storey lean to-extension to the north western side elevation.

The description of proposal was subsequently changed to reflect the amendments.

Given that the amendments saw an overall reduction in the extent of built form proposed, it was not considered necessary to re-advertise the application.

Relevant Planning History.

- 2024/90965 - Erection of two storey extensions to northern and southern (side) elevations including associated alterations. *Refused 7 June 2024 for the following reasons:*
 1. The proposed two-storey side extensions by virtue of their size, scale and appearance would not be subservient to the host building and would be unsympathetic, incongruous and overly prominent additions to the host dwelling having a harmful impact upon the character and appearance of the wider street, eroding the existing open and spacious feel of the site within the streetscene. The proposed two-storey side extensions would be contrary to Policy LP24 parts (a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 and paragraph 5.23 of the Kirklees House Extensions and Alterations Supplementary Planning Document and national Policy set out in Chapter 12 of the National Planning Policy Framework.
 2. By reason of its close proximity and height, the proposed two-storey extension to the northern side elevation of the host property would result in unacceptable levels of overshadowing and be unduly oppressive and overbearing to the occupiers of No. 12 Laithe Bank Drive, contrary to policy LP24 of the Kirklees Local Plan, Key Design Principles 5 and 6 of the Council's adopted House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within chapter 12 of the National Planning Policy Framework.
 3. The proposed development would reduce on-site parking to one space, and increase living accommodation to create a four-bedroom dwelling. The resultant pressure for on-street parking at the highway junction where Laithe Bank Drive and Laithe Avenue meet would have a detrimental impact upon highway safety as a result of the loss of parking contrary to Policy LP22 of the Kirklees Local Plan and Principle 15 of the Council's adopted House Extensions and Alterations SPD and Policy 11 of the Holme Valley Neighbourhood Development Plan.

Whether the amended scheme the subject of this application has overcome these reasons is assessed and discussed in more detail in the Assessment section of this report.

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 letters.

Final publicity date expired: 15th August 2024.

No representations were received.

Holme Valley Parish Council – *‘Support, with some concern for adequate parking’.*

Consultation Responses.

No consultations deemed necessary.

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 (adopted 8th December 2021).

The site is located within the Holme Valley Corridor Strategic Green Infrastructure Network and within an area with a known presence of bats.

The site falls within the Holme Valley Neighbourhood Development Plan and is within associated landscape character area LCA4 – River Holme Settled Valley Floor.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP51 – 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
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 4, the River Holme Settled Valley Floor.

The key landscape characteristics of the area are:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

The key built characteristic of the area are:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

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
- Chapter 15 – Conserving and enhancing the natural environment

Assessment.

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“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.”*

The policies referred to above with regards to the principle of development, will be assessed in conjunction with the proposals impacts on visual and residential amenity, highway safety and other material considerations below.

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 LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design. 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.

Section 5.19 of the SPD refers to side extensions and the potential impact they could significantly have on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. 5.20 states two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

Paragraph 5.23 of the SPD specifically relates to the erection of side extensions to corner plot dwellings, setting out that they should contribute to the local character of the area by:

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

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 (LCA4, 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.

The proposed two-storey side extension and single storey side extension to 14 Laithe Bank Drive are considered to be subservient additions to the host property, set down from the host ridge height and set back from the host principal elevation. In addition, the extensions retain a minimum distance of approximately 2 metres from the nearest boundary of the site, in turn, retaining an appropriate sense of openness.

Given the setback position of the proposed extensions from the principal elevation of No. 14, they will be read as being set back from the established building line along Laithe Bank Avenue. Whilst the proposed two-storey side extension to the south eastern side elevation of No. 14, will exceed the building line of No. 7 Bankfield Drive to the rear, given the separation distance retained from the sitting of No. 7 and, in turn, the retained sense of openness, based on the individual merits of the application site and proposal, in this instance, such a design is considered to be justifiable.

Whilst only velux windows are proposed in the side elevation of the extension, facing out towards Laithe Avenue, this is considered to be sufficient in providing the effect of a frontage to this elevation, adding some degree of glazing. It is noted that, corner plot property No. 10 Bankfield Drive, located to the west, does not have any glazing to its elevation facing out towards Laithe Avenue.

For the reasons set out above, it is considered that the proposed development would not have a detrimental impact on the character, appearance or visual amenity of the host dwelling or wider street scene. The proposal would therefore accord with Policy LP24 of the Kirklees Local Plan, Policies 1 & 2 of the Holme Valley Neighbourhood Development Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and Chapter 12 of the NPPF.

Having regard to the above assessment of this amended scheme, from that the subject of the previous refusal (application ref: 2024/90965) it is considered the scheme the subject of this application has overcome reason no.1 of the previously refused application.

3) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

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.

Although the proposal would see a slight reduction in the extent of outdoor amenity space at 14 Laithe Bank Drive, it is concluded that a sufficient amount would be retained.

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.

It is considered that the properties most likely to be affected by the proposed development are those which directly neighbour the site, these are assessed in turn below:

No. 12 Laithe Bank Drive:

This property neighbours the application site to the north.

The proposed extension to the side elevation of No. 14 adjacent to No. 12 is to be single storey in height and is to retain a minimum separation distance of approximately 2 metres from the shared boundary.

Given the single storey height of the proposed extension, and its separation from the shared boundary, it is not considered that the extension would result in any undue impacts of overbearing or overshadowing for the occupiers of No. 12 Laithe Bank Drive.

Furthermore, the development does not include an increase in habitable room glazing to face towards No. 12 Laithe Bank Drive. Therefore, it is not considered that the proposed development would result in undue impacts of overlooking towards No.14.

The reduction to the amount of built form facing this property is considered to have adequately and sufficiently addressed the reason for refusal no.2 of previous application 2024/90965. This reason for refusal is therefore considered to have been sufficiently addressed by the revised scheme the subject of this application.

No. 7 Bankfield Drive:

This property is located to the rear of the application site.

The proposed extensions would retain a separation distance of approximately 9.5 metres from the shared boundary with this neighbouring property. As such, it is not considered that the proposed extensions would result in any undue impacts of overbearing and / or overshadowing for the occupiers of No. 7 Bankfield Drive.

The development proposes the addition of habitable room glazing to both the ground and first floor of the rear elevation of No. 14. Given the separation distance to be retained between the proposed glazing and the shared boundary with No. 7 Bankfield Drive, as well as the bungalow height of No. 7, it is not considered that the additional glazing to the rear elevation would result in undue impacts of overlooking.

For the reasons set out above, it is considered that the proposed developments to No. 14 Laithe Bank Drive would not adversely impact on residential amenity and would accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5, 6 & 7 of the House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and Chapter 12 of the NPPF.

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 and Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Policy 11 of the Holme Valley Neighbourhood Development Plan seeks the improvement of transport, accessibility and local infrastructure. At Part 8 of policy 11 it is set out that Where planning permission is required proposals to convert existing garaging into non-parking provision will be discouraged unless suitable alternative off-road parking is available.

The proposal seeks to increase the number of bedrooms from three to four. Key Design Principle 15 of the House Extensions and Alterations SPD sets out that 4+ bedroom dwellings should provide 3 off street parking spaces.

The submitted block plan shows that 2 off-street parking spaces will be retained to the front of the property. Whilst officers note that this is one space below the recommended standards within the House Extensions and Alterations SPD, on balance, it is considered that the level of parking provided is adequate, with on-street parking available around the site, on the highways of Laithe Bank Drive and Laithe Avenue.

Upon any grant of approval, a condition shall be imposed regarding the surfacing of any additional areas of hard standing and that they are used for parking.

With the inclusion of the aforementioned condition, the highway arrangements for this application are considered to be acceptable and would accord with Policies LP21 and LP22 of the Kirklees Local Plan.

The additional parking arrangements set out in the scheme the subject of this application are considered to have adequately addressed reason for refusal no.3 of the previous application (ref: 2024/90965) and this reason is therefore considered to have been overcome by this application.

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 predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted, which set out various mitigation measures. Given the nature of the proposal sought, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF, Policy LP51 of the Kirklees Local Plan and Key Design Principle 8, 9, 10 & 11 of the Council's adopted House Extension and Alterations SPD.

Bats:

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system. The proposal would see works to the roof which has the potential for roosting bats to be present. Given the age / design of the property it is not considered necessary for a full assessment of the roof space to be undertaken in this case given the low likelihood for roosting bats to be present.

Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is in accord with the aims of Chapter 15 of the NPPF.

Strategic Green Infrastructure Network:

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

The proposal would not include the direct removal of any existing trees or hedgerows. As such, the proposal is not considered to have a significant impact upon the strategic infrastructure network and is concluded to be acceptable in this regard.

6) Conclusion

In conclusion, the proposal is considered to be of an acceptable visual design and scale, and which would not have an unacceptable impact on the local street scene. The proposal would not adversely impact on residential amenity or highway safety.

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 it is therefore recommended for approval.

The planning history has been taken account in regard to the scheme the subject of this application, which has been revised from that previously refused (ref: 2024/90965). It is considered that the scheme has been amended from that previously refused to sufficiently address the reasons for refusal and the previous reasons have been overcome by the scheme the subject of this application.

Recommendation: Approve

Decision Authorisation – Delegated Powers

Application Number: 2024/91758

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 listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD, Policies 1, 2, 12 and 13 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 2, 4, 12, 14 & 15 of the National Planning Policy Framework.

3. The external walls of the extensions hereby approved shall be faced in natural stone and render to match the host property and the roofs of the extensions shall be infilled with matching concrete interlocking pantiles. These materials shall thereafter be retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. The extensions hereby approved shall not be brought into use until any areas of additional hard surfacing have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 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.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Location Plan	01	-	21.06.24
GA Drawing – Existing	02	-	21.06.24
GA Drawing – Proposed	03	D	29.08.24
Climate Change Statement	-	-	02.07.24

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer raised concerns regarding the initial design of the proposed scheme, in conjunction with the previous refusal of planning application 2024/90965. In response to case officer concerns, the applicant / planning agent submitted amended plans to show a lean-to two-storey extension to the south eastern side elevation and a single storey lean to-extension to the north western side elevation.

Report Dated: 16.09.24

