

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:	2024/62/92993/W
Site Address:	21, Edgemoor Road, Honley, Holmfirth, HD9 6HP
Description:	Partial demolition of garage, erection of single storey rear extension, part single and part two storey side extension and external alterations
Recommending Officer:	Joshua Merriman

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: 13-Dec-2024

Officer Report – 2024/92993

Site Description

21, Edgemoor Road, Honley, Holmfirth, HD9 6HP, is a semi-detached property constructed from natural local stone, interlocking concrete roof tiles, and uPVC windows and doors. The property is similar in architectural style and character to the neighbouring properties and the surrounding street scene. The dwelling benefits from a hard standing area and small garden area to the front, as well as a larger garden area to the rear.

Description of Proposal

The applicant is seeking permission for the partial demolition of the existing garage, and the erection of a single storey rear extension, a part single and part two storey side extension, and external alterations.

Relevant Planning History

There is no relevant planning history relating to this planning application.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2015).

The application has been publicised on the Council's website, and by neighbor notification.

The expiry date of the publicity period was the 27/11/2024.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

Holme Valley Parish Council – Confirmed they had no comments to make.

Allocation and Policy

The site has no allocation within the Kirklees Local Plan (adopted 2019). The site is also located within the Holme Valley Neighbourhood Development Plan.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development

- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP30 Biodiversity and Geodiversity

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies within the plan relevant to the consideration of this application are listed as follows:-

- 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 11 – Improving Transport, Accessibility and Local Infrastructure.
- 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 December 2023.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- Chapter15 Conserving and enhancing the natural environment

Supplementary Planning Documents

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

Legislation

- The Town & Country Planning Act 1990 (as amended).
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017

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 – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The site has no allocation in the Kirklees Local Plan.

In this case, the principle of extending the existing dwelling 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

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'*.

Key Design Principle 2 of the House Extensions & Alterations Supplementary Planning Document states '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 details.'

Paragraph 5.6 of the House Extension & Alterations Supplementary Planning Document relates to the design of single-storey rear extensions:

- Be in keeping with the scale and style of the original house;
- Not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- Not exceed 4 metres in height;
- Not project out more than 3 metres from the rear wall of the original house for semi-detached and terraced houses or by 4 metres for detached properties;
- Where they exceed 3m in length the eaves height should generally not exceed 2.5 metres; and
- Retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

Paragraph 5.3 of the House Extensions and Alterations SPD relates to the design of side extensions:

- Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch materials and detailing.
- Side extensions should maintain the quality of the environment for neighbours by:
 - Ensuring reasonable levels of natural light to the habitable rooms in neighbouring properties; and
 - Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.

Furthermore, Paragraph 5.17 of the House Extensions & Alterations SPD details the guidance for single storey side extensions:

- Single storey side extensions should be offset and complement the original building.
- Not extend more than two thirds of the width of the original house;
- Not exceed a height of 4 metres; and
- Be set back at least 500mm from the original building line to allow for a visual break.

Moreover, paragraphs 5.19 and 5.2 of the House Extensions and Alterations SPD outline the guidance regarding two-storey side extensions:

- Two-storey side extensions can have a significant effect 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.

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.

Finally, the site is in Landscape Character Area no.6 of the Holme Valley Neighbourhood Development Plan. Of relevance is Policy 2 of the Holme Valley Neighbourhood Development Plan states the following:

Designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties.

Materials must be chosen to complement the design of the development and add to the quality or character of the surrounding environment. Local millstone grit and stone flags should be used where these are the prevailing material.

The proposed extensions are considered to be in keeping with the original building while also retaining more than half of the total area around the house. The proposed rear extension projects 3.04m from the rear elevation of the original building, marginally exceeding the 3m allocated for semi-detached buildings in the House Extensions and Alterations SPD, however, due to the additional projection and fact it would be set away from the shared boundary this is considered to be acceptable (having regard to the realistic level of development able to be undertaken under pd rights).

The extension leaves a gap of 0.44m to the property boundary, where a 1m gap is recommended by the House Extensions and Alterations SPD, however, this is along a boundary where the built form is up to the boundary already and has a beneficial impact to the neighbouring property by setting built form away from the shared boundary. Therefore it is considered that this is considered acceptable.

The proposed two storey side extension marginally fails to maintain a 1m gap to the property boundary, leaving a 0.96m gap, due to how minimal this breach is, it is considered that it would cause no significant effects on the visual amenity of the extension. Particularly when taking account of the level of set back of this element of the scheme and fact the roof is set at a lower level than that of the existing roof ridge.

The single storey side extension proposed in the plans does comply with other elements of the House Extensions and Alterations SPD.

As a result, it is considered that the proposals are acceptable from a visual amenity standpoint, as the plans comply with the aforementioned policies and legislation included in the House Extensions & Alterations SPD.

A condition requiring materials of construction to match those of the existing building is recommended, to ensure the development appropriately harmonises with the character of the existing building and wider street scene.

3. Impact on Residential Amenity

Sections 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.”

The House Extensions and Alterations Supplementary Policy Document goes into further detail with respect to outlining principles.

- Key Design Principle 3, ‘extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours’.
- Key Design Principle 4, ‘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.’
- Key Design Principle 5: Overshadowing/loss of light states, ‘Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.’

Further to this, Paragraph 130 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.

Impact on 19 Edgemoor Road

19 Edgemoor Road is the neighbouring property to the north west, which will be located next to the proposed side extensions. At ground floor level no.19 has a blank side elevation adjacent with the property boundary. A window is at the first floor side of no.19 facing the proposal. The impact of the development is not considered to be significant in terms of overshadowing/ oppressiveness or leading to overshadowing given the scale of the two storey element of the scheme and the openings which are in place at no.19 to the side of that property.

The submitted plans show these extensions to leave a gap of 0.96m to the north west property boundary, however, this is not considered to have a significant impact upon the neighbouring property as the side extensions have no proposed windows facing this property, and the proposals are subservient in size and scale to the original building, it is considered that there will be no significant impact on 19 Edgemoor Road.

Impact on 23 Edgemoor Road

23 Edgemoor Road is the adjoining semi-detached property to 21 Edgemoor Road. The proposed rear extension at 21 Edgemoor Road would potentially cause slight overshadowing onto the rear, habitable, full-length windows of the neighbouring property. As the room being overshadowed has been identified as a habitable room in the property the effects must be considered as outlined below in Paragraph 4.13 of the House Extensions and Alterations SPD:

Paragraph 4.13 of the House Extension & Alterations Supplementary Planning Document states, 'Both light and outlook can be of greater importance for some rooms than others..., greater weight and protection will be afforded to rooms that most people spend much of the day in, known as habitable rooms'. To which a living room is considered a habitable room.

The Council's adopted House Extensions and Alterations SPD sets out that a 45 degree line when taken from the Centre of the Cill should not be cut. It is clear from the drawings provided that this line would be cut, however, given that the extension could be erected closer to the neighbouring property and of the same projection under permitted development rights, it is considered that the proposed rear extension is designed in a less harmful manner than the realistic pd fallback and there is a small scale benefit to 23 Edgemoor Road as a result of the proposal when compared against the pd option. Thus the proposal is deemed acceptable in this regard and in terms of overbearing / oppressive impact. The proposal would not significantly overlook this property as a result of the development given no openings are in the elevation facing this dwelling.

Properties opposite to the front / rear are considered to be sufficient distance such that the impact of the proposal in terms of overshadowing /

oppressiveness / overlooking would not be significantly greater than that of the existing dwelling.

The proposal is therefore considered to be acceptable in this regard, complying with Key Design Principles 4 & 5 of the House Extensions and Alterations SPD, Policy LP24 b) and c) of the Kirklees Local Plan, and Paragraph 130 of the NPPF.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

Policy 11 of the Holme Valley Neighbourhood Plan outlines the following guidance for parking provision:

- 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

Although the submitted plans do not detail the storage of bins at the property, there is adequate space on the site to do so.

The number of bedrooms will not increase as a result of the extension, and parking arrangements to the front of the property will not be significantly amended. A number of alterations would see a retaining wall and amendments to the parking area / driveway, including increasing its width. The hard-standing area to the front of the property will provide the same usable parking provision as is currently present at the site (having regard to current driveway width and fact this would be increased), therefore the proposal is deemed acceptable in this regard.

Conditions requiring works to be undertaken with matching materials (to those of the existing building) and that the parking areas is suitably drained are recommended to be included.

As such the scheme would not represent additional harm in terms of highway safety and as such does comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions &

Alterations Supplementary Planning Document. Furthermore, the proposal also complies with Principle 19 of the adopted House Extensions & Alterations SPD.

5. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified twite buffer area, the proposals are relatively modest and therefore considered unlikely that the proposals would have an impact on the twite population.

7. Representations

No representations have been received.

8. 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2024/92993

Officer Recommendation: Conditional Full Permission

Recommendation Reason(s) for Refusal

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, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. Notwithstanding the plans submitted the external walls and roofing materials of the development 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, Policy 2 of the Holme Valley Neighbourhood Development Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 of the Council's adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Forms	-	-	21/10/2024
Climate Change Statement	-	-	21/10/2024
Site Plan	SP 01	-	21/10/2024
Survey – As Existing	2024/012/01	-	21/10/2024
Location Plan	LP 01	-	21/10/2024
Planning	2024/012/03A	-	21/10/2024

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 amendments were sought as the proposal was deemed acceptable as submitted.

Report Dated

12/12/2024