

**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:	2025/62/90172/W
Site Address:	26, Greenhill Bank Road, New Mill, Holmfirth, HD9 1ER
Description:	Erection of single storey front and rear extensions with first floor rear extension and associated alterations
Recommending Officer:	John Holmes

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 25-Mar-2025

THE SITE

The application site relates to an existing dwelling which is located in an isolated enclave of a few dwellings within a rural area between New Mill and Totties. There is open land to the north, east and south of the site. A number of dwellings, four in total, are located to the west and north-west of the site.

A public right of way runs to the south west of the site up the main access track, which is single width, and climbs a steep gradient from Greenhill Bank Road in a north and north-west direction.

The site incorporates an area of garden land to the south east (front) of the dwelling. An area of open land is to the north of the site which does not appear to form part of the residential curtilage. The garden land associated with the dwelling is demarked by fencing / walls which enclose an area of land to the south east of the property to the front of the principal elevation.

Beyond the eastern boundary of the garden, close to the boundary of the site with Greenhill Bank Road and around 42m from the front elevation of the dwelling is a disused and overgrown single storey prefabricated garage (approximate size of 5.5m x 3.5m).

THE PROPOSAL

The applicant is seeking permission for the erection of single storey front and rear extensions with first floor rear extension and associated alterations.

PLANNING HISTORY

2021/93965 – Erection of two storey side extension and associated external alterations, detached garage, formation of vehicular access including passing place and terracing to garden – **Refused** 29th March 2022 for the following reasons:

- 1. By virtue of their design, size and scale the extensions to the dwelling constitute disproportionate additions to the original dwelling which would no longer be the dominant element in appearance. This is inappropriate development in the Green Belt by definition. Further harm*

would be caused to the visual and spatial openness of the Green Belt by developing land that is currently open and, in part, the encroachment of development into the countryside (side extension). No very special circumstances have been demonstrated to clearly outweigh the harm of the development to the Green Belt by reason of inappropriateness or other harm. The development would be contrary to Policy LP57 of the Kirklees Local Plan and policies contained within Chapter 13 of the National Planning Policy Framework.

2. The detached garage to front of the dwelling, due to its separation to the host dwelling, is considered to constitute a new building in the Green Belt, rather than an extension to the dwelling. The building is regarded as inappropriate development in the Green Belt by definition as it does not fall into any of the exceptions set out in paragraph 149 of the National Planning Policy Framework. Further harm would be caused to the visual and spatial openness of the Green Belt by developing land that is currently open and by the associated hardstanding required for the garage. No very special circumstances have been demonstrated to clearly outweigh the harm of the development to the Green Belt by reason of inappropriateness or other harm. The development would be contrary to Policies contained within Chapter 13 of the National Planning Policy Framework.

3. The design of the proposed extensions, including the use of green oak detailing and significant areas of glazing, size, scale and siting, would be neither subservient to the host dwelling nor harmonise with the existing dwelling or the wider character and appearance of the area contrary to Policies LP24 and LP57 of the Kirklees Local Plan, paragraph 5.20 (side extension) and principle 2 of the Council's adopted House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies contained within Chapter 12 of the National Planning Policy Framework.

4. As a result of its size, scale, siting and design the proposed detached garage and associated hardstanding would form an overly prominent and incongruous feature within the front garden of the host property that would be detrimental to the character and appearance of the original dwelling and the wider locality. To allow the development would be contrary to Policy LP24a of the Kirklees Local Plan, paragraph 5.6 and principle 1 of the Council's adopted House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies contained within Chapter 12 of the National Planning Policy Framework.

Reasons 2 and 4, relating to a detached garage, are not considered to be relevant and are afforded minimal weight as considerations that a material to the determination of this case.

2022/92498 – Certificate of lawfulness for proposed demolition of existing shed building and erection of single storey side extension, front porch, rear

dormers, single storey shed, and single storey outbuilding to include store, home gym, and swimming pool – **Split decision**, on the following basis:

The proposed single storey side enlargement and proposed outbuildings are, on the balance of probability and based upon the information submitted, considered to be sited outside the residential curtilage of the dwellinghouse and therefore cannot benefit from a general planning permission under the provisions of Article 3(1) and Part 1, Classes A & E of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed roof enlargements and porch benefit from a general planning permission granted by virtue of Article 3(1) and Classes B & D of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) subject to conditions as stated in paragraph B.2 of the same Order.

2022/92713 – Erection of single storey extension to front and two dormers to rear – Conditional Full Permission granted 13th February 2023

2024/91664 – Change of use of land to residential curtilage and erection of part single and part two storey side extension including associated alterations – **Refused** 18th November 2024 for the following reason:

- 1. By virtue of its siting, design, size and scale, the development constitutes inappropriate development in the Green Belt by definition. Further harm would be caused to the visual and spatial openness of the Green Belt by developing land that is currently open and would lead to the encroachment of development into the countryside and would lead to a disproportionate addition to the original dwelling which would no longer be the dominant element in appearance. No very special circumstances have been demonstrated to clearly outweigh the harm of the development to the Green Belt by reason of inappropriateness or other harm. The development would be contrary to Policies LP57 & LP58 of the Kirklees Local Plan and policies contained within Chapter 13 of the National Planning Policy Framework.*

The scheme the subject of this application is within the residential curtilage of the site. As such this constitutes an amendment from the schemes the subject of applications 2021/93965 & 2024/91664 which is such that, whilst afforded weight, there is not a similarity in this case in respect of the matter relating to curtilage.

PUBLICITY & REPRESENTATIONS

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

Final publicity date expired 6th March 2025

Holme Valley Parish Council have stated they have no comments and defer to Kirklees officers.

No other third party representations have been received.

CONSULTATIONS

None.

ALLOCATION & POLICIES

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 Green Belt and a Biodiversity Opportunity Zone (ref: - valley slopes) within the adopted Kirklees Local Plan.

The site is designated as lying within a Coal Authority Standing Advice Area and an area with a known presence of Radon.

The site is also within an area subject to the Holme Valley Neighbourhood Development Plan and in particular the River Holme Wooded Valley landscape character area (ref:- LCA7).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP57 The extension, alteration or replacement of existing buildings

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered 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 - All development is expected to be designed to contribute to the following elements of sustainability

Landscape Character Area 7: River Holme Wood Valley

Key landscape characteristic of the area are

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

Key built characteristic of the area are

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.
- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

Adopted Supplementary Planning Documents

House Extensions and Alterations SPD (June 2021)
Kirklees Highway Design Guide (November 2019)

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 2024, 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 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change
- Chapter 16 – Conserving and enhancing the historic environment

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

The Conservation of Habitats and Species Regulations 2017

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. Impact upon Ecology
 6. Impact upon Land Stability
7. Conclusion

1 – Principle of development:

Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in chapter 2 of the National Planning Policy Framework.

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”.

These policies, in the context of the Green Belt allocation of the site, are considered within the ‘Principle of development – conclusion’ section of this report.

Green Belt – Policy

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings, specifically stating the following: -

‘Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

- a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;*
- b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;*
- c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and*
- d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting’*

Section 13 (‘Protecting Green Belt Land’) of the National Planning Policy Framework is relevant and in particular the following paragraphs: -

National policy relating to the Green Belt is detailed within the NPPF, specifically paragraph 153 which states:

‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential

harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Paragraph 154 of the NPPF sets out that Development in the Green Belt is inappropriate unless exceptions set out in parts a – h of para 154 apply. The potential relevant exemption(s), in this case, would possibly be the following:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

Whether the development constitutes inappropriate development in the Green Belt

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154.

Within paragraph 154 the exception listed at part c) is for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The extensions and alterations are largely to parts of the building whereby previous permissions have been granted to allow extension / alterations to take place. The submitted plans demonstrate a first floor addition and an extension to front which are largely of the same extent as that permitted by permission 2022/92713 (detailed in the 'Planning History' section of this report).

The planning history, and in particular previous refusals demonstrate further development of the site could not be achieved to the side of the dwelling; this application seeks to infill a small area at the rear and also place an extension above an existing section of the building which features a catslide roof. The first floor extension would feature a gable roof, which is considered to be in keeping in terms of the design of the cluster of buildings within which this building forms a part.

The scale and extent of built form which would result from the development proposal is not considered to lead to additions which are disproportionate in this case and given they amount to the extent to which the site has the potential to be developed it is considered that the scope of the redevelopment of the site is acceptable in principle and would meet the requirements of para 154(c) of the NPPF and policy LP57 in this case. The proposal is considered to not constitute inappropriate development on the basis it is an identified exception as set out in para 154 and the principle of development is concluded acceptable in this case.

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 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 130 of the NPPF is also of relevance to the consideration of this application in particular the following parts:-

'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping

c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

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.

Specifically Key design principle 1 sets out: -

'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.'

With key design principle 2 stating: -

‘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.’

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 River Holme Wooded Valley landscape character area (re:- LCA7).

The River Holme Wooded Valley character area sets out that the key landscape characteristics are views across the valley floor from elevated vantage points, stone boundary walls are common and glimpsed views toward the wider landscape are possible between the built form. In terms of relevant built form characteristics the character area details that settlements are characterised by a close association between built form and landscape.

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.

Paragraph 5.13 relates to front extensions and details that as front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed, large extensions (single and two storey) and conservatories on the front of an existing house will not normally be acceptable and are considered likely to appear particularly intrusive.

Paragraph 5.6 of the House Extensions and Alterations SPD sets out that single storey extensions to rear should:

- 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 5.8 of the House Extensions and Alterations SPD sets out that generally two storey rear extensions should meet the following:-

- be proportionate to the size of the original house and garden; not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The proposal would see a first floor addition above an existing single storey element of the building, this would feature blank elevations southern and western elevations and one window to the northern elevation as well as one roof light to eave roof slope.

The visual impact of this element of the scheme is considered to be largely in keeping, being opposite a blank elevation of the neighbouring property and its siting to the rear would see its appearance as being subservient to the host property. Weight is afforded this element of the scheme is largely the same scale / extent as that previously consented. Given the scale / form and on the basis of use of matching materials this element of the scheme is considered to appropriately harmonise with the host property / wider locality.

The single storey extension to the rear would be of a lean to design and feature one doorway to the southern elevation. On the basis of the use of matching material this element of the proposal is concluded to be acceptable in terms of visual impact and given its siting, scale and design is considered to constitute a subordinate addition in relation to the host property.

Whilst the extensions would be in proximity to the boundaries of the site, this is an existing situation already with the building abutting the southern and western boundaries and as such it is considered this provides suitable justification in regard to elements of the scheme which do not meet the recommendations of the SPD in terms of proximity to boundary treatments in this case.

The single storey extension to front is largely of the same scale and design as that previously consented at the site. Notwithstanding this point, it is considered it is of a size, scale and design which is suitably subordinate to the host property and does not have a significant impact upon the host property and wider locality in this regard, particularly taking account of the fact an element of the proposal is open sided. It is noted the supporting structure of

the canopy would not be constructed from matching materials, and it is likely this would be constructed from timber.

The development is to a dwelling which forms a cluster of properties which are of individual designs and circumstances in terms of their setting and associated curtilages.

The overall visual impact of the development upon the locality and existing building is considered to meet the requirements of the aforementioned policies and the recommendations of the House Extensions and Alterations SPD. Subject to condition the materials of construction match those used in the construction of the existing dwelling it is considered the impact of the proposal would be acceptable in this regard and accord with the aforementioned policies.

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, 6 and 7 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, significantly reduce amenity space, 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.

The proposal would not significantly reduce amenity space to the extent that it would be perceived to be over development in regard to principle 7 of the House Extensions and Alterations SPD

In terms of overlooking, the only proposed windows which serve main habitable rooms face open countryside and as such the impact of the proposal is considered to be acceptable in this regard. Whilst a door is to serve the western elevation of the proposed single storey rear extension, this element of the scheme is not considered to lead to significant levels of overlooking given it would be to a non habitable room.

In terms of the size / scale of the development, it is noted the first floor element is in close proximity to the property to the north west. However this nearest property has a blank wall elevation facing the blank elevation of the first floor gable. As such there is not considered to be a significant oppressive / overbearing impact that would result given the arrangement of openings in the closest neighbouring dwelling.

The single storey extensions to front and rear are considered to be of a size, scale and distance from neighbouring dwellings which is such that they would not have a significantly oppressive / overbearing impact.

A suitable, usable, area of private amenity space would remain following the development proposal being undertaken.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5, 6 & 7 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 site has been developed with the creation of vehicle access and parking, it is considered this relates to works which can be carried out under permitted development rights (PD). Given the extent of parking which was provided at the site prior to these pd works was zero, it is considered the impact of the development as a result of parking and access / highway safety is acceptable given the level of parking provision which is able to be provided at site.

It is therefore considered the development has an acceptable impact in this regard, in accordance with the aforementioned policies.

5. 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. Within the HVNDP Policy 12 expects new development to contribute towards elements of sustainability.

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.

The extensions would be constructed from stone which is a sustainable, recyclable material which would locally sourced. The roof tile would be stone slate which is equally recyclable. The glazing of the front extension would provide passive solar gain and lessen the use of artificial lighting. Insulation properties of the dwelling would improve as a result of the development. All these factors are in favour of the development in terms of climate change and the proposal is considered to be acceptable in this regard.

6 – Impact upon Ecology

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the HVNDP 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. Policy LP30 of the Local Plan also sets out how biodiversity will be protected and enhanced.

Paragraphs within 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.

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.

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is a development type (householder development) which is exempt from the requirement for net gain as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and it is considered unlikely that the proposals would have an impact on the bat population. In the event of any approval, an informative note would be included in relation to making the applicant aware that if bats are discovered on site during the works, any works would need to cease and the applicant is advised to contact Natural England for advice on how to move forward.

On the basis of the inclusion of the recommended informative note, the impact of the development upon ecology is considered to be acceptable and accord with the aforementioned policies.

7 – Impact upon Land Stability

LP53 of the Kirklees Local Plan and paragraphs within Chapter 15 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

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.

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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90172

Officer Recommendation: CONDITIONAL FULL PERMISSION

Conditions

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 (as amended).

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, LP30 and LP57 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, Policies 1, 2, 12 and 13 of the

Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 12, 13 and 14 of the National Planning Policy Framework

3. Other than the materials used in the construction of the supporting structure for the canopy to the front, all walls and roofing materials used in the construction 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 LP1, LP2, LP24 and LP57 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of the The Conservation of Habitats and Species Regulations 2017. 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	Date Received
Location Plan	24/1003/01a	30/01/2025
Existing Block Plan	24/1003/02a	30/01/2025
Proposed Block Plan	24/1003/05a	30/01/2025
Elevations and Floor Plans - Existing	24/1003/03a	30/01/2025
Elevations and Floor Plans – Proposed	24/1003/04b	30/01/2025
Application Form		30/01/2025
Climate Change Statement		30/01/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

20th March 2025

