

**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: 2018/62/91528/E

Site Address: Pog Hall Farm, Penistone Road, High Flatts,
Huddersfield, HD8 8XU

Description: Erection of single storey extension (within a
Conservation Area)

Recommending Officer: Liz Chippendale

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: 05-Jul-2018

Officer Report

Site Description

Pog Hall Farm is a stone built detached dwelling in an area defined as Green Belt land that is located within the High Flatts Conservation Area. The dwelling is two storey with a natural stone slate roof with attached double garage. There is an enclosed garden area to the rear with open fields to the North, East and West. Access to the property is via a shared private driveway from Penistone Road.

Description of Proposal

Permission is sought for the erection of a rear extension to provide a utility room and WC/shower room.

The proposed extension will project from West side of the North West elevation (rear of property) by 2.9m at a width of 5.9m. The height of the extension will be 2.4m to the eaves and 3.5m to the ridge of a pitched roof.

There are 2 no. matching windows and an access door proposed within the North West elevation with a small window within the West elevation.

A narrow patio will border the extension with steps leading to the grass. The height of the patio is 0.7m to the West and levels to existing ground level to the East. The patio will match that of the existing.

The extension will be built using materials to match the host dwelling.

History of negotiations/amendments received

No amendments were received during the course of the application

Relevant Planning History

2005/94037	Erection of 2 storey extension Conditional Full Permission
97/90850 extensions	Erection of conservatory, porch and double garage Conditional Full Permission

95/90240	Re-use of existing barns and new extension to form 2 dwellings. Erection of double garage for use with existing farmhouse and double garage for proposed dwellings Withdrawn
95/90815	Re-use of existing barns and new extensions to form two dwellings with garages Conditional Full Permission

Representations

Final publicity date Expires: 21.06.2018

A summary of the comments received is set out below:

No representations were received following the public consultation period.

Parish/Town Council comments –

Denby Dale Parish Council – *No objection*

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

KC Conservation and Design – *No Objection*

KC Trees – *No Objection*

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections

and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is allocated as Green Belt on both the UDP Proposals Map and on the Kirklees Publication Draft Local Plan, and is also within the High Flatts Conservation Area.

Kirklees Unitary Development Plan:

- **BE1** – Design proposals
- **BE2** – Quality of design
- **BE5** – Development within a Conservation Area
- **BE11** – Materials of construction
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **NE9** – Development proposals affecting trees
- **T10** – Highway safety

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 24** – Design
- **PLP 33** - Trees
- **PLP 35** – Historic environment
- **PLP57** – The extension, alteration or replacement of existing buildings

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

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

- Chapter 7 – Requiring good design
- Chapter 9 – Protecting Green Belt Land
- Chapter 12 – Conserving and enhancing the historic environment

Assessment

1- Principle of Development

The site is within the High Flatts Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention

shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Policy BE5 of the Unitary Development Plan together with guidance in Chapter 12 of the National Planning Policy Framework.

The site is allocated as Green Belt land within the Kirklees UDP. The UDP does not have a saved policy relating directly to Green Belt land and therefore the guidance used for consideration will be Chapter 7 of the National Planning Policy Framework. Chapter 7 states that 'inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances'. When considering an application, substantial weight should be given to any harm to the Green Belt. The main issues for consideration are:

- Whether the proposal would be considered to be inappropriate development for the purposes of the National Planning Policy Framework.
- The effect of the proposal on the impact of the Green Belt
- If found to be inappropriate, as per guidance in Chapter 9 of the NPPF, an assessment will be made as to whether the harm caused is clearly outweighed by other considerations, so as to amount to the very circumstances necessary to justify the development.

2- Inappropriate Development

Paragraph 87 of the National Planning Policy Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 goes on to list exceptions of which the following is included:

- 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 original dwelling has been previously extended by 1.5 storeys to the rear and side. It is considered that due to its limited scale and position, the proposed extension in addition to the previous extensions does not result in disproportionate additions over and above the size of the original building. However, it is considered that no further extensions would be considered appropriate at this site.

As the proposal is an extension to existing buildings within the Green Belt, policy D11 of the UDP is also relevant. Policy D11 states that extensions will be considered within the Green Belt having regard to the impact on the openness and character of the Green Belt; the size of the extension in relation to the existing building and in the case of traditional buildings, the effect on the character of the existing building.

An assessment of the considerations specified will be addressed below.

3- Impact on the openness and character of the Green Belt

The proposed rear extension is considered to be an appropriate scale in relation to the host dwelling. The extension is within the existing built form of the dwelling directly to the rear and therefore there is considered to be no further impact to the openness of the green belt.

The proposed extension will be built in natural stone to match the existing dwelling to ensure that the character of the building within the green belt is preserved.

For the reasons outlined above, the rear extension is considered to be appropriate and not impact on the openness and character of the Green Belt or the character of the High Flatts Conservation Area. The proposal therefore complies with Policy D11 and BE5 of the Unitary Development Plan and Chapters 11 and 12 of the National Planning Policy Framework.

4- Impact on residential amenity

The closest residential properties to the site are Coach House to the South East and Pog Hall Barn to the South. As the proposed extension will project from the North West elevation there would be no considered impact of overlooking or overshadowing to the neighbouring properties.

The proposed windows within the North West elevation will overlook open fields. The small window within the West elevation will serve a WC/shower room. In order to protect the privacy of residents this window will be conditioned to be obscurely glazed.

It is considered that the proposal does not impact upon the residential amenity of neighbouring properties and complies with guidance within policies D2, BE13 and BE14 of the Kirklees UDP and Chapter 7 of the NPPF.

5- Impact on highway safety

The proposed rear extension will not impact upon the parking provision within the site.

The development therefore complies with policies T10 and T19 of the UDP and is not considered to impact upon highway safety.

6- Other matters

No other matters for consideration.

7- Representations

No representations were received.

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: 2018/91528

Officer Recommendation: Approve

Conditions and Reasons

Plans and specifications schedule:-

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE13 and BE14 of the Kirklees Unitary Development Plan and Policy PLP 24 of the Kirklees Publication Draft Local Plan.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy BE13 of the Kirklees Unitary Development Plan and Policy PLP 24 of the Kirklees Publication Draft Local Plan.

4. The development shall not be occupied until the glazing within the window in the Western elevation of the extension hereby approved has been obscure glazed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazing shall thereafter be retained for the lifetime of the development.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE14 of the Kirklees Unitary Development Plan.

Plan Type	Reference	Version	Date Received
Heritage Statement	SWPH-MWA-XX-XX-RP-A-0002		16.05.2018
Design and access statement	SWPH-MWA-XX-XX-RP-A-0001		16.05.2018
Location Plan	SWPH-MWA-XX-XX-DR-A-0001	B	16.05.2018

Plan Type	Reference	Version	Date Received
Existing plans and elevations	SWPH-MWA-XX-XX-DR-A-0002	A	16.05.2018
Proposed plans and elevations	SWPH-MWA-XX-XX-DR-A-0003	A	16.05.2018
3D View	SWPH-MWA-XX-XX-DR-A-0004	A	16.05.2018

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. The case officer did not enter into negotiations or request amended plans for the proposed development as it was considered that the application was considered to be acceptable in the submitted form.

Report Dated: 05.07.2018