

**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: 2018/62/92741/W

Site Address: 10, Slaithwaite Gate, Scapegoat Hill, Huddersfield,
HD7 4NS

Description: Erection of single storey rear extension

Recommending Officer: Callum Harrison

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 17-Oct-2018

Officer Report

Application No: 2018/92741

Address: 10 Slaithwaite Gate, Scapegoat Hill, Huddersfield HD7 4NS

Proposal: Erection of single storey rear extension

Site Description

10 Slaithwaite Gate is a detached property constructed using coursed natural stone for the walls and Westmoorland green slate for the roof. The property is also finished with render on the first floor. The property is set within a large curtilage within the green belt. The property is set 16.5m away from the highway down a steep bank with a long driveway come private road running from the Slaithwaite Gate, down the western side of the dwelling and on to Pike Law Road. The principle elevation of the property is south east facing and has views of the valley. The property has one large garden that is split over two different plateaus with the house on a plateau above.

Slaithwaite Gate is a short lane with 6 low density dwellings located upon it. All of the properties on the lane are detached and are all mostly set within a large curtilage. Despite there only being 6 properties on Slaithwaite Gate, the design and scale of these properties does vary.

Description of Proposal

The applicant is seeking permission for the erection of a single storey rear extension for the purpose of a utility room. The proposed development would project 1.75m out from the north west facing elevation. As this elevation is staggered, the proposed projection would ensure the proposed utility room falls in line with the wider section of this elevation and not extend any further out. The proposal has a length of 6.25m and a maximum height of 3m with the eaves at 2.5m.

The materials proposed in the application match the existing development in its entirety. Materials proposed for the development are: Natural coursed stone finished with render will be used for the walls and Westmoorland green slate for the roof.

Relevant Planning History

2009/91296 - Erection of first floor extension and rear terrace, formation of hardstanding parking area on existing grassed area and re-positioning of part of the retaining wall to the rear boundary was given conditional full permission.

History of Negotiations

None.

Representations

Final publicity date expired: 02/10/18.
No representations have been received.

Consultation Responses

None.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007). 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 48 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 (2018), 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 within the green belt on the UDP and the Local Plan policy maps.

Kirklees Unitary Development Plan

- **D11** – The extension of buildings in the green belt
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

Kirklees Publication Draft Local Plan:

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP24** – Design
- **PLP57** – The extension of existing buildings in the green belt.

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published July 2018, 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 12:** Achieving well-designed places.
- **Chapter 13:** Protecting Green Belt land.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1) Principle of development

The site is located within the Green Belt. A fundamental principle within local and national policy is the protection of the green belt. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in Paragraph 145 or 146 of the NPPF.

The erection of an extension to a building within the Green Belt can form an exception to inappropriate development under paragraph 145 of the NPPF, and such additions are acceptable under Policy D11 of the UPD and Policy PLP57 of the draft Local Plan subject to consideration of a number of criteria. Policy PLP57 sets out that extensions are normally acceptable provided that:

- *‘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

- *'The design and material used should be sensitive to the character of the green belt setting'.*

The above is reflected in Policy D11 and paragraph 145 which advises that extensions should not be disproportionate over and above the size of the original building and existing building should remain the dominant element.

The proposed extension under consideration is located to the rear of the building, is single storey with a lean to roof and would be within the current building line to the rear ensuring that it would appear subservient. Volume calculations have been undertaken which detail that the proposal would increase the volume of the existing dwelling by 5.2%, and would take the total volume expansion of the original dwelling to 32.2%.

Given the scale of the additions to the host property, both the current and previous additions, combined with the design and position of the current proposal, it is considered that the proposal would not represent a disproportionate addition to the original building and would not have a greater impact on openness. The proposed materials are also considered acceptable and in keeping with the host building and therefore the Green Belt.

In light of the above assessment the proposal is considered to be acceptable and would accord with the requirements of Policies D11 of the UDP, PLP57 of the draft Local Plan and Policies in Chapter 13 of the NPPF.

2) Impact on visual amenity

The boundary treatment around the north west elevation consists a hedge approximately 4-5m high. This combined with the topography of the area means the proposal would not be visible unless actually walking past the development on the site of the host property and in quick a glimpse when on the drive of the property. Due to the location of the proposal on the host property, policy D11 is met as it impact on the visual character or openness of the greenbelt. As the proposed materials match the development in its entirety policies BE13, PLP24 and PLP57 are abided too as the design is sensitive to the character of the property and the green belt. It can also be stated the impact on visual amenity is acceptable as the modest scale allows the extension to fit in to the current elevation lines meaning it would not be noticeable as an extension and satisfy policy BE14 of the UDP.

3) Impact on residential amenity

A core principle of the National Planning Policy Framework is to seek high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. In this case the proposed design provides extra amenity space for the property while maintaining a high standard of design. BE14 of the Unitary Development Plan states that extensions to dwellings should not have a detrimental impact on 'adjoining dwellings or any occupier of adjacent land' which adhered to by this proposal as the proposed extension does not overlook any neighbour in any capacity. Due to the

location of the proposed extension, there would be no impact on neighbouring properties in terms of overshadowing or loss of view meaning it can be state this development would have little or no impact on residential amenity.

4) Impact on highway safety

While the application does not seek to add any new bedrooms therefore it can be stated the proposal would have no impact on highway safety.

5) Other matters

None.

6) Representations

None.

7) Conclusions

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: 2018/92741

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 the protection of the Green Belt, and to accord with Policies D11, BE1, BE2,

BE13 and BE14 of the Kirklees Unitary Development Plan PLP24 and PLP57 of the PDLP and Chapters 12 and 13 of the NPPF.

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, the character and appearance of the Green Belt and to accord with Policies D11, BE2 and BE13 of the Kirklees Unitary Development Plan, Policies PLP24 and 57 of the Kirklees Publication Draft Local Plan and Policies in Chapter 13 of the National Planning Policy Framework.

This decision is based on the following plan(s):-

Plan Type	Reference	Date Received
Location Plan		24/08/18
Existing Gable Elevations		24/08/18
Existing Rear Elevations		23/08/18
Proposed Grouped Plans and Elevations	1881 - 01	24/08/18

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.

As submitted plans were considered to be acceptable, no changes were sought.

Report Dated:

11/10/18