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:	2018/62/93351/E
Site Address:	The Threadmill, Penistone Road, Birds Edge, Huddersfield, HD8 8XP
Description:	Erection of single storey side extension
Recommending Officer:	Josh Kwok

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.

Julia Steadman

AUTHORISED OFFICER

Date: 18-Dec-2018

Officer Report

Site Description

The building to which this application relates is The Threadmill, Birds Edge. It is a two storey two storey semi-detached stone built property with a porch, a hardstanding area and a garden to the front and an outbuilding and a single storey extension to the side. The boundary treatment comprises a mix of dry stone walls and garden fences. The property in question is quite prominent when viewed from Penistone Road. The site and its surrounding area are purely residential characterised by two storey stone built detached and semi-detached properties. The entire settlement of Birds Edge is located within the allocated Green Belt.

Description of Proposal

The development proposal is for the erection of a single storey side extension. The details of the proposal are as follow.

- 3.6m wide x 6.6m deep x 3.7m high
- External walls to be constructed in natural stones
- Roofing materials to be artificial stone slate
- Windows and doors to be made of timber and painted in white

History of negotiations/amendments received

No amendments requested in this case.

Relevant Planning History

2007/93270 – Change of use, extension and alterations to convert existing garage/store into one dwelling (The Threadmill) – Approved

2007/91766 – Change of use, extension and alterations to convert existing garage/store into one dwelling (The Threadmill) – Refused

2006/91733 – Erection of single storey extension (The Threadmill) – Approved

2005/91503 – Erection of ground and second floor extension (The Threadmill) – Withdrawn

2005/94697 – Erection of extension to form office for accountancy practice and erection of single storey extension and alterations to existing dwelling (The Threadmill) – Approved

A similar proposal was approved in 2006, although permission for such proposal lapsed in 2009.

Representations

This application was advertised by site notices and neighbour letters, which expired on 19-Nov-2018. As a result of the above publicity, no representations were received.

Denby Dale Parish Council – no objections

Consultation Responses

No consultations required for this application.

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 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 (2018). 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 designated as Green Belt on the UDP Proposals Map and is proposed to be retained in the Green Belt on the PDLP Policies Map.

Kirklees Unitary Development Plan:

- **D11 –** Extension of buildings within the Green Belt
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway safety
- **T19** – Parking

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 21** – Highway safety
- **PLP 22** – Parking

- **PLP 24** – Design
- **PLP 57** – Extension etc. 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 24th July 2018, 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 12** – Achieving well-designed places
- **Chapter 13** – Protecting Green Belt land
- **Chapter 15** – Conserving and enhancing the natural environment

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 development proposal is for the erection for a single storey side extension to a building in the Green Belt. Given the above, it shall be assessed against policy D11 of the UDP, policy PLP57 of the PDLP and chapter 13 of the NPPF. Paragraph 145 of the NPPF sets out the parameter within which development in the Green Belt can be supported. It stipulates that the construction of new buildings shall be regarded as inappropriate in the Green Belt except (c) the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The UDP is currently the statutory development plan for Kirklees. Policy D11 of the UDP states that proposals for the extension of buildings within the Green Belt will be considered having regard to the impact on the openness and character of the Green Belt and the size of the extension in relation to the existing building which should remain the dominant element. The PDLP policy PLP57 is also relevant in this case.

The Threadmill was originally a single dwelling that comprised the application property as well as part of the neighbouring property the Threadmill Barn. In 2007, it was granted permission for change of use, extension and alteration to convert existing garage/store into one dwelling (i.e. The Threadmill Barn). As

a result of that permission, the Threadmill became a semi-detached property. In light of the above circumstances, I consider the size of the building as in 2007 to be the original size of the building in the Green Belt as it was first recognised as a separate planning unit in 2007. There was a small porch erected to the side of the Threadmill after 2007. This porch shall be deemed a later addition to the original building in the Green Belt and it shall be taken into account when assessing the proportion of the proposed development.

The proposed extension would be situated to the side of the application property and it would be single storey in scale; the width of which would be less than a third of that of the property as well. Furthermore, the volume of the extension would be well below 30% of that of the original building in the Green Belt. On this basis, I do not consider the proposal to result in a disproportionate addition and nor do I find it inappropriate in the Green Belt. The extension would not give rise to any substantial harm to the openness and the character of the Green Belt as it would be small in scale and it would be attached to an existing building in the Green Belt. To accept the development as proposed would not undermine the purposes of including the application site in the Green Belt, complying with chapter 13 of the NPPF.

The property in question is traditional in character. It is constructed in natural stone and stone slate tiles. The extension would be sympathetic to the character of the existing property as it would be constructed in matching materials. The door to be installed in the front elevation of the extension would be of a contemporary design but it would not significantly detract from the property at the application site as it would be relatively small in scale and positioned to the side. Taking these into account, the design of the proposed development would be acceptable when assessed against policy D11 of the UDP.

In summary, the proposal can be acceptable from a Green Belt perspective as it is not considered disproportionate to the original building in the Green Belt nor is it expected to unduly harm the openness and the character of the Green Belt. The proposed development would not undermine the Green Belt in meeting its intended purposes in paragraph 134 of the NPPF. Based on the above, it is concluded that the proposal would be in line with the aims of policy D11 of the UDP, policy PLP57 of the PDLP and chapter 13 of the NPPF.

2 – Impact on visual amenity:

The extension would be small in scale relative to the application property and its associated curtilage. It would not conflict with the aims of policy BE14 of the UDP in this regard. The extension would not give rise to any undue terracing effect, in spite of it being positioned to the side of the application property as it would only be single storey in scale. Furthermore, there is not any built form located immediately adjacent to the other side of the extension (it is Penistone Road). For the reasons already given in the Green Belt section in this report, I consider the materials of construction to be acceptable and would not detract from the application property in terms of appearance.

The extension would be of an irregular form and because of that, the eaves would not be level when viewed from Penistone Road. It would result in some impact on the existing property as well as the amenity of the street scene. However, such an impact would be mitigated by the fact that the extension would be single storey in scale only and it would be constructed in matching materials. Besides, a similarly designed extension was granted permission in 2006. To allow the extension is likely to help improve the visual amenity of the site by removing the existing shed, which is large in scale and unsympathetic in design. Having considered the above circumstances, the benefit of allowing the extension as proposed would significantly outweigh the impact on the amenity of the street scene as outlined above. Furthermore, the impact of this extension on visual amenity would be no greater than that of the extension approved in 2006.

In summary, the proposed development is considered to be of an acceptable quality in terms of scale, material and design and as such the impact of allowing such a development on visual amenity is not considered to be unduly detrimental when assessed against policies BE1, BE2, BE13 and BE14 of the UDP, policy PLP24 of the PDLP and chapter 12 of the NPPF. In this respect, the development would be appropriate from a visual amenity perspective.

3 – Impact on residential amenity:

The development would not give rise to any residential amenity concerns as it would be located to the side of application site and it would be immediately adjacent to Penistone Road. Therefore, in spite of the window in the side elevation of the extension, it would not result in any overlooking impact on any properties in immediate vicinity of the site. Furthermore, given the extension would be single storey in scale and would be set back from the curtilage of the Threadmill Cottage (north-west of the application site), there would not be any undue overbearing and overshadowing impact on the occupants of this property. No other properties would be affected by the development proposal in any way.

In all, the extension as proposed would be acceptable from a residential amenity perspective, complying with the aims of policies BE1 and BE2 of the UDP as well as policy PLP24 of the PDLP.

4 – Impact on highway safety:

The proposal would neither intensify the residential use at the application property nor would it affect the parking arrangement at the application site. There would be no additional impact on highway safety, efficiency and parking when compared to the existing situation. The proposed development would therefore comply with the aim of policies T10 and T19 of the UDP and policies PLP21 and PLP22 of the PDLP.

5 – Other matters:

Ecology

The site is located within a bat alert layer. Following a site visit, the building appeared to be well sealed and there was no evidence of bat roosts or bat roost potential was found. A footnote has been added to the decision notice to provide the applicant with advice should bats or evidence of bats be found during construction. This would accord with the aims of chapter 15 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations received as a result of the publicity.

7 – 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: 2018/93351
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 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 preserve the openness and the character of the Green Belt and the traditional appearance of the building (the Threadmill) within it in accord with Policies D11, BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP57 of the Kirklees Publication Draft Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

3. The external walls and roofing materials of the single storey side 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 preserve the traditional appearance of the building (the Threadmill) in the Green Belt in accordance with Policies D11, BE1, BE2 and BE13 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP57 of the Kirklees Publication Draft Local Plan and Chapters 12 and 13 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed elevations and floor plan	03		18-Dec-2018
Proposed elevations	04		18-Dec-2018
Existing elevations	02		18-Dec-2018
Existing floor plan	01		18-Dec-2018
Location plan			18-Dec-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. No amendments are sought in this case as the proposed development is considered acceptable in its submitted form.

Report Dated: 14-Dec-2018