

**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: 2019/62/91409/W

Site Address: 7, Slaithwaite Hall, Bents Lane, Slaithwaite,
Huddersfield, HD7 5XA

Description: Erection of single storey front and side 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: 19-Jun-2019

Officer Report

Site Description

The application relates to 7 Slaithwaite Hall, Bents Lane. The property is an end of terrace dwelling faced in natural stone with a stone slate tiled roof. The property benefits from an off street parking to the side, an outbuilding which is attached to no.9 Slaithwaite Hall and a modest garden to the rear. The other two properties in the terrace, numbers 12 and 14 Slaithwaite Hall are grade II listed 18th century farm terraced buildings.

The considered site is designated as green belt within the Kirklees Local Plan. The dwelling is set within the Slaithwaite hall which is made up of a cluster of approximately 12 dwellings in a relatively rural location.

Description of Proposal

The application is seeking permission to a front and side wraparound extension to provide additional kitchen/dining space and a front porch.

The extension projects 1.5m from the side elevation, and 1.3m from the front elevation. The extension has a length of 8.9m. The width of the extension along the front elevation is 2.7m. The maximum height of the extension is 3.15m with the eaves at 2.4m.

The wraparound extension is to be constructed with stone walls and an stone slate / artificial stone slate roof.

History of negotiations

None.

Relevant Planning History

None.

Representations

Final publicity date Expires: 13th June 2019

No public representations were received regarding this application.

Consultation Responses

KC Conservation and design (informally) – No objection, no harm to the listed building nearby.

Policy

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 is the Local Plan adopted February 2019. The application site is allocated as Green Belt on the Kirklees Local Plan.

Kirklees Local Plan

- LP1 – Presumption in favour of Sustainable Development
- LP2 – Place Shaping
- LP24 – Design
- LP35 – Historic Environment
- LP57 – The replacement, alteration or replacement of existing buildings (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 19th February 2019, 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 16 – Conserving and enhancing the historic environment

Assessment

The following matters will be considered in the determination of this application:

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

Principle of Development

The site is located within the Green Belt and therefore the principle of extending a building within the Green Belt needs to be considered. Chapter 13 of the National Planning Policy Framework states that the government considered the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essence of characteristics of the Green belt being its openness and permanence.

It also states that an extension or alteration of a building (providing that it does not result in a disproportionate addition over and above the size of the original building) need not be inappropriate in the Green Belt under paragraph 145. LP57 of the Kirklees Local Plan also sets out how extensions to buildings in the Green Belt should be assessed.

In addition to the above, as the proposal is located closely to a listed building it is important to consider the impacts on its setting, and ensure it accords to LP35 of the Kirklees Local Plan and guidance contained within Chapters 16 of the National Planning Policy Framework (NPPF). These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material planning considerations.

In light of the above the principle of extending a dwelling can be acceptable, providing that development does not form a disproportionate addition to the original building and in all other respects accords with policies contained within the Local Plan. Other matters such as visual amenity (including, impact on the setting of a listed building), residential amenity, and highway safety also need to be considered in detail.

Impact on the Green Belt

Providing the proposed extension does not result in a disproportionate addition to the original dwelling house the principle of extending the dwelling could be considered acceptable. When investigating through the site planning history, there would not appear to be any extensions on digital record.

While it is believed from the stonework that the side and front porch and outbuilding are not of the same age as the dwelling, they could indeed pre date 1947. OS Maps from 1922 show there used to be additional dwellings between no.7, and its outbuilding which is attached to no.9. Given this it is likely the outbuilding was originally a part of a dwelling. With regards to the side and front porch these are relatively small structures and given that there is no planning history and that buildings in the same or similar position are shown on the 1922 application it is considered that these can be classified as originally buildings. Furthermore, the porch and outbuilding are clearly subservient to the main dwelling.

The inclusion of the proposed extension whilst larger than existing is still single storey and does not appear disproportionate to the host dwelling. The extension has a volume of approx. 41m³ which supports the assessment that the proposal is not a disproportionate addition.

The proposed extension is therefore not considered to materially harm the openness of the Green Belt thereby according with Policy LP57 of the Kirklees Local Plan and guidance contained within Chapter 13 of the National Planning Policy Framework (NPPF).

Impact on Visual Amenity and heritage

The host property is attached to a Grade II listed farm terraced property dating back to the 18th century. Section 66 and 72 of the planning (Listed buildings & Conservation Areas) Act 1990 introduced a general duty for the protection of listed buildings and conservation areas.

As the extension is small in comparison to the host dwelling situated on the opposing end of the host dwelling from the listed building, the impact on the setting of the listed building is considered to be neutral. There is already a front porch on no.7 closer to the application site than the proposed porch which mitigates any harm the front element of the extension would cause. As the proposal incorporates materials found in the host dwelling and on the neighbouring listed building, it can be stated that the setting of the grade II listed building would not be materially harmed or impacted upon.

To ensure the design does maintain the heritage and setting of the neighbouring listed building, a condition shall be implemented to see materials to match the existing on the dwelling used.

For the reasons set out above the proposal is also acceptable against visual amenity generally. The extension is subservient and matches the host property. The development is therefore considered to comply with Policy LP24 and LP35 of the Kirklees Local Plan and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework (NPPF).

Impact on Residential Amenity

Due to the modest scale nature of the extension, and given it is mostly to the side with the front element being small, it can be stated the proposal would not have any significant impact in respects of residential amenity regards to privacy, overbearingness or overshadowing.

Impact on Highway Safety

The proposal would not intensify trips to and from the site, or effect existing parking provisions and therefore there will be no material impact on highway safety.

Other Matters

None.

Representations

None.

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: 2019/91409

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 to accord with Policies LP1 LP2, LP24, LP35 and LP57 of the Kirklees Local Plan and Chapters 12, 13 and 16 of the National Planning Policy Framework.

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 and Policy LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	Existing and Proposed 01	1	29/04/19

Location Plan		1	29/04/19
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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 initial plans were deemed acceptable and therefore no amendments were sought.

Report Dated:

19/06/19