

**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: 2019/62/92593/W

Site Address: Queen Marys Farm, Slaithwaite Road, Meltham,
Holmfirth, HD9 5PT

Description: Replacement of existing conservatory, replacement of
pitched roof to flat and erection of 2 metre extension

Recommending Officer: Nick Hirst

DECISION - REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 07-Oct-2019

Application: 2019/62/92593/W

Site: Queen Marys Farm, Slaithwaite Road, Meltham, Holmfirth, HD9 5PT

Proposal: Replacement of existing conservatory, replacement of pitched roof to flat and erection of 2 metre extension

Site Description

The application relates to large detached dwelling on the edge of Meltham that is constructed in coursed natural stone. It is designed with a mix of roof forms including a gable roof, hipped roof and a mono-pitched roof that is finished in artstone.

Access to the dwelling is taken off Slaithwaite Road which leads to the front of the dwelling where there is provision for turning and parking and also to the side of the dwelling to a detached outbuilding. The dwelling is isolated, located within the countryside with open fields in all directions. The closest neighbouring dwelling is approx. 160.0m to the south-east.

Description of Proposal

The site's existing conservatory's roof is to be changed from slate to a lightweight cladding.

An extension on the north elevation is to project 4.6m and be 6.3m wide. The existing mono-pitched roof adjacent to the extension is to be removed and the extension, and part of the building adjacent to it, is to have a new flat roof (with parapet and roof-lantern). This extension, to the kitchen, is to be faced in materials matching the host building.

Relevant Planning History

Application Site

89/03454: Change of use of disused barn and outbuildings to 3 no dwellings – Approved

90/03901: Conversion of farmhouse and outbuildings to form a single dwellinghouse including extensions – Approved

92/03507: Modifications to previously approved scheme for conversion/extension of buildings to form single dwelling to now incorporate granny flat – Approved

98/93431: Erection of first floor bay window extension – Approved

99/90157: Erection of garage extension – Refused

2001/92987: Erection of 2 stables and hay store – Approved

2016/91677: Erection of detached garage with studio/gym over – Refused

2017/90221: Erection of first floor extension, formation of driveway and alterations to form garage – Refused

2019/91249: Replacement of existing conservatory, replacement of pitched roof to flat and erection of 2 metre extension – Conditional Full Permission

Surrounding Area

None relevant.

History of Negotiations

No negotiations were undertaken as officers were unable to make recommendations to overcome their concerns.

Representations

Final publicity date expired: 14.09.2019

No public representations were received.

Meltham Town Council: *'That the Council noted the application'*.

Consultation Responses

None required.

Planning Policy

Kirklees Local Plan (KLP)

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is Green Belt on the LP Policies Map.

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP21** – Highway safety and access
- **LP24** – Design
- **LP57** – 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 19th February 2019, and 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 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **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
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development

1.1 – Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of

sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation (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 categories set out in paragraph 145 or 146 of the NPPF.

The erection of an extension to an existing building is considered acceptable in the Green Belt by policy LP57 and Paragraph 145 of the NPPF subject to the extension not being disproportionate in size to the original building or dominant in appearance.

Whether the proposal is inappropriate development in the Green Belt

The existing dwelling on site was established by virtue of application reference 90/03901 which was granted planning permission for conversion of the farmhouse and outbuildings to form a single dwelling house, including extensions. The conversion comprised extensions which resulted in an approximately 26.6 percent increase in footprint and 50 percent increase in floor space. Combining the footprint and floor space together, the original building on site had thus benefited from a substantial amount of extensions at the point of conversion. In addition, given the existing floor plans submitted it appears that there have been further extensions at ground floor level since 90/03901 which increased the size of the ground floor kitchen and the conservatory and also provided a utility room and boiler/store. While there is no planning history for these, they may have been erected via permitted development.

Past schemes, while admirably seeking larger scale development to that now proposed, have been refused due to concerns of cumulative impacts and scale within the Green Belt. These include 2016/91677 and 2017/90221. The most recent scheme submitted, for a smaller kitchen extension, was on balance approved as its minor scale was not considered to materially contribute to the overall scale and mass of the host building.

The scheme proposed, while sited in the same location and being a similar form of extension, is over twice the scale of the approved 2019/91249.

Therefore, officers consider that the proposed extension, cumulative with those previously approved and implemented, would be considered disproportionate and dominant in appearance to the host building.

The alteration to the conservatory's roof is not considered inappropriate. Notwithstanding this, the proposal is considered to fail to comply with the requirements of LP57 and paragraph 145 of the NPPF. Therefore, the development is considered inappropriate in the Green Belt which is required to carry substantial weight in the decision-making process.

Whether there would be any other harm to the Green Belt, including visual amenity

First considering the purposes of the Green Belt, outlined in paragraph 134 of the NPPF, the proposal would not conflict in general with purposes a, c, d or e. When considering c, it is noted that the proposal would not encroach into open countryside, being contained within an established residential curtilage. However, cumulative with the previous extensions, the proposal would result in disproportionate and dominant extensions to a remote building which would impact on its appearance within a remote and open environment, therefore introducing an urbanising effect.

Regarding architectural merits, the extension would be faced in matching materials to the host building and be located to the rear. As single storey, on a two-storey dwelling, and (without prejudice to the Green Belt assessment) being individually subservient in scale (considered in isolation) its visual impact would not detract from the host building's appearance or that of the wider area.

Considering Very Special Circumstances

Paragraphs 143 and 144 of the NPPF state that inappropriate development should not be supported unless the proposal has very special circumstances which clearly outweigh the harm to the Green Belt.

No very special circumstances have been offered by the application's agent. The case officer knows of no very special circumstances unique to the proposal which could be considered.

Conclusion

The proposed development represents inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt. There are no very special circumstances that clearly outweigh the harm to the Green Belt by this development would cause by reason of inappropriateness or the further harm to its openness, due to the scale, siting and massing of the extension, and when viewed cumulatively with previous extensions to the original building.

The development would therefore be contrary to Policies within Chapter 13 of the National Planning Policy Framework and Policy LP57 of the KLP.

2 – Impact on residential amenity

None; the site is isolated with no 3rd party residential units nearby.

3 – Impact on highway safety

None; there will be no material impact upon the site's existing relationship with the highway.

4 – Other matters

None considered relevant.

5 – Representations

No public representations were received.

Meltham Town Council: '*That the Council noted the application*'.

Response: Noted.

6 – 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 not constitute sustainable development and is therefore recommended for refusal.

Recommendation: Refuse

Application Number: 2019/92593
Decision Authorisation: Delegated Powers
Officer Recommendation: Refuse

Reason(s) for Refusal:

1. The application site is located within the designated Green Belt. The proposal, when considered cumulatively with existing extensions, would result in disproportionate additions over and above the size of the original building. Therefore, the proposal would constitute inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt. There are no very special circumstances that clearly outweigh the harm to the Green Belt by reason of inappropriateness or the further harm to its openness, due to the scale, siting and massing of the extension when viewed cumulatively with previous extensions to the original building. The development would therefore be contrary to Policy LP57 (a) of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing Grouped Plans and Elevations	1906 – 01		12.08.2019
Proposed Grouped Plans and Elevations	1906 – 02	Rev. A	12.08.2019

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 Planning 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 negotiations were undertaken as officers were unable to make recommendations to overcome their concerns.

Report Dated: 07.10.2019