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:	2021/62/90178/W
Site Address:	1, St Helens Field, Almondbury, Huddersfield, HD4 6SB
Description:	Erection of single storey rear extension
Recommending Officer:	Tom Hunt

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 22-Mar-2021

Officer Report

Site Description

2021/90178 – 1, St Helens Field, Almondbury, Huddersfield, HD4 6SB

No. 1 is a new build detached two storey property, with a gable roof and a two storey projecting gable at right angle to the primary elevation of the host property. It is accessed off St Helen's Field, a private unadopted road off St Helen's Gate. To the front is brick hard surfacing for its driveway and a garden to the rear which is fenced and has high hedges bordering the highway providing screening for the street scene. Materials of construction are stone with slate tile and timber windows/door. To the rear is a conservatory extension which has a stone base and glazed roof/windows to the side elevations. It projects from the rear elevation by 3.2m and 4.2m width approximately. It is 2.8m at roof ridge height and 1.8m eaves measured from ground level, it is set 0.6m below ground level.

The site is within the Green Belt, bordering Almondbury Conservation Area and to the northwest bordering a Grade 2 Listed Building '34 St Helens Gate'. There is a substation bordering the curtilage between the property and the highway.

Description of Proposal

Erection of single storey rear extension

The proposed development is for a rear extension to replace a pre-existing conservatory. The extension would be 5.2m width to span the rear elevation and project 3.2m from the rear elevation. The proposed extension is below garden level by 0.6m. It would have a pitched roof with a roof ridge height of approximately 3m and 2.1m to eaves from ground level. The construction materials would be stone base, timber windows and slate roof tile to match the host dwelling. To the roof, two Velux windows would be placed either side of the roof. It would have glazed elevations for west/south and north elevations and part walled south. There would be a new black external flue attached to serve a wood burning stove in the extension 125mm height and stepped down from the roof ridge height by 60mm.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

Relevant Planning History

96/90543 – Proposal: ERECTION OF 10 DETACHED DWELLINGS AND DETACHED GARAGES. Decision: RM - APPROVAL OF RESERVED MATTERS. Decision date: 10/06/1996.

98/91503 – Proposal: ERECTION OF DETACHED DWELLING WITH ATTACHED DOUBLE GARAGE. Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 21/07/1998.

2005/91976 – Proposal: ERECTION OF FIRST FLOOR BEDROOM EXTENSION. Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 05/07/2005.

Permitted Development rights were removed for extensions in 98/91503 and 96/90543

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on: 11/03/2021
Site Notice expired on: 12:03/2021
Press publicity expired on: 05/03/2021

No representations have been received.

Consultation Responses

No technical consultees required.

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

The site is within the Green Belt and bordering Almondbury Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**

- **LP21 – Highways and access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 30 – Biodiversity**
- **LP 35 – Historic Environment**
- **LP 57 – 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, 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 – Green Belt
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Assessment
The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/ecology (e.g. bats)
6) Representations
7) Conclusion

1 – Principle of development:

The site is within the Green Belt. The general principle of extending and making alterations to a property within the Green Belt are assessed against Policy LP57 of the Kirklees Local Plan and national policy within Chapter 13 of the NPPF.

In addition general design Policies within LP24 of the Local Plan and Chapter 12 of the NPF will be assessed. These require, in general, balanced considerations of visual and residential amenity, highway safety and other material considerations.

The NPPF identifies in paragraph 133 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt (paragraph 134). Paragraph 143 of the NPPF states that inappropriate development should not be approved, except in very special circumstances.

The construction of new buildings is regarded as inappropriate development in the Green Belt with certain forms of development as exceptions to 'inappropriate development'. These are set out within paragraphs 145 and 146 of the NPPF.
Within paragraph 145c), one of the exceptions to this is the extension or alterations of a building providing that this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 supports para 145 of the NPPF by emphasising that previous extensions will be taken into account to assess the cumulative impact of development. It goes on that proposals should 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.

In terms of this particular application, the proposed works are for a single storey rear extension to replace a pre-existing conservatory. The extension's impact on the streetscene would be considered as subservient to the host specifically due to its limited projection from the rear elevation, its screening from the streetscene by fencing and hedging and set down position lower than ground level. The scale of the rear extension has been limited by its rear projection of 3213mm and its height which would replace a similar conservatory which in this case is considered subservient in scale and design when assessed against Policy LP57 and advice within the NPPF.

Taking the scale and appearance of the proposed extension into account, it is concluded that it would comply with Policy LP57 of the Local Plan as it would not be a disproportionate addition to the original dwelling and not have greater impact on the Green Belt – which would remain the dominant element in scale and design. There would be no discernible impact on the overall openness and character of the Green Belt. It would therefore comply with national Green Belt Policy and be appropriate development in the Green Belt.

2 –Impact on visual amenity:

In terms of LP35, the proposal borders Almondbury Conservation Area and a Listed Building. The scheme would be substantially screened by mature hedging and the use of matching materials to the host dwelling would be a sensitive evolution of the character of the area and therefore would not contribute to detrimental visual harm. It would have a neutral impact on the setting of the aforementioned listed building and the character and appearance of the conservation area; also taking into account Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

LP24 of the Kirklees Local Plan requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

The single storey rear extension would be set to the centre of the host dwelling’s rear elevation, clad in stone and oak glazing frames to match the host dwelling and have its visible height reduced by the lower ground level. The oak frames would be lighter than the existing fenestration but would be considered a sensitive change considering the harmonisation of the stone and slate to the host dwelling. The rear extension has a limited projection from the rear elevation and would replace a pre-existing conservatory which would also be considered subservient with no significant increase in size. In terms of the street scene setting, it is noted that impact is substantially reduced by its screening from the street scene, from the Conservation Area border and from the Listed Building.

The proposal would also retain sufficient garden space to ensure that the scheme does not represent an overdevelopment of the site in its current form.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area and be acceptable and accord with Policy LP24 of the Local Plan.

3 – Impact on residential amenity:

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “*provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.*”

The proposed extension is assessed upon whether it would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking. The closest properties to be affected by the development are no.s 34 St Helens Gate (northwest) and 3 (northeast), and No. 51 St Helens Gate (west) would be separated by the highway.

With regard to no.s 34, 3 and 51, the northwest facing rear extension would replace a previous single storey conservatory, screened by fencing and hedges, be below ground level, set off from the boundaries and slightly reduce the current glazing of the existing conservatory, this would ensure that there would be no detrimental overbearing, overshadowing or overlooking impact.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the residential amenity of surrounding residents and be acceptable and accord with Policy LP24 of the Local Plan.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking.

The proposed development would retain at least two off street parking spaces to no.1 and there would be no material intensification of occupation. The proposal would therefore have an acceptable impact on highway safety and accord with Policies LP21 and LP22 of the Local Plan.

5 – Other matters:

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Biodiversity

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

6 – Representations:

No representations had been received.

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: 2021/90178

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 accord Policy LP24 of the Kirklees 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 Policies LP24 and LP35 of the Kirklees Local Plan.

NOTE: Due to its 'Bat Alert' location, a bat roost may be present on site. Bats are a European protected species under section 43 of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone to intentionally 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
Supp Info – General	2052 Almondbury conservation area		19/01/2021
Plans - Grouped Plans and Elevations	2052 A(00)-01 – Existing Plans		19/01/2021
Plans - Grouped Plans and Elevations	2052 A(10)-01 – Proposed Plans		19/01/2021

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 considered the application on review and sought no amendments.