

**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:	2021/62/93391/W
Site Address:	Mytholmbridge Farm, 36, Luke Lane, Thongsbridge, Holmfirth, HD9 7TB
Description:	Partial demolition of dwelling, erection of two-storey side and rear extensions, porch, link extension, detached garage and external alterations
Recommending Officer:	Sam Jackman

DECISION - REFUSED

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.

John Holmes

AUTHORISED OFFICER

Date: 03-Feb-2022

SITE DESCRIPTION – 2021/93391

Mytholm Bridge Farm, 36 Luke Lane, Thongsbridge is a detached 4 bedroomed traditional farmhouse of stone construction, with a traditional stone built attached barn of 1.5 storey construction and detached small stables block. The property dates from around 1800 which would have originally comprised of a double fronted farmhouse and attached smaller workers cottage.

The building is linear in form which sits within a long thin garden with grazing land to the north butting up against the rear elevation of the property and barn. Where there is currently no access from the rear elevation as the property has been built into the hillside and the field sits against the rear elevation just under the ground floor window cill. This land to the rear is within the applicant's ownership and is a mowed field. The front elevation of the property faces SW, where the majority of the garden sits along with the majority of the window openings.

This type of dwelling/agricultural arrangement contiguous with the field is a vernacular feature of this type of building within the area where all access and circulation space is confined to the front of the building. However, the garden area has encroached into the adjoining field to the SE of the property with a drystone wall separating the two.

The property benefits from an attached barn which has now been converted to provided additional living accommodation at some point in the history of the building (this will be referred to as the "barn" throughout the report, even though it is clearly in residential use). The barn itself appears to have been built in two stages given its design with a long catslide roof to the front, and sufficient height to have a mezzanine floor, which now houses the 4th bedroom. The property currently benefits at ground floor with a kitchen, dining room, garden room and 2 reception rooms, along with a rear cellar, utility and WC.

The property up to the recent sale also included a 2-storey detached barn which has been converted into 2 holiday lets which is now the previous owner's home and a smaller detached single storey building, used as garage which again was extended with a new first-floor and converted into an art studio and this building has also been kept within the previous homeowner's ownership. Therefore, these buildings are no longer included within the assessment of this application.

The property has a small lean-to single storey rear out trigger, again built back to earth with the field sitting just under the eaves, which would have been used as a keeping cellar. Also a small building labelled stables but accepted these were both built prior to 1948 and are originally to the building.

However, the property has had a new garden room to the front of the workers cottage, with entrance lobby and a small timber store attached to the gable of the stables, these are modern additions to the property.

Access to the property is via a shared drive with the previous homeowner's property, leading to an area providing off street parking to the SE of the site. Along the drive are 5 protected trees/group and albeit the trunks are not within the redline the branches overhang the drive.

Along the drive is a public footpath and continued along the valley bottom.

DESCRIPTION OF PROPOSAL

The proposal is to demolish the existing attached barn and build a new larger 2-storey extension, rebuild the rear single storey extension with a 2-storey extension, a new glazed link between the replacement barn and existing stables which will be converted into a gym and a detached double garage with store.

The proposal would create at ground floor a new rear larger utility, WC with new rear entrance providing a larger open plan kitchen/dinner and new family/games room and a new glazed entrance porch. At first floor a total of 5 bedrooms with 4 en-suites plus home office with the master bedroom having a walk-in wardrobe will be created.

The existing garden will be extended into adjacent field along the back of the barn to allow access from the new rear utility to the rear of the property an area of approx. 25sq m, with no details of any retaining walls or boundary treatment.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f93391>

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

Discussions have taken place with the agent with regards to the proposed extensions are not subservient and are disproportionate addition to the original property, when combined with existing extensions.

The plans originally included a gable to the rear 2- storey extension which has been amended to a long lean-to roof, joined into the host properties roof with a projecting first-floor window as demonstrated within the supporting statement.

RELEVANT HISTORY

None

PUBLIC/MEMBERS RESPONSE

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, press advert and site notice which expired on the 15.10.21, whereby no representations have been received.

Holme Valley Parish Council comments - supports the application.

The amended plans were considered to make marginal changes to the proposed design and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

CONSULTATION RESPONSES

K.C. Policy – objections raised

K.C Footpaths – no objection raised with standard footnote

POLICY

The site is designated as Green Belt on the Kirklees Local Plan and falls within an area with a known presence of bats and within an area at low risk of ground movement as a result of former mining activity.

The redline for the property is also within the flood Zone 2 & 3 however this related to the first 20m of an 80m drive, with no direct impact on the property or amenity space, due to the topography of the area.

Kirklees Local Plan (LP):

- LP 1– Achieving sustainable development
- LP 2 – Place shaping
- LP 22 - Parking

- LP 24 – Design
- LP 30 - Biodiversity and geodiversity
- LP 33 - Trees
- 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 21st July 2021, 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 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting the greenbelt
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- House Extensions and Alterations Supplementary Planning Guidance (SPD)

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 3 – Conserving and Enhancing Local Heritage Assets

- Policy 12 – Promoting Sustainability

The application site is within Landscape Character Area 7 - River Holme Wooded Valley

The key landscape characteristic of the area are glimpsed views of a wider landscape through gaps between built form and views across the wooded valley floor from elevated vantage points along with a network of Public Rights of Way (Prow) crossing the landscape. Where in this case Prow HOL/49/20 runs along the access drive. Where the built-up characteristics are settlements characterised by a close association between built form and landscape.

Legislation

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).

ASSESSMENT

Principle of development:

Greenbelt

The general principle of extending and making alterations to a property are assessed against Policy LP24 of the Local Plan and Chapter 12 of the NPPF regarding design. These require, in general balanced considerations of visual and residential amenity, highway safety and other material considerations.

The site is within the Green Belt and therefore the main issues are:

- Whether the proposal would be inappropriate development for the purposes of the NPPF and Local Plan Policy LP57. If inappropriate
- The effect of the proposal on the openness of the Green Belt, and on the character and appearance of the area
- If found to be inappropriate development, whether the harm by reason of inappropriateness is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify development

Is the development inappropriate in the Green Belt?

The NPPF identifies 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, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 147

of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. These are set out within paragraphs 149 and 150 of the NPPF.

Paragraph 149 of NPPF states that the extension or alteration of a building may not constitute inappropriate development in the green belt provided that it does not result in disproportionate additions over and above the size of the original building. This is supported by Local Plan policy LP57 which states that such proposals will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account.

Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building'. It also goes on to say that the proposal should not result in a greater impact on openness in terms of the treatment of outdoors areas, including hard standing, curtilages and means of access.

It is necessary therefore to consider whether the cumulative impact of the existing and proposed extensions would result in disproportionate additions such that the original building is no longer the dominant element, as well as considering whether the proposal as a whole respects the character of its setting.

In the case of this application the proposed extensions would comprise of the new 2 storey element to the rear of the property (replacing the subservient single storey lean-to), the new two-storey element to the side (with porch) replacing a subservient traditionally constructed former barn, the timber and glass link connecting to the stable, the new detached garage, as well as the existing large conservatory/garden room and wooden shed/lean-to.

In terms of NPPF paragraph 149 and LP57, the key consideration for this proposal is whether the original building would remain the dominant element. The proposal is to demolish, in their entirety, both the rear lean-to and the attached barn. Both these structures constitute part of the original building. Once they have been demolished the original structure will consist solely of the farmhouse (and the stable). This means that both of two-storey extensions should be considered relative to the farmhouse alone.

The building as currently standing, even with the addition of the conservatory/garden room, appears as a traditionally constructed farmhouse with subservient structures comprising of the former barn and the rear lean-to. The replacement of these two subservient parts of the building with newly constructed two storey elements, even accounting for the use of reclaimed stone and the dropping of the roofline below that of the farmhouse, changes the traditional character of the building as a whole such that the original house is no longer dominant.

This is especially evident on the rear elevation where the new building wholly eradicates the original character of the farmhouse, this is contrary to LP57 criteria a. Albeit policy LP57 along with the NPPF doesn't refer to acceptable percentage increases, as each application is taken on its own merit as it depends on how any increase would be proportionate or not. In this case all the extensions, including the existing ones and proposed would amount to an approximate additional volume of 80%, where the majority of this relates to the 2-storey rear and side extension located in close proximity with one another on the east corner of the building. The appearance of the property when approaching from the entrance and view from across the field to the east would be altered such that the openness of the Green Belt would be impacted upon.

This so far has considered the extensions relative to the farmhouse. If it could be argued that the demolition of the lean to and the barn constitute part of the works necessary to create an extension to the current building, then the new elements would be considered relative to the whole of the structure now standing. For the same reasons given above in terms of the relationship of the house with the subservient elements, and the relationship of the building within its setting, the proposal would still be considered contrary to LP57 and LP24. This conclusion is drawn on the basis that even if this argument was to be accepted, the approx. addition would be 54%, where again the bulk of this would be the replacement 2-storey rear & side extension.

There may also be an argument that the two new elements (the side and rear extensions) could be considered replacement buildings as they are replacing the former barn and the lean-to. If that were the case, then they would be considered against NPPF paragraph 149 criteria d) and LP57 criteria b). These state that the new building must be in the same use and not be materially larger than the building it is replacing both in footprint and volume. As the barn has been used as part of the dwelling house for some time the new building would be in the same use, but by replacing a 1.5 storey building with a two-storey building with a larger footprint, or replacing a single storey element with a two storey element, with the whole altering the relationship from house with subservient structures to simply a large house, the replacement buildings would be considered to be materially larger than the buildings being replaced and therefore contrary to NPPF and to LP57 criteria b).

While the treatment of land around the building is not shown on the submitted drawings the installation of a door into the rear extension would suggest that circulation space is proposed to be created to the rear. As this is currently agricultural land this would constitute a change of use which would need separate consideration and may be inappropriate both in terms of NPPF paragraph 150 and LP57 criteria c) which states that the proposal 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 summary, considered solely against the farmhouse as the original building, considered against the structure as a whole or considered as replacement buildings, the scheme in its entirety, taking into account existing and proposed extensions and the introduction of features that would erode the traditional character of the site; The scheme represents inappropriate development within the Green Belt. The development is therefore contrary to Chapter 13 of the NPPF and Policy LP57 of the Local Plan.

Part of the justification set out by the agent is that the property “in its current form does not serve the clients requirements, it has very thick non-insulated walls (typical agricultural construction) and is a sort of “L” shaped form. The decision was taken to replace the former agricultural part of the building with a new replacement structure, to allow us to provide a well-insulated structure, with adequate foundations, whilst re-using the existing materials to maintain the character of the building and provide the accommodation the clients require.

The decision to replace this structure was taken primarily to allow the property to perform better thermally, requiring less heating and making the structure more sustainable.”

It is acknowledged that the extension would provide a well-insulated structure for the family. However, there are other means of insulating the building than a full demolition with no evidence that barn is structural unsafe. The agent also refers to meeting their client’s accommodation requirement, however they have not demonstrated that other options have been explored or the additional accommodation required above that is already provided. As the two cottages and adjacent barn have been converted into a single dwelling and the existing house has four living rooms and four bedrooms, it is considered the property already has a viable use in its current form.

Therefore, these are considered not to constitute ‘very special circumstances’ that clearly outweigh the harm to the Green Belt by reason of inappropriateness or other harm. The development is therefore contrary to Chapter 13 of the NPPF and Policy LP57 of the Local Plan.

The proposal also includes a glazed link attaching the barn to the stables, converting the stables to a gym and a new double garage with additional storage. There are no objections to the stables being converted into a gym in this case. The glass link is in principle acceptable due to its size and see-through appearance. The detached garage with ancillary store is large, however, would be considered, to be acceptable if the existing barn was to be retained. However, under the circumstances the garage combined with previous extension and the replacement barn and rear extension would represent inappropriate development within the Green Belt as the additions would contribute to additions which are disproportionate in relation to the original building in either scenario previously detailed. The development is therefore contrary to Chapter 13 of the NPPF and Policy LP57 of the Local Plan.

Other Policies to consider are Policy LP24 which states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape and “c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

Policy LP35 refers to the Historic environments where section 2 states that:

“Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset.”

Section 3 states *“Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to:*

- a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets;*
- c. secures a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings constructed on the back of the wealth created by the textile industry as expressions of local civic pride and identity.*

The policy goes on to state paragraph 14.8, *that the open areas surrounding towns and villages, most prominent in parts of the Holme, Colne and Dearne Valleys, portray a largely rural landscape containing remnants of the ancient past, significant historic farm buildings and traditional weavers’ cottages.* 14.9 goes on to say *much of the distinctiveness of Kirklees’ historic environment is steeped in the development of the textile industry. This is directly evident in surviving weavers’ cottages, some dating back to the 17th century, and mill complexes, both large and small, which developed in the late 18th and 19th centuries.*

In this case the property having the characteristics of a weaver’s cottage with associated farm buildings located in ideal location close to the river for weaving. Where within 100m Mytholm Bridge Mills a woollen Mill was developed from 1850 onwards and by 1955 had become a large complex with the main mill over 4 floors with additional associated smaller buildings which still stands today. Therefore, the building clearly shows the development of the textile industry within the area.

Furthermore government guidance explains that non-designated heritage assets are buildings or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

In this case The Holme Valley neighbourhood plan has identified initial buildings they consider are non-heritage assets and albeit this in not one of them, the neighbourhood plan has currently concentrated on the centre of Holmfirth, and have state that their current list is not complete. Furthermore Kirklees has now (April 2021) commenced work on a year-long West Yorkshire initiative to establish a formal process to identify and evaluate candidate NDHAs against relevant selection criteria. Therefore, albeit this process hasn't been completed, the property appears to have some merit to be considered as a non-designated heritage asset, given that the part it's played in the history to the local woollen industry.

In terms of national planning Policy Chapter 16 of the NPPF, Paragraph 203, The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In this case the replacement of the attached barn is considered to have harm on the character of this property and the surrounding area.

Finally the House Extensions and Alterations SPD, where Key Design Principles 1 and 2 are relevant which state:

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”

Whilst the principle of development is concluded to be unacceptable in this case, consideration of the further applicable considerations shall be undertaken within the following report:-

Impact on visual amenity:

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

In this case policy LP24 ‘design’ states that extensions should be subservient to the original building, should be in-keeping with the existing building and

should respect and enhance the character of the townscape, heritage assets and the landscape.

The loss of the traditional farmhouse barn grouping may also be considered contrary to LP24 criteria a) as while not listed this building represents an example of a traditional vernacular farmhouse that has retained its relationship to its subservient barn and to the agricultural land around it. Supporting this is the council's adopted Supplementary Planning Guidance 'House Extensions and Alterations' which states that proposals should not introduce the use of unsympathetic domestic or urban features such as porches and dormer windows and any proposal considered to introduce urban character into a green belt setting will not be supported. Detached garages are not normally associated with this traditional house/barn layout and would introduce another urban/domestic feature that would erode the character of this site.

Chapter 12 of the NPPF emphasises the importance of good design. Paragraph 130 refers to Planning policies and decisions should ensure that developments:

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Paragraph 134, goes onto state a development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case River Holme Wooded Valley (LCA7). Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

It is accepted that the property is not visible from Luke Lane adjacent to the property, however, it can be seen from across the valley through open vistas between buildings and the public footpath that runs along the shared drive. The materials proposed are natural stone with natural stone slate roof re-using the existing materials of the demolished barn where possible which are considered appropriate.

With regards to the fenestration details of the rear elevation, the two-storey rear extension has been amended by removing the gable and introduce a lean-to roof or catslide roof. Where the agent states catslide roofs are characteristic within the area, this is not disputed and in principle is considered to be acceptable. However, the proposed roof doesn't follow the characteristics of a catslide roof in that it is not a continuation of the main roof which should drop down so that the new eaves are low to the ground. In this case the eaves are just below the main roof and the extension introduces a flat roofed style dormer with mullion cottage windows as shown in the agents supporting statement. However, it's not clear which property this relates to or if its to a rural farm cottage, regardless of this the design is considered to be unacceptable and inappropriate on the rear elevation of this rural farmhouse cottage.

Furthermore the original farmhouse follows the historically characteristic of properties within the area where they have no access at the rear as the property butts up against the adjacent field. The rear extension would substantially change the appearance of this farmhouse cottage in its rural setting by providing a rear access by lowering the ground level and extending the domestic curtilage into the adjacent field. Albeit this area is small this feature is considered erode into the rural character and would be harmful to visual amenity and the significance of this building, furthermore its not clear how the existing field will be retained or if any new boundary treatment will be built. Both these elements could clearly add to the urban appearance to this property which would be also unacceptable.

The new side extension replacing the converted barn, would be square in footprint removing its miss shaped character, it is accepted the ridge is lower than the host property but only by 0.5m with the front elevation repeating the catslide roof which is acceptable. However, the window details within the extension introduce 3 additional first-floor rear windows, regular in form which wouldn't have been acceptable if added as part of the original barn conversion, along with 5 rooflights within the new roof, however, it is accepted that there are already 3 existing rooflights. Therefore, adding domestic features to an extension where the agent states the proposal was carefully designed to retain the features and character of the existing structure.

However, it is the gabled elevation of the barn that gives the most concern by introducing a large expanse of glazing within a visible oak frame which would be approx. 3.8m wide extended into the apex of the roof. The glazing would have inward opening doors to both floors, introducing a Juliette balcony with windows either side and would be edged with large quoins, traditional used on the corner of buildings.

Barns of this period and in this area would usually have blank gables with any large openings located on the front elevation. The use of timber frame in the form of a crook barn are found within the area, however, wouldn't be visible from the outside. Therefore, these fenestration details are considered to detract from the overall character and appearance of the host property. Whilst

it is noted that the existing barn has some glazing in the side elevation however, this feature is not original to the barn, however, is small in scale and appeared to replicate a smaller window to the mezzanine floor. The proposed new window would be considered to be unacceptable due to its large expanse of glazing which would add an incongruous feature and wouldn't reflect the structure its replacing.

The stable conversion would be considered to be acceptable as primarily this is unchanged with the existing opening retained having glazed doors.

The glazed link is small in scale and as a structure on its own would detract from the character of the area or property and is considered to be acceptable.

The detached garage is fairly large and the small, covered entrance is considered to be acceptable in its design it adds additional unnecessary mass to the building. however, this could be easily amended if the scheme was considered as whole to be acceptable.

Taking all the above into consideration, the proposal is not considered to be of an acceptable design and would be contrary Policy LP24 (c) of the Local Plan and Chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing

In this case the nearest neighbour is located to the west of the property and is over 20m from the proposed side extension and the host property would screen the rear extension from this neighbour. Furthermore given the difference in levels these neighbours wouldn't be affected with regards to the extension being overbearing, overshadowing or overlooking.

This would be the same with regards Hagg View which is also over 20m away where their gable faces the proposed rear extension. Therefore, at an acceptable distance not to have an impact on their residential amenity with regards the extensions being overbearing, overshadowing or overlooking.

Impact on highway safety:

Policy LP22 of the Kirklees Local Plan, and Key Design Principle 15 of the adopted House Extensions & Alterations SPD seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In this case the parking arrangement is increased with the creation of the double garage and parking to the front is unchanged where spaces for 4 four cars can be achieved.

As such the proposal is concluded to meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety, advice in the Supplementary Planning Document and advice in Chapter 12 of the National Planning Policy Framework.

Other matters:

Climate Change –

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

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 size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change.

However, the agent within their justification has stated that the building to be demolished, has very thick non-insulated walls (typical agricultural construction). By replacing the building with a new replacement structure, allows the applicant to provide a well-insulated structure.

Where improved insulation is supported, there are other ways this can be achieved rather than the demolishing the building and wouldn't outweigh the harm on the loss of existing barn and its contribution to the extension character of this property.

K.C. Biodiversity –

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

This is due to the fact that the principle of the development was considered to be un-acceptable, and it was therefore, considered to be an unreasonable expense to request a bat survey in this case. However, the property is in an ideal location close to water and woodland, an ideal habitat with known bat roosts within 300m of the property. Furthermore the building is a converted barn with a stone flag roof where a couple of tiles have slipped on the rear elevation. Therefore, if the application was to be approve a bat survey would have been requested in this case.

As such the development would have little impact on bats and would be in accordance with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

K.C. Policy – These comments have been addressed in the principle of development section of this report.

K.C. Trees - Informal comments with a tree officer have been discussed where no objections have been raised with regards the trees, including the mature willow and fruit trees to be removed in the SE corner for the new garage.

However, along the drive there are protected trees along both sides, a total of 5 and a small group of trees to the south. Where no additional information has been received or requested with regards this, in this case. As it was considered to be an unreasonable request given the application is considered to be un-acceptable in its current form.

However, if the application was minded to be approved, additional information could be secured in the form of a construction management plan to demonstrate what, if any tree works would be required to facilitate any deliveries of materials or equipment/machinery for ground works/demolition to be carried out within the site, given the low overhanging branches. If extensive pruning was required by raising the crown to an unreasonable height, this may be also considered to be unacceptable.

K.C PROW – informal comments received, where if the application was to be approved, they have no objections provided a standard footnote advising works must not be interfered with or obstructed, prior to, during or after development works.

Representations:

It should be noted that no representations have been received as a result of site publicity.

Holme Valley Parish Council supports the application.

The amended plans were considered to make marginal changes to the proposals design and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

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 proposals do not accord with the development plan and/or the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material considerations.

Decision Authorisation - Delegated Powers

Application Number: 2021/93391

Officer Recommendation: refuse

1. The proposed extension by reason of its size and scale and when considered in conjunction with previous additions would represent a disproportionate addition to the original building. The proposal would therefore represent inappropriate development within the Green Belt by definition which would be harmful to the openness of the Green Belt. No very special circumstances that clearly outweigh the harm to the Green Belt are demonstrated. To permit such a development would be contrary to Policy LP57 of the Kirklees Local Plan and Policies in Chapter 13 of the National Planning Policy Framework.

2. The proposed extensions by reason of their combined scale and design incorporating a large expanse of glazing to the side elevation of the proposed side extension would not represent a subservient addition to the host building or be in keeping with the property in terms of its scale and detailing. The proposed extensions would form an unsympathetic, incongruous and overly prominent form of development which would harm the character and appearance of the host property and surrounding area and would therefore fail to accord with Policy LP24 (a) and (c) of the Kirklees Local Plan, Principles 1 and 2 of the House Extensions and Alterations SPD, policy 2 of the Holme Valley Neighbourhood Plan and Policies in Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Location Plan 1:1250 & site plan 1:200	21007D-03-P03	7.12.21
Existing layout & elevations	21007D-03-P01	25.8.21
Proposed layout & elevations	21007D-02-P03	7.12.21
Proposed layout & elevations (excluding the existing details)	21007D-02-P03	14/1/21
Supporting Statement		15/12/21

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. The Case Officer requested amended plans during the process of the application to seek an amendment which would reduce the impact of the development on the visual amenity and impact on the greenbelt. This decision is based on the amended/additional documents submitted.

Recommendation and Authorisation Box

Report Dated:

28.1.22

Coal – low risk