

**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:	2021/62/93865/E
Site Address:	Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR
Description:	Erection of two storey rear extension
Recommending Officer:	Callum Harrison

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.

Emma Thompson

AUTHORISED OFFICER

Date: 01-Feb-2022

Officer Report

2021/93865 - Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR

Site Description

Lower Carr Farm is located between the villages of Shelley and Shepley in an area that is sparsely populated, the predominant surround land use is agricultural and the land is included in the Green Belt. The closest neighbouring building is 200m away.

Lower Carr Farm is now used for residential purposes. The original dwelling has lost its dominance through the conversion of the larger adjacent barn to extend the dwelling. Other extensions adjoin that barn in turn; the first is single storey and appears to be old with previous agricultural uses (there is no planning history but appears on maps dating to 1922), added to the side of that extension is a double garage that is likely to be the one approved in 1981. Although written descriptions of planning permissions are available, the plans are lost so one has to make assumptions about whether those permission have been implemented. To the rear of the barn is a peculiar bay window at ground floor level that is completely out of place and character. A 'sun room' extension is also set in the front that was approved in 2011. This permission also saw the removal of approximately 70m³ of building which appeared to pre-date 1965.

Description of Proposal

The application is seeking permission for the erection of a two storey rear extension. The extension would have a 4.5m projection and measure 5.8m wide. The existing single storey extension has a volume measuring 80m³. The roof would be pitched with the rear elevation forming a gable end. Full height windows incorporated into a bespoke timber frame is proposed on the gable/rear elevation. The proposed extension would comprise a lounge on the ground floor and a bedroom on the first floor. Large, glazed windows are proposed at ground floor level on the southern elevation and two small windows are proposed on both the northern and southern elevations at first floor level. Natural stone is proposed for the external walls and natural stone slate tiles for the roof, all to match the existing.

History of Negotiations

No negotiations were sought.

Relevant Planning History

78/07472 – Conversion of barn to form extension to dwelling granted conditionally.

81/03500 – Erection of double garage granted conditionally (included removal of a building).

87/02065 – Erection of porch granted conditionally (erected then demolished).

87/04318 – Extension to form swimming pool, sauna and plant room granted conditionally (not implemented).

2011/90568 - Erection of sun room extension and alterations granted conditionally.

Representations

The application was advertised by a site notice, in the press and by neighbour notification letters. Final publicity expired on 13th December. No representations were received.

Consultations

Kirkburton Parish Council – no comments received.

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 allocated as Green Belt in the Kirklees Local Plan 2019.

Kirklees Local Plan (KLP):

LP1 – Achieving sustainable development

LP2 – Place shaping

LP21 – Highway safety

LP22 – Parking

LP24 – Design

LP57 – The extension, alteration or replacement of existing buildings

Supplementary Planning Documents (SPD):

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. Although the period for a potential it is now a material consideration in the assessment of

householder planning applications. 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 these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs are applicable:

- Highways Design Guide
- House Extensions and Alterations SPD

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

Assessment

1. Principle of Development in the Green Belt and Impact on Visual Amenity

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan would be approved without delay, unless material considerations indicate otherwise.

The application property is situated in the allocated Green Belt in the KLP. Careful consideration should be given to avoid harm to the openness and character of the Green Belt. In this case, policy LP57 of the KLP and paragraph 145(c) of the NPPF are highly relevant to the assessment of this proposal, which is for the erection of an extension to a dwelling.

Paragraph 145 of the NPPF states that “a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”. The extensions or alterations of a building might not be inappropriate given the purposes of LP57 however insofar as they do not result in disproportionate additions over and above the size of the original building. This is both a numerical and visual exercise

Referring back to a 1922 County Series Map on the LPAs GIS mapping system, the build line in regard to width, length and form of the dwelling appears similar to same to present. Existing extensions are very small and appear clearly subservient, whilst their provision has also led to the removal of some other built form, thus not generating much additional volume. Officers agree with the agent's findings that: the volume of the original building measures 1085m³; the existing single storey extension has a volume measuring 80m³; and, the volume of the proposed two storey extension would measure 169m³. Officers do add that the volume of the garage must also be considered however officers cannot find plans to measure the scale of the garage. Taking an estimate using atypical double garage dimension, the garage would add an additional 86m³. Cumulatively the extensions, including the one currently proposed would add 335m³ to the original building which equates to a 31% increase. It is therefore considered that the overall cumulatively volume of the extensions is acceptable on a volume basis.

Notwithstanding the above, the development once implemented would reach a limit of development whereby officers consider the cumulative volume whereby extensions would not result in disproportionate additions over and above the size of the original building. If any additional extensions or outbuildings, even under permitted development (PD), were to be erected, it is extremely likely the authority would determine the cumulative additions represent disproportionate additions over and above the size of the original building. This would constitute inappropriate development in the Green Belt which is by definition harmful. Therefore, for the reason of preventing harm to the Green Belt, officers will remove PD rights for extensions and outbuilding. Subject to PD rights for extensions being removed, on balance, the proposal is considered acceptable with regard to principle of development in the Green Belt and visual amenity, in accordance with the aforementioned national and local policy. Given this, the proposal is considered to not detriment the openness of the green belt or be considered inappropriate development and therefore the scheme accords with LP57 of the KLP and Chapter 13 of the NPPF.

The design of the proposed extension must also ensure the extension does not result in disproportionate additions over and above the size of the original building from a visual amenity perspective. Local Plan policy LP24, Chapter 12 of the NPPF and the House Extensions and Alterations SPD are also relevant here, whereby the policy and guidance states the extensions should respect the host property in respect to design, materials, details and all other visual amenity matters. In this case, the extension respects the host dwelling in terms of materials. The scale, including the height, width and projection is relatively modest in respect to the host property meaning the form ensures the development appears subservient. The extension will be somewhat contemporary through the use of glass and a timber frame however this respects the character of the barn and the rural nature of the application site. Given this, visually, the extension respects the host dwelling with regard to visual amenity and accords with Local Plan policies LP24 and LP57, Chapters 12 and 13 of the NPPF and the House Extensions and Alterations SPD.

2. Impact on Residential Amenity

LP24 of the KLP states 'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.' This is echoed by Chapter 12 of the NPPF and by the House Extensions and Alterations SPD. In this case, the closest dwellings are set over 200m away, thus, the development would not materially impact on any neighbouring properties. The proposed extension would also enhance the amenity for future occupiers. Given this, the proposal accords with Local Plan policy LP24, Chapter 12 of the NPPF and the House Extensions and Alterations SPD with regard to residential amenity.

3. Impact on Highway Safety

The proposed extension would not materially intensify the site to the degree additional off street parking will be required nor will the development impact on the existing parking provision. Therefore, the proposal is considered to accord with LP21 and LP22 of the KLP and the Highway Design Guide SPD in regard to highway safety.

4. Other Matters

Carbon Budget

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 predates 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. The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures are required in terms of the planning application, with regards to carbon emissions. However, there are controls in terms of Building Regulations, which will need to be adhered to as part of the construction process and which will require compliance with national standards

5. Representations

None.

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 constitute sustainable development and is, therefore, recommended for approval.

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, to preserve the open rural character of the Green Belt in accordance with Policies LP24 and LP57 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework and the House Extensions and Alterations Supplementary Planning Document.

3. Notwithstanding the plans submitted, the external walls, doors, window openings, and roofing of the development hereby approved shall in all respects match those used in the construction of the existing building in external appearance. The materials and finishes of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and in accordance with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development under Classes A (extensions), B (additions to the roof), D (porches) and Class E (outbuildings) of Schedule 2, Part 1 shall be erected in the area edged red on the approved site location plan without the prior consent of the Local Planning Authority.

Reason: To maintain the openness of the Green Belt and prevent inappropriate development as to accord with Policy LP57 of the Kirklees Local Plan and the aims of Chapter 13 of the NPPF.

Plans and Specifications Table:-

Plan Type	Reference	Version	Date Received
Location Plan	-	1	06/10/2021
Block Plan	-	1	06/10/2021
Existing Plans and Elevations	2122 01	1	06/10/2021
Proposed Plans and Elevations	2122 02	1	06/10/2021
Planning Statement	No ref (produced by Robert Halstead	1	06/10/2021

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.