

**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:	2023/62/90330/E
Site Address:	63, Houses Hill, Long Tongue Scrog Lane, Houses Hill, Huddersfield, HD5 0PA
Description:	Erection of single storey rear, two storey side and two storey front extensions, part to create dwelling forming annex accommodation associated with 63, Houses Hill, Long Tongue Scrog Lane, Houses Hill, Huddersfield, HD5 0PA
Recommending Officer:	Nina Sayers

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.

Emma Thompson

AUTHORISED OFFICER

Date: «Current_Date»

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Officer Report

Site Description

63 Houses Hill, Long Tongue Scrog Lane is a two-storey, detached dwelling in Huddersfield. The architectural features of the double fronted dwelling suggest the property was originally oriented south, however the access is from the north of the property, adjoining Long Tongue Scrog Lane. A porch has been erected along the southern elevation, and a double garage has been erected to the western side. There is a two-storey element projecting out the northern elevation. The property is constructed from predominantly course natural stone walls with some bricked sections under a tiled roof.

The property is allocated as within the Green Belt on the Kirklees Local Plan and is surrounded by open fields which characterise the Green Belt. It is set approx. 90m south of the cluster of houses which follow Long Tongue Scrog Lane. The property adjacent to the access is a Grade II listed Farmhouse and attached barn.

Description of Proposal

The applicant is seeking permission for the erection of single storey rear, two storey side and two storey front extensions, part to create dwelling forming annex accommodation associated with 63 Houses Hill.

It is noted that the applicant has referred to the 'front' of the property as the northern elevation. Due to the architectural detail, it could be considered that the southern elevation is the front elevation, however for the purposes of this application the description has not been changed.

Southern Elevation

The existing porch would be reduced in width to 6.6m wide with the same projection and roof type as the existing. It would be predominantly glazed.

Northern Elevation

The proposed development would include a single storey, 14.9m extension out the northern elevation, with a pitched roof design. The proposed would serve an annex, including a kitchen, living and dining area and a bedroom and bathroom. The proposed would have a gable end roof design.

Side elevation

The proposed development would increase the depth of the existing side extension and would increase the roof height to allow for living accommodation in the roof. The proposed would have a glazed gable end with timber features and would serve a multi-use area, and a bedroom with dressing room and ensuite.

History of negotiations/amendments received

Concerns were raised with the agent regarding the scale of the proposal in relation to the original dwelling and the impact on the Green Belt and visual amenity. Amended plans were provided showing a reduction to the scheme which have been assessed.

Relevant Planning History

88/05719 Erection of extension to form boiler room and double garage. Granted conditionally.

Representations

The application was advertised by neighbour letter and online. Final publicity expired 27/03/2023. It is noted that the property adjacent to the access is a Grade II listed Farmhouse and attached barn. Given this proposal would not include any alterations to the access, and the proposal would be set approx. 90m from the listed property, no site notice was considered necessary in this instance.

No representations were received.

Consultation Responses

No consultees were considered necessary for this application.

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).

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.

The site is located in the Green Belt on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** – Highways and access

- **LP22** – Parking
- **LP24** – Design
- **LP30** – Biodiversity and geodiversity
- **LP35** – Historic Environment
- **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 20th July 2021, 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 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the built environment

Planning Practice Guidance 2019: Green Belt

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and historic environment
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the erection of extensions and alterations to an existing dwelling.

Chapter 13 of the NPPF requires local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees LP states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous

extensions and 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. Furthermore, 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; and the design and materials used should be sensitive to the character of the Green Belt setting.

In this instance, the application site comprises a two-storey detached dwelling with a large amenity space. The building has been previously extended. Permission was granted for an extension to the western elevation (88/05719) which appears to have been erected and there is a single storey porch erected to the southern elevation. LP57 states that the cumulative impact of previous extensions must be taken into consideration.

The proposed development would be a significant addition to the property which would cover a floor area of almost triple the original dwelling. Although no volume calculations have been provided, officers have calculated that the proposal would result in a volume addition of approximately 75%. Notwithstanding, the calculations this far exceeds the 33% volume increase generally used as guidance when assessing applications in the Green Belt. Although it is noted that the proposed extensions are all set down from the original dwelling and that the scheme has been reduced. The proposed development would still be disproportionate to the host dwelling and thus would result in harm to the Green Belt land.

As set out in the PPG 'openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume' so whilst a volume calculation is helpful the impact visually is also important. To further extend the property would result in a greater impact on openness and would negatively impact the character and appearance of the Green Belt and original dwellinghouse, it would therefore be considered inappropriate development and would not comply with LP24 or LP57 of the Kirklees Local Plan and the aims of the House Extensions and Alterations SPD.

As such it is considered that this would amount to disproportionate additions over and above the size of the original building, and so would constitute inappropriate development in the Green Belt. This is not compliant with chapter 13 of the NPPF together with part of policy LP57 of the Kirklees LP, and it is considered that the principle of the development is unacceptable.

2 – Impact on visual amenity and historic environment

Chapter 12 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment (para.127 of the NPPF). Policy LP24 of the KLP expands on this further, setting out that good design should be at the core of all proposals in the district. With regard to extensions, it states under part c, that proposals should promote good design by ensuring 'extensions are

subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details’.

Key design principles 1 (local character and street scene) and 2 (impact on the original house) given in the Kirklees Householder extensions SPD reflect the above.

The application site is set back significantly from the road and is accessible via a long driveway, which provides access for this property. The property is located within the Green Belt and is surrounded by undeveloped Green Belt land. There is a small cluster of properties to the north, set approx. 90m from the property.

The proposed extension would add significant mass and bulking to the property. The proposal would result in almost triple the floor area of the original dwelling and would dominate the character of the original property. It is noted that the proposed extensions have been set down from the original dwelling, however the significant scale of the proposals fails to remain subservient to the original dwelling.

It is noted that the property adjacent to the access is a Grade II listed Farmhouse and attached barn. Given this proposal would not include any alterations to the access, and the proposal would be set approx. 90m from the listed property, no harm is caused to the character or setting of the listed building. Therefore, complying with LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Having taken the above into account, the bulk and massing of the proposed extensions would cause significant harm to the visual amenity of the host dwelling and character of the Green Belt setting, failing to comply with Policy LP24 and LP57 of the Kirklees Local Plan, KDP 1 & 2 of the House Extension and Alterations Supplementary Design Guide and the aims of chapter 12 and 13 of the National Planning Policy Framework.

3 – Impact on residential amenity

The application site is surrounded by open green fields and the nearest residential property is located 90m north of the property. It is therefore considered that no significant harm would be caused to the amenity of any neighbouring occupants.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety

The extension would result in the intensification in the use of the property and would remove the existing garages. This being said, the property has a long driveway with a large driveway area to the north and therefore the proposal would have off-street parking provision for at least three vehicles. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extension SPD.

5 – Other matters

Public right of Way

To the east of the application site is a footpath subject to a DMMO. The proposed development would remain a significant distance from the footpath. As such, it is considered that there would be no significantly detrimental impact on the users of this route, should a DMMO be granted at any future date, in accordance with Policy LP23 of the Kirklees Local Plan.

Ecology

The site is partially located within a bat alert layer, however the property itself and the proposed extension would not be within the layer. If approved, a footnote would be added to the decision notice to provide the applicant with advice, should bats or evidence of bats be found during construction. This would accord with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were 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 which will require compliance with national standards.

There are no other matters for consideration.

6 - Representations

No representations were received.

7 – Conclusion

This application for the erection of a single storey rear, two storey side and two storey front extensions, part to create dwelling forming annex accommodation associated with 63 Houses Hill, Long Tongue Scrog Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Design SPD, the National Planning Policy Framework and other material considerations.

The cumulative impact of the proposed development would amount to disproportionate additions over and above the size of the original building, and so would constitute inappropriate development in the Green Belt and would

be detrimental to the visual amenity of the host dwelling. This is contrary to chapter 12 and 13 of the National Planning Policy Framework, together with part of policies LP24 and LP57 of the Kirklees Local Plan.

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 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.

Recommendation

Refusal

Decision Authorisation - Delegated Powers

Application Number: 2023/90330

Officer Recommendation: Refusal

Reasons for refusal

The proposed development, when considered cumulatively with previous extensions to the host building, would result in a significant increase in additional volume of over and above the size of the original building resulting in disproportionate additions and having a greater impact on the openness and character of the Green Belt. The proposed development would represent inappropriate development within the Green Belt as well as impacting on visual amenity for which no very special circumstances have been submitted to outweigh the harm to the Green Belt. The proposal therefore fails to accord with Chapter 12 and 13 of the National Planning Policy Framework, together with policies LP24 and LP57 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	(EX)002		01/02/2023
Block plans	(20)002		01/02/2023
Existing plans	(EX)001		01/02/2023
Proposed plans	(20)001	Rev. A	19/05/2023

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.

Concerns were raised with the agent regarding the scale of the proposal in relation to the original dwelling and the impact on the Green Belt and visual amenity. Amended plans were provided showing a reduction to the scheme which have been assessed.

Report Dated: 02/06/2023