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:	**2023/62/90927/W**
Site Address:	Holme Farm, Holt Head Road, Slaithwaite, Huddersfield, HD7 5TU
Description:	Erection of single storey side extension incorporating rooms within the roof space
Recommending Officer:	Lucy Taylor

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: 16-May-2023

Officer Report

Reference: 2023/90927

Location: Holme Farm, Holt Head Road, Slaithwaite, Huddersfield, HD7 5TU

Proposal: Erection of single storey side extension incorporating rooms within the roof space

Site Description

Holme Farm is a two-storey detached property located in Slaithwaite, Huddersfield. The property is constructed from stone and has a tiled gable roof. The building benefits from an area of garden amenity space to the rear and driveway amenity space to the front elevation.

Within the wider streetscene, the property is significantly set back from the fronting highway of Holt Head Road, with a long driveway leading up to the siting of the property.

The property benefits from a substantial seperation distance from neighbouring properties, given its rural location.

The site is located upon land classified as Green Belt within the Kirklees Local Plan.

Description of Proposal

Planning permission is sought for the erection of a single storey side extension, which would incorporate rooms within the roof space.

A site visit to Holme Farm revealed that the existing garage structure had previously been destroyed, leaving an open wall to the front elevation and no roof. The plans suggest that the proposed side extension is to replace the original garage, to accommodate the same footprint.

The extension would have a projection of 5.2 metres from the side elevation of the property and would have a length of 7.2 metres, set back from the

principal elevation by 3.7 metres. The maximum height of the extension would be 5.5 metres.

The external walls of the extension would be faced in matching natural stone and the gable roof would be infilled with matching natural slate tiles.

Windows are proposed to the front and side elevation, with a Juliet balcony also proposed to the side elevation at first floor level. In addition, roof lighting is proposed in the form of two velux windows in the front roof slope.

Within the interior of the property, the extension would function as a lounge to the ground floor and as a bedroom to the first floor.

History of Negotiations/Amendments Received
No negotiations took place, and no amended plans were sought or submitted.

Relevant Planning History

- **2008/92372** – Erection of conservatory. *Refused 2008.*

- **2009/91980** – Use of dwelling to operate private hire (2 cars). *Granted 2009.*

- **2021/91696** – Erection of two storey extension to side, partial demolition of existing garage and alterations to existing outbuilding. *Refused 2021 and appeal dismissed.*

- **2022/93989** – Certificate of Lawfulness for proposed erection of single storey side extension. *Approved 2023.*

It should also be noted that a formal pre-application was submitted for development at Holme Farm (2022/20911), under the following description of development: 'Pre application enquiry for the remodelling of and extensions to Holme Farm…'

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 and a site notice.

Final publicity date = 12th May 2023.

No representations were received.

Consultation Responses

Meltham Town Council – no comments received.

Policy/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).

The application site is located upon land classified as Green Belt within the Kirklees Local Plan.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP32 – Landscape
- LP51 – Protection and Improvement of Local Air Quality
- LP57 – Green Belt Extensions

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:
The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, 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 4 – Decision-Making
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places
- Chapter 13 – Protecting Green Belt Land

- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment

Assessment

The following matters will be considered as part of the assessment of the proposal –

1) Principle of Development
1) Green Belt
2) Impact on Visual Amenity
3) Impact on Residential Amenity
4) Impact on Highway Safety
5) Other Matters
6) Representations
7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district".*

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on the Green Belt, visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) Green Belt

When considering any planning application in the Green Belt, the National Planning Policy Framework (NPPF), within paragraphs 147-148, sets out that

inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and that local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149(c) of the NPPF, permits extensions to a building within the Green Belt, provided that it does not result in disproportionate additions over and above the size of the original building. Local Plan Policy LP57 reflects this and states that the cumulative impact of development proposals; of particular relevance to this scheme, LP57 sets out that:

a. *in the case of extensions 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;*
c. *the proposal does 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*
c. *the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.*

Further, the SPD (paragraph 2.11) makes reference to the Green Belt, stating that care should be taken to ensure that the design is sympathetic to countryside character, both on the building itself and in the treatment of any outside space.

The proposed extension to Holme Farm presents a total volume of approximately 159.12m^3 and is to replace the existing garage structure which has a total volume of approximately 144.14m^3. There are porch and a hall extensions to the existing dwelling which are of a minor scale. The volume of the replacement extension presents a percentage increase of 10.39% when compared to the current extent of built/previous garage at Holme Farm. Officers also note that the site has a Certificate of Lawfulness for the erection of a single storey side extension utilising Permitted Development Rights, meaning that a valid fallback position is present at Holme Farm. Furthermore, the single storey side extension benefiting from the Lawful Development Certificate (application 2022/93989), would have presented a total volume of approximately 173.25m^3, therefore greater in total size/scale than the extension proposed under this planning application. This application would represent a small total volume and give the valid and more harmful fallback position, it is considered that the extension would not appear visually disproportionate or result in the dominance of the original building being threatened.

When taking into account the visual appearance of the proposed works, combined with the previous alterations, the original building would still appear

dominant in size and appearance. It is considered that the extension would, on balance, appear subordinate to the original dwelling by virtue of its overall depth and height. In addition, it is important to note that the proposed extension would be considered to generally improve the overall appearance of the dwellinghouse, given the existing style and appearance of the garage at Holme Farm and would be less harmful than the fallback position.

Therefore, it is considered that the erection of the proposed extension would not result in disproportionate development and would constitute appropriate development in the Green Belt. The proposal is therefore considered acceptable in principle in accordance with Chapter 13 of the NPPF and Policy LP57(a) of the Kirklees Local Plan.

In addition, in line with Policy LP57(c), the proposal would not result in a greater impact on openness in the treatment of outdoor areas too.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-
- 'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'
- 'c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also 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.

LP24 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…'
- 'c. 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 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure

development is subservient to the host property and in keeping with the character of the locality.

Section 5.3 of the Council's House Extensions and Alterations SPD sets out specific guidance for side extensions, stating that *'Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch materials and detailing.'*

The proposed side extension at Holme Farm, to replace the existing garage structure, would generally be considered to have a positive impact upon the overall appearance of the dwellinghouse.

The proposed extension would project 5.2 metres beyond the side elevation of the host dwelling; therefore, it would not extend more than two thirds the width of the host property, in accordance with the design guidance as set out within the House Extensions and Alterations SPD. In addition, the extension would be significantly set back from the principal elevation, by 3.7 metres, and would be set down from the host roof pitch by 2 metres. For these reasons, the size/scale of the proposed extension is considered to be subservient to the host property of Holme Farm.

The extension would be finished in a material palette to match the appearance of the host property and the proposed windows would be in keeping with the architectural style of existing fenestration detailing at Holme Farm. The proposed Juliet balcony is considered to be an acceptable modern intervention.

Given the set-back position of Holme Farm from the fronting highway of Holt Head Road, the extension would not be overtly visible from public vantage points and therefore, would be acceptable in the context of the character of the wider streetscene.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and Key Design Principles 1 & 2 of the House Extension and Alterations SPD.

3) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *"…maintain appropriate distances between buildings"* and *"…minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 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 accordance with Key Design Principle 7 of the House Extensions and Alterations SPD, the proposal would not detriment the extent of outdoor amenity space at Holme Farm.

The only neighbouring property within relatively close proximity to the application site is Burr Farm and this property is set away from the application site by a substantial distance. Therefore, this distance, in conjunction with the principles of development proposed, mean that no undue impacts of overbearing, overshadowing or overlooking would be caused as a result of development.

For these reasons, the proposed development at Holme Farm is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

4) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Although it has been acknowledged that the previous garage would become living accommodation and an additional bedroom would be created, a very large driveway is located to the front of the property and therefore, the erection of the proposed extension is not considered to detriment highway safety with sufficient parking space retained at the property. In addition, the developments will not alter existing access to and from the property with regard to the adjoining highway. For these reasons, the proposal is considered to comply with Chapter 9 of the NPPF, policies LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

5) 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.

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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency.

A climate change statement was submitted as part of this application, which sets out the following:

- The proposal will accord with the current Building Regulations.
- Any existing materials will be re-used where applicable.
- New materials will be sourced locally.
- The extension will have low energy LED lighting throughout.
- The extension will partially envelope the existing building with a well insulated structure and will reduce heat loss from the host building.
- Permeable surfacing to the driveway and parking.
- The increase in the rainwater collection area is small so the proposal does not increase the risk of flooding on the site or elsewhere.
- Existing hedgerows to be retained or replaced where applicable.
- Construction labour to be sourced locally to avoid excessive journeys.

The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

6) Representations

No representations were 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: 2023/90927
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.

1. 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 with Policies LP1, LP2, LP3, LP21, LP22, LP24, LP32, LP51 & LP57 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 9, 12, 13, 14 & 15 of the National Planning Policy Framework.

2. 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 and be thereafter retained.
Reason: In the interests of visual amenity and to accord with Policies LP2, LP24 and LP57 of the Kirklees Local Plan, Principles 1 & 2 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan	-	-	24/03/23
Existing Floor Plans	2213-0101-P03	-	31/03/23
Existing First Floor Plan and Site Sections	2213-0102-P01	-	31/03/23
Existing Elevations	2213-0104-P01	-	31/03/23
Existing Elevations	2213-0103-P01	-	31/03/23
Proposed Elevations	2213-0703-P02	-	24/03/23
Proposed Elevations	2213-0703-P02	-	24/03/23
Proposed Floor Plans	2213-0702-P034 (Rev P04)	-	24/03/23
Proposed Floor Plans	2213-0701-P05	-	24/03/23
Planning Statement	-	-	24/03/23
Climate Change Statement	-	-	30/03/23

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with

the applicant in dealing with the application. No negotiations took place, and no amended plans were sought or submitted.

Report Dated: 15.5.23