

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:	2023/62/92449/E
Site Address:	Strines Lodge, Penistone Road, High Flatts, Huddersfield, HD8 8XU
Description:	Erection of single storey rear extension with internal and external alterations (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 22-Nov-2023

Officer Report

Reference No. 2023/62/92449/E

Site Address: Strines Lodge, Penistone Road, High Flatts, Huddersfield, HD8 8XU

Proposal: Erection of single storey rear extension with internal and external alterations (within a Conservation Area)

Site Description

The application relates to Strines Lodge, a two-storey detached property situated on Green Belt land in High Flatts, Huddersfield. The dwelling is faced in buff stone to the lower walls and blue/green cladding to the upper walls and incorporates a dual pitched roof finished in grey tiles. The property benefits from off road parking to the front, a car port, several outbuildings, and garden areas to the front, side and rear. The site is located within the High Flatts Conservation Area and is located in close proximity to a public right of way (DEN/74/20).

Description of Proposal

The applicant seeks planning permission for the erection of a single storey rear extension with associated internal and external alterations. The existing chimney and front canopy will be removed as part of the application. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed extension and external alterations.

The proposed works are summarised below:

- Single storey rear extension (projection approx. 7.1m, maximum height approx. 3.65m and eaves height approx. 2.42m)
- Covered entrance area
- Alter the green/blue cladding on the original build to vertical cedar cladding
- Alter the colour of the grey fenestration to black
- Alter the retained blue canopy to black
- Alterations to existing ramp access
- Installation of log burner flue
- Erection of new retaining wall along the western boundary
- Installation of 1.2m high fencing above the new retaining wall
- Installation of two roof lights above the entrance lobby
- New 1.1m high guardrail above the existing balcony
- Level access to the main entrance
- New grey metal deck roof

Relevant Planning History

- **2017/93931:** Works to TPO(s) 09a/95 within a conservation area. [Planning application details | Kirklees Council](#) – Granted

- **2017/91610:** Work to TPO(s) 09a/95. [Planning application details | Kirklees Council](#) – Granted
- **2015/91849:** Work to TPO(s) 09a/95 within a Conservation Area. [Planning application details | Kirklees Council](#) – Granted
- **2012/91467:** Erection of balcony (within a conservation area). [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2012/91399:** Erection of balcony (within a conservation area). [Planning application details | Kirklees Council](#) – Withdrawn - Invalid
- **2011/92328:** Erection of external balcony (within a conservation area) [Planning application details | Kirklees Council](#) – Refused
- **2003/90537:** Erection of detached double garage. [Planning application details | Kirklees Council](#) – Refused
- **99/92995:** Erection of agricultural building for the storage of livestock fodder and agricultural equipment. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **99/92132:** Erection of a general purpose agricultural building to house livestock, forage and farm machinery. [Planning application details | Kirklees Council](#) – Refused
- **98/90472:** Change of use and alterations to convert former guest house to one dwelling. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **94/93285:** Re-use of guest house as dwelling. [Planning application details | Kirklees Council](#) – Refused

Representations

The application was publicised by site notice, press advertisement and neighbour notification letters, which expired on 20th October 2023. As a result of the above publicity, no representations have been received.

Denby Dale Parish Council – No objections however concerns were expressed on whether the proposed building materials were appropriate for a conservation area.

Response: *Officers have assessed the impact of the proposed development on the Conservation Area within the ‘Visual Amenity’ section of the report.*

Consultation Responses

KC Conservation and Design – no objections

KC Trees – no objections subject to recommended condition

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 located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The site is also located within the High Flatts Conservation Area. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 33** - Trees
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** - The Extension, Alteration or Replacement of Existing Buildings

Supplementary Planning Guidance/Documents:

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- House Extensions and Alterations SPD (adopted 29th June 2021)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

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 14** - Meeting the Challenge of Climate, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment
- **Chapter 16** - Conserving and Enhancing the Historic Environment

Assessment

1. Principle of development

Impact on the Green Belt

The application site is located on land allocated as Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP Policy LP57 and Chapter 13 of the NPPF. The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. For extensions within the Green Belt to be acceptable, it is essential that they should not impact on the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Paragraph 2.11 of the House Extensions and Alterations SPD states that when considering any application, substantial weight will be given to any harm to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Paragraphs 149 and 150 of the National Planning Policy Framework states that certain forms of development are exceptions to 'inappropriate development'. One of these is 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.

In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal would introduce additional built development within the Green Belt which may have some effect on the character and openness. Although the proposed single storey extension would have a large projection, it would appear subservient in relation to the original dwellinghouse. Furthermore, given the size of the host property and its associated curtilage, it is considered that the effect on the Green Belt would be minimal. On this basis, it is considered that the proposed development would preserve openness and would constitute appropriate development in the Green Belt in accordance with Policy LP56 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

The application site is also located within the High Flatts Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires

that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is also mirrored in Chapter 16 of the National Planning Policy Framework and LP35 of the Kirklees Local Plan.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Impact on Visual Amenity and Historic Environment

Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state 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. Furthermore, Key Design Principle 2 of the SPD goes onto state 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 details.

Paragraph 130 of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

Single Storey Rear Extension

The proposed single storey extension would project approximately 7.1m from the rear elevation of the original build. The extension would be faced in timber cladding and would incorporate a dual pitched grey metal deck roof. Although the extension would project further than 4m, it would maintain a sense of space within the plot and would appear subservient in relation to the original dwellinghouse. Furthermore, it is considered that the property and its curtilage would support the extension without it appearing incongruous or amounting to overdevelopment. Therefore, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

The submitted plans also confirm that a canopy would be installed above the entrance area. The canopy would project approximately 2.9m from

proposed single storey rear extension. Although the canopy would be flush with the west facing elevation of the dwelling, it would be in keeping with the design and character of the original build and would be acceptable from a visual amenity perspective.

Velux Windows

The velux window proposed would be located above the entrance lobby. Given that the roof lights would be of an appropriate design and scale, they are considered to respect the appearance and character of the host property and wider street scene.

Alterations to Materials

The application also seeks to alter the material palette of the original dwellinghouse. The submitted plans confirm that the existing green/blue cladding on the upper walls of the original build would be changed to vertical cedar cladding. The existing grey roof tiles would be altered to a grey metal deck roof. Furthermore, the retained blue canopy attached to the front elevation of the property would be altered to black. Although the proposed works would alter the appearance of the host property, they are not considered to have a significant visual impact on the character and appearance of the host property and wider street scene and therefore would be acceptable in terms of visual amenity.

Alterations to fenestration

The existing fenestration within the north, east and west facing elevations would be altered as part of the application and all the openings would be replaced with new designs. Furthermore, the plans confirm that the existing grey windows would be changed to black. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build and wider street scene, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

Fencing, Retaining Wall and Guardrail

The plans confirm that a new retaining wall would be installed south of the ramp access with a fence measuring 1.2m high above. Furthermore, a new 1.1m high guardrail would also be installed to the existing balcony. Given that the proposed works would have limited visibility from public vantage points, it is considered that these elements of the proposal would not have a detrimental impact with regard to visual amenity and would be acceptable.

External Alterations

It is noted that the proposal seeks to create level access around the proposed single storey rear extension and make alterations to the existing

ramp. Given that these alterations would be of a domestic scale and would enhance accessibility, they are considered acceptable with regard to visual amenity.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

Impact on Historic Environment

Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 197 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- b) the desirability of new development making a positive contribution to local character and distinctiveness.

Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) is relevant, and requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area.

The application site lies within the High Flatts Conservation Area. As such, KC Conservation and Design were informally consulted on the proposed scheme. Officers did confirm that an extension within the internal corner of the building would have no impact on the character of the conservation area and cladding the building in natural cedar cladding would be an enhancement on the existing painted timber cladding. Whilst Officers did state that they would prefer traditional slates or tiles to be used for the roof covering rather than metal profiled sheet roofing, in this instance, due to the dwellings isolated location, this is considered acceptable. Therefore, for the

reasons outlined above, the proposed works are not considered to harm the heritage significance of the conservation area.

Summary

It is therefore considered that the proposed development would not cause any detrimental harm to the significance of the High Flatts Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of Section 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

The submitted plans confirm that the host dwelling is situated in an isolated location with the nearest residential property (Moor Royd Farm) located approximately 156m away from the proposed development. Given that the separation distances retained would be substantial, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

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 Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 111

of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal would create two additional bedrooms which would intensify the domestic use at the property. However, the plans confirm that at least three off street parking spaces would be retained on site which is considered to represent a sufficient provision for a six bedroomed dwellinghouse. Therefore, the proposed development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

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.

Public Right of Way

Although it is noted that public footpath DEN/74/20 runs along the southern boundary of the application site, due to the location of the proposed works, it is considered that there would be no impact upon the PROW's setting.

Trees

The site is heavily constrained by existing trees that are protected by a Tree Preservation Order (09a/95/w4) and are within the High Flatts Conservation Area. As such, KC Trees were formally consulted on the proposed scheme. Initially, Officers did confirm that further information would need to be provided to adequately assess the implications and effects of the development on the protected trees. An Arboricultural Assessment was therefore submitted to support the application. The document confirms that the proposal does require the removal of a tree that would have otherwise been worth trying to retain. The tree is not subject to a Tree Preservation Order and although having prospects, it seems from the Arboricultural assessment that it is mainly visible from vantage points within the application site. On this basis, KC Trees raised no objection to the proposed loss of tree subject to a condition for a replacement planting scheme to be agreed via condition. KC Trees have also recommended conditions for a

Tree Protection Plan and a detailed Arboricultural Method Statement to be agreed to protect the retained trees mentioned in section 4.5.

There are no other matters relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. Negotiations

No amendments were sought or received during the course of the application.

7. Conclusion

This application for the erection of a single storey rear extension with associated internal and external alterations at Strines Lodge has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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. As set out above, 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: 2023/92449

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP21, LP22, LP24, LP30, LP33, LP35, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The upper external walls of the original dwelling shall be faced in vertical cedar cladding with grey metal deck roof. The materials of construction shall thereafter be retained thereafter.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

4. The single storey rear extension hereby approved shall be faced in cedar cladding for the external walls with a grey metal deck roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

5. Development shall not commence until a tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. One Tillia Cordata at selected standard size is to be planted in the first available planting season following the commencement of the approved development. The new tree shall be rootballed or containerised as per British Standard BS3936 Nursery Stock and must be staked and tied in accordance with good arboriculturist practice. The approved scheme shall be retained and maintained for the lifetime of the development. If the new tree becomes diseased or dies within the first 5 years after the completion of planting, it shall be removed immediately after the disease/death and a replacement tree of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree.

Reason: This detail is required prior to development commencing on site in the interests of visual amenity and to accord with LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

6. Development shall not commence until a scheme detailing measures to protect the trees and/or other areas of vegetation indicated to be retained on the approved Tree Impacts Plan (Appendix 6 of Arboricultural Report & Impact Assessment, reference AWA5682) during the demolition, engineering and construction phase(s), has been submitted to and approved in writing by the Local Planning Authority. Details must include the type and location of tree protective fencing and the method of installation. Development shall not commence until the works comprising the approved scheme have been fully installed/completed. The approved measures must be retained throughout the demolition, engineering and construction phase(s) of the development. No

plant, equipment or materials shall be stored or placed within any fenced area at any time.

Reason: This detail is required prior to development commencing on site to protect to viability of the protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

7. Development shall not commence until an Arboricultural Method Statement, has been submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details of foundation design and how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: This detail is required prior to development commencing on site to protect to viability of the protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: Public footpath DEN/74/20 is located adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's Public Rights of Way unit may be contacted by telephone on 01484 221000. Public rights of way are based at Flint Street, Fartown, Huddersfield HD1 6LG and the email address is publicrightsofway@kirklees.gov.uk

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a

notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Existing Site Plan A1	T1168 - PL11	B	08/09/2023
Existing Ground Floor Plan A1	T1168 - PL12	-	08/09/2023
Existing First Floor Plan A1	T1168 - PL13	-	08/09/2023
Existing Elevations A1	T1168 - PL14	-	08/09/2023
Proposed Site Plan A1	T1168 - PL15	B	08/09/2023
Proposed Ground Floor Plan A1	T1168 - PL16	-	08/09/2023
Proposed First Floor Plan A1	T1168 - PL17	-	08/09/2023
Proposed Elevations A1	T1168 - PL18	-	08/09/2023
Supporting Planning and Heritage Statement	HPS 4722	-	15/11/2023
Arboricultural Report & Impact Assessment	AWA5682	-	24/10/2023
Climate Change Statement	-	-	08/09/2023

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter. The agent has agreed to the pre-commencement conditions.

Report Dated: 17/11/2023