

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:	2023/62/92883/E
Site Address:	The Kaye Arms, Wakefield Road, Grange Moor, Huddersfield, WF4 4BG
Description:	Erection of pitched roof timber framed entrance porch
Recommending Officer:	Katie Wilson

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: 29 January 2024

DELEGATED REPORT

Application Number	2023/92883
Location	The Kaye Arms, Wakefield Road, Grange Moor
Proposal	Erection of pitched roof timber framed entrance porch.
Publicity end date	N/A
Number of representations received	0
Kirklees Local Plan Allocation/Designation	Green Belt
Extension to Time (EoT)	Yes EoT Date: 31.01.24
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of Representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Practice Guidance (NPPG)

National Planning Policy Framework (NPPF) Sept 2023

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 13 – Protecting Green Belt land
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	n/a
Parish/Town Council comments sought	Yes	Confirmed “no comment”
Planning History	Yes	2016/94161 - Erection of raised decking with balustrade to the front elevation – conditional full permission 2007/92313 – Renewal of previous permission for the erection of dining room extension – conditional full permission 2002/91471 – Erection of dining room extension (modified proposal) – conditional full permission 99/90095 – Renewal of previous permission for the erection of dining room extension – conditional full permission
Consultations required	Yes	The Coal Authority – no objections

Assessment

Principle of Development

The application site is located within the allocated Green Belt on the Kirklees Local Plan (KLP). As such, the application needs to be considered in relation to Policy LP 57 of the KLP and chapter 13 of the NPPF.

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 providing it does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan 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 considered. 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.

The proposal relates to a replacement porch to the front of the existing building. The proposal would not result in a disproportionate addition over and above the size of the original building, and would accord with Policy LP 57 of the KLP and Chapter 13 of the NPPF.

Impact on visual amenity

The proposed porch extension would replace the existing porch. It is therefore opined that it would have limited impact upon the overall visual amenity of the host building.

Due to its small-scale, it would not appear overly dominant to the host building and the proposed materials and overall design are considered satisfactory.

The proposal is considered acceptable from a visual amenity perspective and would accord with policy LP24 of the KLP as well as chapter 12 of the NPPF.

Impact on residential amenity

Due to the location of the application site, along with the scale and position of the proposed extension, there would be no impact upon residential amenity.

As such, the proposal would comply with policy LP24 of the KLP.

Impact on highway safety

The extension would replace the existing porch extension and as such, would have no impact upon the existing parking and access at the site. As such, the proposal would have no undue highway safety implications and would comply with the aims of policies LP21 and LP22 of the KLP.

Other matters

Carbon Budget - Due to the small scale of the extension to an existing building, there are no special measures 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 (PROW) - Due to the position of the extension, which is replacing an existing extension, it would be no closer to the PROW's (KIR/38/10 and KIR/41/10) that are located within the wider site.

Coal Mining Legacy – The application site is within a high risk coal mining area however, due to the nature of the proposal, which is to provide a small-scale extension to the existing building with minimal excavations, the Coal Authority does not consider that a Coal Mining Risk Assessment is necessary in this case, and raises no objections to the proposal.

Representations, including Parish/Town Council comments:

No representations have been made as a result of the publicity. Whilst two public rights of way run along the side of the site (KIR/38/10, KIR/41/10), they would not be affected by the proposal, and as such, Officers did not consider it necessary to advertise the application to this effect in this instance.

Kirkburton Parish Council confirmed that they have 'no comment'.

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:

CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2023/92883

Officer Recommendation: CONDITIONAL FULL PERMISSION

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 accord with Policies LP01, LP02, LP21, LP22 and LP24 of the Kirklees Local Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Location Plan	1259-04		27 September 2023
Porch details as existing and proposed	1259-01		27 September 2023
Elevations as existing and proposed	1259-02		27 September 2023
Block Plan	1259-03		27 September 2023
Design and Access Statement			27 September 2023
Appendix A – Photographs			27 September 2023
Appendix B - Photographs			27 September 2023
Climate Change Statement			27 September 2023
Coal Mining Risk			27 September 2023

Plan Type	Reference	Version	Date Received
Assessment			

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/further information were sought during the course of the application.

Report Dated: 29.01.24