

**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:	2024/62/90958/E
Site Address:	587, Bradford Road, Oakenshaw, Bradford, BD12 7EJ
Description:	Erection of detached outbuilding for incidental use
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: 11-Sep-2024

Officer Report

Site Description

587 Bradford Road is a two-storey, semi-detached dwelling in Oakenshaw. The dwelling is finished in red brick at ground floor level and render at first floor under a pitched roof design. There is an outbuilding to the rear of the property which forms part of the original building. The site is located within a residential street with residential properties to the north and south.

The property is allocated within the Green Belt in the Kirklees Local Plan and, although adjacent to residential dwellings, there are open fields to the east and west of the site which characterise the Green Belt.

Description of Proposal

The applicant is seeking permission for the erection of a detached outbuilding associated with 587 Bradford Road.

The proposed outbuilding would be located in the most westerly point of the application site, at the end of the garden area. It would be 12m deep and 10m wide with a pitched roof design measuring 3.8m to the eaves. It would be finished in brick to match the existing house.

History of negotiations/amendments received

No amended plans were sought or provided.

Relevant Planning History

2014/90835 Outline application for erection of one detached dwelling. Withdrawn.

2024/91534 Erection of single storey rear extension and associated alterations. Pending determination.

Representations

The application was advertised by neighbour letter and online. Final publicity expired 3rd June 2024.

No representations were received.

Consultation Responses

No consultations 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
- **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 December 2023, 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 and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 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 in the Kirklees Local Plan. The proposal is for the erection of an outbuilding. The proposed outbuilding would be located within the curtilage of, and would be ancillary to, 587 Bradford Road so for the purposes of this application would be considered an extension to no.587.

Paragraph 154 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 (sub-paragraph c).

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 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.

As defined in the NPPF glossary, the original building is “a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.”

In this instance, the application site comprises a two-storey, semi-detached dwelling with large amenity space to the rear. There is an outbuilding to the rear of the dwelling which is apparent on the 1933 historic mapping and therefore it is considered to form part of the original building. The host dwelling does not appear to have been otherwise extended although it is noted that there is a planning application pending for a single storey rear extension.

The proposed outbuilding would be large in scale with a volume of ~372m³. It is noted that the existing outbuilding would be demolished as part of the proposal.

The proposed development would be a significant addition to the property which would cover a floor area 25% larger than the original dwelling. Although no volume calculations have been provided, officers have calculated that the proposal would result in a volume addition of approximately 46% when taking into consideration the demolition of the existing outbuilding. It would be a 62% addition if the existing outbuilding remains.

Although it is noted that the proposed outbuilding would be single storey, the scale and massing of the proposed development would be disproportionate to the host dwelling and thus would result in harm to the Green Belt land. This is without taking into account the live planning application for a single storey rear extension (2024/91534).

To extend the property at this scale 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 Local Plan, 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 House Extensions and Alterations SPD reflect the above.

Section 5.6 of the House Extensions and Alterations SPD outlines the requirements for outbuildings. Paragraph 5.30 states that Outbuildings should:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;
- be set back behind the building line of the original building so that they do not impact on the street scene; and
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.

As outlined in the principle of development section of this report, the proposed outbuilding would be large in both footprint and volume and would result in a significant addition to the host dwelling, even when taking into consideration the demolition of the existing outbuilding. This is without taking into account the live planning application for a single storey rear extension (2024/91534). The proposal is therefore not considered subservient to the original building and would result in a disproportionate addition to the host dwelling, at the detriment

of visual amenity and failing to comply with the House Extensions and Alterations SPD. The proposal would be set behind the building line of the original building and would not cover more than 50% of the total garden space.

The proposal would be in keeping with the existing dwelling in terms of materials and the design.

Having taken the above into account, the scale of the proposed outbuilding would be disproportionate to the scale of the original building and would not be subservient to the host dwelling. This would be at the detriment 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 SPD and the aims of chapter 12 and 13 of the National Planning Policy Framework.

3 – Impact on residential amenity

The proposed outbuilding would be set adjacent to the boundaries of 583 and 589 Bradford Road however due to the size of the gardens; the outbuilding would remain ~37m from the nearest neighbour property. It is therefore considered that no significant harm would be caused to the amenity of any neighbouring occupants as a result of the proposed development.

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 135 (f) of the National Planning Policy Framework.

4 – Impact on highway safety

The proposed outbuilding would be used as a games room/sitting room so would result in the intensification in the use of the property. This being said, the property has a large driveway to the front of the dwelling so 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 Extensions and Alterations SPD.

5 – 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.

There are no other matters for consideration.

6 - Representations

No representations were received.

7 – Conclusion

This application for the erection of an outbuilding at 587 Bradford Road, Oakenshaw 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 proposed development would appear competitively large relative to the host and 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 and character of the Green Belt. This is contrary to chapters 12 and 13 of the National Planning Policy Framework, together with part of policies LP24 and LP57 of the Kirklees Local Plan and the House Extensions and Alterations SPD.

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: 2024/90958

Officer Recommendation: Refusal

Reasons for refusal

1. The proposed development would compete in scale with the host building and amount to disproportionate additions over and above the size of the original building, resulting in a detrimental reduction in openness of the Green Belt constituting inappropriate development and harm to visual amenity of the host dwelling and character of the Green Belt. No very special circumstances have been submitted to clearly outweigh the harm caused by reason of inappropriateness or other harm. This is contrary to chapters 12 and 13 of the National Planning Policy Framework, together with part of policies LP24 and LP57 of the Kirklees Local Plan and the House Extensions and Alterations SPD.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			24/04/2024
Existing Block Plan	587BradfordRoadExistingBlockPlanV1	01	24/04/2024
Proposed Block Plan	587BradfordRoadProposedBlockPlanV2	02	24/04/2024
Existing Ground and First Floor Plans	587BradfordRoadExistinggroundAndFirstFloorPlansV2	03	24/04/2024
Existing Second Floor and Roof Plan	587BradfordRoadExistingSecondFloorAndRoofPlanV2	04	24/04/2024
Existing East and North Elevations	587BradfordRoadExistingEastAndNorthElevationsV2	05	24/04/2024
Existing West and South Elevations	587BradfordRoadExistingWestAndSouthElevationsV2	06	24/04/2024
Existing Site Plan	587BradfordRoadExistingSitePlanV2	07	24/04/2024
Proposed Ground and First Floor Plans (main house)	587BradfordRoadProposedgroundAndFirstFloorPlansV2	08	24/04/2024
Proposed Second Floor and Roof Plan	587BradfordRoadProposedSecondFloorAndRoofPlanV2	09	24/04/2024
Proposed East and North Elevations	587BradfordRoadProposedEastAndNorthElevationsV2	10	24/04/2024
Proposed West and South Elevations	587BradfordRoadProposedWestAndSouthElevationsV2	11	24/04/2024
Proposed Site Plan	587BradfordRoadProposedSitePlanV2	12	24/04/2024

Long Section	587BradfordRoadLongSectionV2	13	24/04/2024
Outbuilding Plan and Roof Plan	587BradfordRoadOutbuildingPlanAndRoofPlanV2	14	24/04/2024
Outbuilding Elevations	587BradfordRoadOutbuildingElevationsV2	15	24/04/2024
Design and Access Statement			24/04/2024

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.

As the agent has not been forthcoming with additional information, it is not considered necessary to request amendments to the proposed scheme. The proposal is therefore assessed based on the submitted information and is considered unacceptable.

Report Dated: 18/06/2023