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:	**2024/62/91172/W**
Site Address:	1-2, Broadfields, Slaithwaite, Huddersfield, HD7 5UD
Description:	Erection of single and two storey extensions, replacement garage and associated works
Recommending Officer:	Tom Hunt

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.

John Holmes

AUTHORISED OFFICER

Date: 25-Jun-2024

Officer Report

Site Description

2024/91172 – 1-2, Broadfields, Slaithwaite, Huddersfield, HD7 5UD

1-2 Broadfields is a detached two storey dwellinghouse located in a semirural area located in the Green Belt approximately 750 metres south of Slaithwaite village centre.

The building sits with a small number of other dwellinghouses in a wider area of open fields interspersed with other dwellings. The west elevation of the building fronts directly onto the highway whereas the east elevation of the building faces reasonably sized amenity space. A double garage and timber outbuilding are sited on the eastern boundary of the property.

The dwellinghouse is largely two storey and flanked by two single-storey projections to the north and south. The west and east elevations are pebble dash render with north and south gable walls rendered and painted. Both single storey projections are pebble dash rendered. The roof of the two storey and north single storey parts of the building are covered with brown pantiles. The south single storey projection covered with corrugated steel sheets.

A Public Right of Way (ref: COL/121/40A) runs along the north boundary of the site. A two-storey neighbouring dwellinghouse is sited directly to the east of the boundary with two, two storey dwellinghouses located across a driveway to the south. The site is within a cluster of rural vernacular buildings and associated buildings of predominately linear form and roof designs broadly aligned with this form. Some of those buildings are Grade II Listed. The immediate setting is surrounded by groupings of mature woodland on a hillside falling from west to east; those trees provide a sense of privacy to the properties from long distance views.

Description of Proposal

Erection of single and two storey extensions, replacement garage and associated works

All figures are in metres and are approximate. Of note, a granted Certificate of lawfulness (application: 2023/92496) was issued lawfully confirming that the west elevation is the original front elevation of the host. As such, the east elevation is regarded as the original 'rear' elevation.

An existing detached garage and garden room would be removed from the site.

It is proposed to have a first-floor side extension with a hipped roof ridge and eaves set below the host at the north end and set back 0.2m from the rear/west elevation. The existing footprint of the single-storey side extension would be altered to be set back 0.2m as well. This would be faced in natural stone and roofed with grey slate. It would have a large window to the first floor on the west elevation and two standard windows and one solid door to the north elevation at ground floor. The north roof plane would have two rooflights.

From the north end's first floor extension, there would be a new two-storey rear extension introducing a cross gable roof form, set down 0.4m from the host and the same eaves height as the host, extending eastwards to finish with a gable end frontage. This would extend 4m from the rear elevation and be 6.35m width. This would be roofed in grey slate.

From the two-storey rear extension's rear elevation, there would be an additional single storey rear extension extending eastwards. It would project 6.5m, be 6.4m width and have an overall roof ridge height of 4.1m with eaves at 2.7m height from ground level. To the rear of the extension, a 4m flue would be positioned centrally towards the rear at the gable end finishing 0.9m above the ridge. This would be roofed in zinc

The ground storey of the two-storey and single storey rear extension would be faced in timber cladding at the rear elevation and partially to the south elevation; the north elevation of both and the first floor of the rear elevation of the 2 storey extension would be in natural stone. There would be one significantly sized window installed to the first floor of the 2 storey extension and one high horizontal window installed within the single storey extension at the north elevation. To the rear, both extensions would have large, glazed sections extending from ground to the roof to their rear and south side elevations.

From the two-storey rear extension's south/side elevation, there would be an additional two-storey extension with a catslide roof continuing from the extension's eaves. This would project 2.5m from the rear by 1.7m width and have its eaves finish at 3.4m above ground level. The roof would have overhanging eaves. This would be wholly glazed with grey slate. This is described to be a vestibule.

The host's west elevation is to have additional windows inserted of varying forms. The single-storey side projection at south elevation would have three

new vertical windows. At the east elevation of the host, the fenestration would remain unaltered.
The pebbledash render is to be removed with the original natural stone revealed on its west, south and east elevations with pointing; in areas where the stonework is deteriorated, this is to be rendered with buff render to closely match the stonework. The host's interlocking brown pantile tile roof would be replaced with grey slate.

Whilst the existing ground floor plan is not provided with designations, this would serve a studio, living room, games room, utility and pantry with W.C within the host and an extended kitchen/dining/sitting space within the extension at ground. To the first floor, there would be three double bedrooms, ensuite, bathroom and dressing room within the extended host and a main bedroom to the rear extension. This would not add more bedrooms to the property. Overall, the scheme would change the plan form of the host from linear to L-shaped bringing most of its 1.5-2 storey development's massing 1.7m closer to the PROW.

The proposed single storey garage would have a flat roof and be set against the boundary at the southeast corner. It would be mostly of squared plan form with a splayed edge to the southeast and would have the dimensions of:

> 7.7m depth x range in 7.2m-10m overall width and 3m height measured from ground level.

This would be cedar timber clad with two garage doors on its west elevation and one door to its north elevation only. Internally it would offer parking sufficient for two vehicles.

History of negotiations/amendments received

None.

Relevant Planning History

2023/92496	Certificate of lawfulness for proposed erection of rear extension and garden room/gym. *Granted*

Officer Note: This confirms an established Permitted Development Rights fall-back that the applicant could add 1,225m^3 to the host lawfully through a two-storey rear extension with two gable end roofs and an pitch roofed outbuilding for incidental use. This would be finished in pebbledash and roof tiles to match the host building. The other outbuildings would be retained.

2022/92520	Erection of single and two storey extensions, replacement garage and associated works. *Refused for the following reasons:*

1. The proposed quantum of development in relation to the original dwelling would be a disproportionate addition which constitutes inappropriate development within the Green Belt. Very special circumstances have not been identified to clearly outweigh the harm to the Green Belt. The development would therefore be contrary to Policies LP2 and LP57 of the Kirklees Local Plan and policies within chapter 13 of the National Planning Policy Framework.

2. As a result of their design, massing, glazing, material, scale, prominence and proximity to a public right of way the proposed extensions would not be of a subservient design and would appear as an incongruous, dominant and discordant addition to the original dwelling which would have a harmful impact upon the character and appearance of the host dwelling, and wider countryside setting. The development is therefore considered to be contrary to Policies LP2, LP24(a) and (c) and LP32 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

3. As a result of the design, massing, glazing, material, scale, prominence and proximity to Listed Buildings the proposed extensions would have a harmful impact upon identified heritage assets leading to less than substantial harm to the setting of the Listed Buildings. There are no identified public benefits to clearly outweigh the identified less than substantial harm. The development would be contrary to Policies LP2, LP24, and LP35 of the Kirklees Local Plan, policies within Chapter 12 and 16 of the National Planning Policy Framework and incompatible with the Council's duties under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

Informal pre application advice was provided post refusal.

Whether the reasons for refusal have been overcome is a material consideration to the determination of this application and discussed in the 'Assessment' section of this report.

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, site notice and press publicity which had a final expiry date of 03/09/2022.

No representations have been received.

Consultation Responses

The following is a brief summary of Consultee advice on the previous design (more details are contained in the Assessment section of the report, where appropriate). Previous consultations were undertaken as part of the previous similar application but are considered relevant to the consideration of this proposal

- Conservation & Design – Concerns raised. It is noted the scheme has since been amended.

- KC Policy – Advice provided relating to Green Belt considerations

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 in the Green Belt on the Kirklees Local Plan. It is within the setting of Grade II Listed Buildings nearby; known as the Barn to Broadfield Farm Tanners (No's 5-6) and Grade II Broadfield Farmhouse Tanners (No's 3-4). The Farmhouse and Barn is located to the immediate south and south east of No's 1-2. No.7 while not being independently listed is curtilage Listed.

It is within a Bat Alert layer, and close to the Kirklees Wildlife Habitat Network.

It is not within a Coal risk area for development and is not within an identified risk area for historic gas and landfill. It is within Flood Zone 1. A PROW runs along the north boundary of the site.

Kirklees Local Plan (LP):

- LP 1 – Presumption in favour of sustainable development
- LP 2 – Place shaping

- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 28 – Drainage
- LP 30 – Biodiversity & Geodiversity
- LP 32 – Landscape
- LP 35 – Historic Environment
- LP 57 – The extension, alteration or replacement of existing buildings

Supplementary Planning Guidance and other considerations

- Highways Design Guide SPD
- House Extensions and Alterations SPD (2021)
- Waste Management Design Guide for New Developments (Oct 2020, v.5)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)
- Institute of Air Quality Management Land-Use Planning & Development Control; Planning for Air Quality (2017)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Planning (Listed Building & Conservation Areas) Act (1990)

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 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful 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
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity and heritage amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters – e.g. trees/ecology
5) Representations
6) Conclusion

1 – Principle of development:

1.1 Sustainable Development

Policy LP1 of the Local Plan states that when considering development proposals, the council will take a positive and proactive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP2 sets out that all development proposals should seek to protect and enhance the qualities which contribute to the character and identity of these places for placemaking. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district".* LP32 requires proposals to be designed to take into account and seek to enhance the landscape character of the area considering in particular the setting of settlements and buildings within the landscape.

Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, have been used as a guide in considering the proposal's visual amenity impact on the streetscene and host.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 Green Belt

The site is within the Green Belt. The general principle of extending and making alterations to a property within the Green Belt are assessed against Policy LP57 of the Kirklees Local Plan and national policy within Chapter 13 of the NPPF.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt (paragraph 143), the most relevant in this case being:

"c) to assist in safeguarding the countryside from encroachment"

as it is in the countryside. It is acknowledged that the site is not within a historic town for the purposes of 143d) of the NPPF, but does have Grade II Listed Buildings nearby which are assessed separately.

Policy LP57 of the Kirklees Local Plan mirrors the view of the NPPF by stating at LP57a) that the original building should remain the dominant element in

size and overall appearance in relation to extensions. Relevant to the proposal, LP57b) that the replacement building must be in the same use and not materially larger than the building it is replacing, with further extensions to have regard for the character and scale of the original building. LP57c) states that proposals must ensure that they do 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. LP57d guides Officers to ensure that 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.

The original building, as shown on historic survey maps in 1955, on the balance of probabilities appears to be as existing described as a two-storey main dwelling in the centre flanked by a single storey lean-to at either end. This is a traditional feature of this type of dwelling in the semi-rural setting. The detached outbuildings within the garden were not present and therefore are considered un-original for the purposes of determining the original building as it existed on 1 July 1948 under Green Belt local and national policy.

Is it appropriate development in the Green Belt?

It is acknowledged that the proposal would have a substantial quantum of development to the original host building with a significant cumulative volume increase. To support the proposal's lesser impact, an application for a Certificate of lawfulness (ref: 2023/92496) lawfully established that the Permitted Development Rights fall back position would have a cumulative volume increase of 1,225m^3 which would be greater than the proposal's own additional volume by a modest amount.

As previously mentioned, the proposal would substantially alter the original linear plan form for a L-shaped dwellinghouse. The host would be roofed in grey slate, have its original natural stone revealed and would have its west elevation facing the roadside with an assortment of windows.

The proposal would add a first storey side extension with some minor degree of subservience as demonstrated by its marginal set back at the rear and to add a hipped roof with a set down ridge height. It seeks to harmonise with the host by using natural stone to its elevations and to be roofed in grey slate. This would appear to add a further roof form complicating the original design of the host, adding more bulk and massing to the roadside.

It would also have two-storey and 1.5 storey rear additions of significant width which would substantially obscure the east elevation of the property and dominate this elevation with substantially protruding roof forms. The impact of those extensions is marginally mitigated by their reduced rooflines to the host. Whilst the rear extensions would appear marginally narrower in width than the host, the excessive protrusions eastwards would dominate the original form in bulk and massing and distort its original character and appearance as a rural farmstead. As such, the host would no longer be the dominant element.

The rationalisation of the two detached, single-storey outbuildings into one garage would increase a limited sense of openness within the site however this would not significantly counterbalance the proposed additions to the host.

As such, the proposal would be a disproportionate addition to the host building, similar to the identified fall-back position within the Certificate of Lawfulness.

The impact of the proposal on the openness of the Green Belt and on the character and appearance of the area

Whilst the works would represent inappropriate development, for completeness, the impact on openness needs to be considered. Paragraph 19.25 of the Local Plan states *"Disproportionate additions will be deemed to be those where the original building is no longer the dominant element and this will be not be judged solely on whether the extension is visible from public vantage points such as roads or footpaths. Just because an extension is not visible from a public vantage point does not make it acceptable as any built form impacts on openness*."

Considering the locality, the other buildings in the vicinity are considerably separated from the host eastwards (no.7 Broadfields) or appear as one storey design with their catslide roof (no.s 5 and 6 Broadfields. The two-storey buildings are otherwise separated south partially screened by no.s 5 and 6 as the land falls from west to east. There are driveways in between the properties which, associated with the one storey building development, appear to give the impression of a very open setting with characterful views of the Green Belt setting. The host appears strongly in isolation and dominant adjacent to the highway and next to the PROW, as such this is in a prominent position. The locality's architecture is strongly influenced by its rural setting with use of materials and built form set against its hillside.

The proposed development would be to the side of the host and to the rear with a detached outbuilding set to its southeast boundary. The first-floor side extension would add a degree of built-up form and new roof form to the host distorting the original building's symmetry and design. The two storey and single storey rear extensions would introduce a lesser quantum of built development visible from the highway when approaching from the north and south on Tanners Road with an additional sense of increased enclosure and therefore limiting views from the highway, PROW and locality thus encroaching into the Green Belt.

As previously mentioned, the proposal would have a dominant addition to the host as demonstrated by its additional bulk and massing, substantial alteration of its linear plan form, and significant rear extensions of similar width to the host.

Compared to the previously refused scheme, the design would have a lesser quantum of development as demonstrated by its reduced and subservient rooflines to the host. It would also achieve a greater degree of harmonisation

with the host and its setting by the use of grey slate to the roof and natural stone to the north elevation. The use of zinc to the one storey rear extension's roof would appear as a secondary material and be relatively of low visibility in the locality; the previous design had the use of zinc as a more dominant and visible material appearing to uncomfortably juxtapose with the host and its setting.

The timber cladding and expanses of the urbanising glazed sections to the rear and south elevations of the two-storey and 1.5 storey rear extensions are modestly screened from the roadside view by the host's and the additions' own bulk and massing. The timber would silver over time to resemble a simple architectural finish and compared to the previous design, are more limited to screened elevations of the host. The exposure and repointing of the natural stone elevations would allow the host to appear more in keeping with the natural stone appearance of its setting however this could be achieved without planning permission and be of limited weight.

As such, the proposed resultant development with exposure of natural stone walls, use of slate and reduced use of secondary materials, and reduced architectural forms would appear to have a lesser visual impact to the spatial and visual openness of the Green Belt compared to the fall back position.

Are there other considerations that would be clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harm?

As addressed above, paragraphs 152 and 153 of the NPPF state that should development be considered harmful, very special circumstances to allow the development must be demonstrated to clearly outweigh by other considerations. The NPPF does not define those very special circumstances however Officers take into consideration whether the proposal would have an improved design over the existing arrangement, the law and any public benefits amongst others when taking this into the planning balance.

The proposal is supported by the established fall-back position setting out potential limits to additional volume under Permitted Development Rights to support the current proposal under very special circumstances. The scheme aims to create a balance between modernity and the rural vernacular by confining its modern features to an area of relatively low impact towards the rear and to present a traditional finish to the north elevation as demonstrated by its use of traditional materials. It would be of lesser volume and would not entirely obscure the rear elevation of the non-Listed Building compared to the established fall back position and therefore Officers have to give this some weight.

Indeed, the fall-back position would have a more limited form of traditional development with a twin gabled two-storey extension projecting 3m from the original rear, leaving the single-storey side projections either side and clad in pebbledash render and tiled to wholly match the host. In additional the fall back establishes that there could be a single-storey, detached outbuilding

protruding further east into the garden spatially and visually encroaching into the Green Belt.

Compared to the fall back position, the proposal would have a reduction in enclosure, would leave its rear elevation partially revealed and have a lesser increase by volume, bulk and massing with less visual impact on the original character and design of the host, views and its setting.

In a very finely balanced judgement, considering the proposal's design demonstrating a reduced impact to the Green Belt compared to the established lawful fall back position's greater harm to the Green Belt, it could be considered that 'Very Special Circumstances' exist that clearly outweighs harm in order to accept the present scheme.

As previously mentioned, the proposed resultant development with exposure of natural stone walls, use of slate and reduced use of secondary materials, and reduced architectural forms/volumes would appear to have a lesser visual impact to the spatial and visual openness of the Green Belt compared to the fall back position. The previous reason for refusal has been overcome seeking to minimise its visual impact within the Green Belt setting with a more sensitive design.

As such, in this case very special circumstances must be present to outweigh the harm (and any other harm) of the proposed development. The previous refusal identified other harm (visual impact and impact upon a listed building). As set out in section 2 of this report this harm is considered to have been overcome through the redesign of the scheme.

It is therefore considered that, having regard to the amended design, and the pd fall back position which exists (and fact the pd works would be on the location of the proposed development) subject to condition removing permitted development rights it is concluded that the condition, established fall back and redesign of the scheme cumulatively constitute very special circumstances that outweigh the harm by reason of inappropriateness and other harm identified within the previous scheme.

As such, the proposal would therefore be considered inappropriate development in the Green Belt, however Very Special Circumstances have been identified, demonstrating how it would clearly outweigh the harm to the Green Belt and be compliant with Chapter 13 of the NPPF.

1.3 – Heritage
The site is located near to a group of Grade II Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In addition, Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment support the Act.

Furthermore, LP35 states *"development proposals affecting a designated heritage asset…should preserve or enhance the significance of the asset. In cases likely to result in…harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring…public benefits that clearly outweigh the harm".* This is mirrored in paragraph 208 in Chapter 16 of the NPPF.

Paragraph 203 goes on and states that Local planning authorities should consider:

> *"the desirability of sustaining and enhancing the significance of heritage assets… the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and; the desirability of development making a positive contribution to local distinctiveness"* when determining these applications.

An analysis of whether harm to the significance of these heritage assets would occur will be assessed and discussed later in the report.

2 –Impact on visual amenity:
In terms of visual amenity, general design considerations are set out in Policy LP02, LP24 and LP35 of the Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, and Chapter 12 and 16 of the NPPF, which seeks to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, respecting and enhancing the character of the townscape, heritage assets and protect amenity. LP24 also requires extensions to be *"subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details"*.
Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
Relevant to this is the Kirklees House Extensions and Alterations SPD 2021, which aims to ensure future development of extensions and alterations is of high-quality design.
Side Extension
Paragraphs 5.15-5.16 of the SPD (page 28) relate in general to proposed side extensions to have those be located and designed to minimise its impact in the locality and to reflect the design of the host in roof style, pitch, materials and detailing.

Specific to first-floor side extensions (pages 29-30), paragraphs 5.21-5.22 advise that they should appear visually smaller than the host with a roof design following the form of the existing roof form and a setback of 0.5m from the primary elevation. Seek to avoid risk of terracing and retain external rear access to gardens by having a 1m gap to boundary.

As previously discussed, the proposal would appear visually smaller as demonstrated by its set back and set down roof ridge height to the host. This, with its introduction of a roof form to the host would appear to lead to a contrived and complicated fussy design conflicting with the simple linearity of the host at front. In this limited instance within its rural setting, this design could be acceptable as it would broadly comply with the SPD and would reflect the organic built development of the area.

The additional fenestration to the west and north elevations would appear to be visually of low impact and therefore not harmful to the host. Overall, the proposed first floor side elevation would therefore have some conflict with the SPD and would erode the original main body of the host as the dominant element and its simple vernacular character and design.

Rear Extensions

Paragraphs 5.1-5.10 of the SPD (pages 23-25) provides specific advice on rear extensions and single-storey rear extensions which is used as a guide for the two-storey rear extensions and the associated one storey rear extension. Generally, they should preserve an external passageway to the rear garden, a garden of reasonable size, be set behind the original building and use appropriate similarly matching materials to the host. They should also respect the original house and garden in terms of its size and scale;

The proposal would retain a garden of proportionate size and external access compliant with the SPD. The proposal would be in conflict with guidance to have the rear extension set behind the original building and Officers would prefer the rear extension to be limited to the rear elevation of the host to retain the existing openness of the locality and to reduce the bulk and massing of the overall design as much as possible. As such, this would appear to distort the original character and design of the host with a greater overbearing massing of built form adjacent to the highway without the benefit of a defensible space to relieve this impact.

Cumulative size and scale will be assessed after the following.

The SPD provides design guidance on two-storey rear extensions under paragraphs 5.8-5.10 (page 25). They should:

- not project out more than 4 metres for detached properties;
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre;

The proposed two-storey rear extension would comply with those.

The SPD provides design guidance on single-storey rear extensions under paragraphs 5.5-5.6 (page 24). They should:

not exceed 4 metres in height;

not project out more than 4 metres for detached properties;

where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposed single-storey rear extension would comply with those.
Turning to whether the cumulative extensions would be of appropriate scale and style, they would comfortably exceed the limits of the SPD at 10.5m from the rear elevation creating a dominant addition. The SPD notes that *"Larger extensions may be acceptable in certain circumstances if this can be justified, such as where neighbouring houses have already been extended, and will be considered on a case-by-case basis."*

The property sits within a cluster of properties of varying scales. It could be considered that the 'bulk' of the property would be screened from the roadside at the rear minimising its visual impact. It would be of an approximately similar layout to no.s 3-4 Broadfield Farm and be separated far enough from neighbours to not cause overbearing issues. Whilst no extensions of this size have been supported locally, in this very limited instance, the proposal could be acceptable.
Turning to whether it would be of an integrated style, including materials, to the host. The large sections of glazing introduces a strongly urbanising and modern feature to the host and would be entirely out of character with the rural vernacular of its setting. The scheme aims to limit this impact by restricting this to the rear and south side elevations and to have traditionally used materials to the roadside/west and north elevations.
The use of zinc as a secondary material limited to the roof of the single storey extension would appear as a standard industrial/agricultural material and visually of low impact. The proposed timber is confirmed to be left to silver over time which would add a pleasing rustic patination to the host and be more closely typical of its setting. In combination, the overall effect of the proposed fenestration and materials would appear modestly balanced within its setting allowing the host's own natural stone elevation to appear as the dominant material.
Garage
The proposed garage is subject to guidance set out in the SPD under paragraph 5.29-5.30 (page 33). Officers are guided to have those to be subservient in footprint and scale to the host, complementary in style, shape and the features of the host, set back behind the building line to minimise impact on the streetscene and to retain adequate private amenity space.
The proposal would replace two smaller existing outbuildings of dilapidated form and would appear of subservient footprint and scale to the host. The design of the outbuilding would appear oddly formed with the splayed corner creating a greater impression of bulk and massing with its parapet roof detail and vertical timber cladding in its exposed setting compared to a more conventional design. However it would be sufficiently set back from the highway and host so as to not appear dominant and therefore acceptable.

Host alterations

The modifications to the fenestration of the west and south elevations are low impact, visually arranged particularly to the west elevation to appear characteristic of a rural vernacular and be acceptable. The removal of pebbledashed render to the elevations would reveal the historic stonework with new pointing and it is proposed that for some particularly deteriorated sections, the use of buff render could be used. Officers consider that on balance this would be acceptable subject to being pointing being tamped flush with the stonework, render conditioned to closely match the colour of stonework and be lime render for visual and heritage amenity. The roof would have its concrete interlocking tile to be replaced with grey slate, visually this may be more in keeping with the rural vernacular materials than existing and be more in keeping in terms of visual and heritage amenity.

Heritage

The Design and Access Statement contends that *"the listed barns sit behind a large stone wall and are well screened from the dwelling and application site"*. Officers would have to respectfully disagree with this assessment as the south stone boundary wall to the driveway adjacent to the Listed buildings appears to be of a height up to ~2m from sloping ground level and as such would have very minimal screening effect for the two-storey extension.

The proposed modern glazing, materials and design would cause less than substantial harm to the setting of the Listed Buildings which are not mitigated by the more traditional appearance at the west and north elevations as this effect is screened from those Buildings. As such, Officers are guided to consider whether there are sufficient public benefits to clearly outweigh the harm under local and national policy. In this instance, the rationalisation of poor quality outbuildings, the re-exposure of the historic stonework by removing poor quality render and the use of natural grey slate would be of visual benefit to the locality and heritage assets by removing visual clutter and a more integrated appearance to the two-storey host and extension. The L-shaped plan would not appear excessively unusual in its setting considering the similar arrangement of no. 3-4. The one storey extension would be of a low enough profile to not appear excessively intrusive to the setting of the Listed Buildings. In a very finely balanced judgement, Officers accept that the impact on heritage amenity could be outweighed by the harm identified and could be supported under Kirklees Council duties under policy or legislation to preserve or enhance the setting of the Listed Buildings.

Public Right of Way and Landscape

In consideration of the development's visual impact to the adjacent PROW COL/121/40, the PROW is partially screened by a stone wall and is on land falling from west to east, the pathway is on lower ground to the application site and the two-storey element is clearly visible from the PROW. The host's main bulk and massing is separated by the single-storey side extension giving some visual relief from overbearing. The proposal would have a first-floor side extension and two-storey and one storey rear extensions closely adjacent to this PROW separated by 1.7m; this impact has been reduced by lower roof lines adjacent to the PROW who are currently used to the existing openness.

The traditional appearance of the design from the PROW would not appear incongruous and be therefore acceptable.
Addressing previous reasons for refusal, the proposed extensions would be of a lesser scale to be more subservient to the host and to appear of a more harmonised appearance as demonstrated by natural materials and limited use of modern materials in keeping with its countryside setting and nearby Listed Buildings.
Nonetheless the scale of the proposed development leads Officers to recommend that Permitted Development Rights be removed from the site in order to adequately control future development in order to avoid harmful impact to the Green Belt and for visual amenity.
The development would be broadly compliant with Policies LP2, LP24(a) and (c), LP32, LP35 and LP57 of the Kirklees Local Plan, the design guidance within House Extensions and Alterations Supplementary Planning Document, Chapters 12, 13 and 16 of the National Planning Policy Framework and compatible with the Council's duties under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

3 – Impact on residential amenity:

Section B and C of Policy LP24 of the Kirklees Local Plan 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 135f) of the National Planning Policy Framework 2023 states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principle 3 of the Kirklees Householder Extensions and Alterations SPD sets out that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours. In addition, Key Design Principle 4 notes that extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook. Furthermore, Key Design Principle 5 states that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property, and recommends that a horizontal 45 degree line from a neighbouring habitable room window is not breached. Key Design Principle 6 states extensions and alterations should not unduly reduce the outlook from a neighbouring property.

The proposed extensions and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking and also in terms of its design, size and visual amenities.

The proposal would create a significant addition to the east elevation of the host and a lesser addition in the outbuilding to the southeast corner of the plot. The rear extensions would add a greater quantum of development finishing ~ 8.3m from the shared boundary of neighbour no. 7 Broadfields. The two-storey element's windows would be separated by 14.8m to this boundary. The extensions would have views of the rear garden partially obscured by the boundary wall and the to-be-removed, single-storey, detached outbuilding. This neighbour has one doorway to its side elevation gable end and no windows to be affected. The proposed outbuilding would have no windows facing the neighbour being of solid single-storey design and would not raise concerns regarding overbearing, overlooking or loss of privacy.

The proposed one storey extension would be separated adequately to avoid excessive overbearing and would have a very minor degree of loss of privacy to the private rear garden from the two-storey rear extension however this is sufficiently mitigated by the neighbour's significant garden space extending to the side and screened by no. 7's bulk and massing. There would not be any significant overlooking from the two-storey rear extension given the adequate separation distance retained and the lack of windows affected to the neighbour. The proposal, including the outbuilding, would be of a scale and design, orientated and positioned as such so as to avoid any detrimental additional overshadowing or loss of outlook impact to this neighbour. Considering the overall impact, this could be acceptable.

Other Residential Properties

It is considered that the proposed development would be sited a sufficient distance away from any other neighbouring properties not referred to above so as to prevent undue harm to these properties in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing effect.

Future Occupiers

With reference to Key Design Principle 7 of the House Extensions and Alterations SPD, the proposal would still retain a substantial, outdoor private amenity space available to future and present occupiers for excellent standards of privacy.

The proposal would therefore be in general conformance with LP24b of the Kirklees Local Plan, the Key Design Principles relating to residential amenity of the House Extensions and Alterations SPD and Chapter 12 of the NPPF.

<u>4 – Impact on highway safety</u>:

Turning to highway safety and parking, policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The Highways Design Guide SPD advises that new development should have sufficient off street parking spaces to meet need and to ensure on street parking impact is limited.

For a 4 plus bedroom dwelling, it should have three off street parking spaces to achieve this aim. The single-storey double garage meets Highways Design Guide SPD internal space specifications for garaging modern vehicles and has sufficient driveway space remaining to comfortably accommodate two additional vehicles. Bins would remain as unaffected given the quantum of land left available within the plot.

The proposed development would not adversely affect the existing parking spaces within the site, intensify use and therefore would not cause additional harm to highway safety. This would comply with Policies LP21 and 22 of the Kirklees Local Plan, Key Design Principles 15 –16 of the House Extensions and Alterations SPD, the KC Highway Design Guide SPD and Chapter 9 of the NPPF

5 – Other matters:

Climate Change
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.
Key Design Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Key Design 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, Key Design Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals. When determining planning applications, the Council will use the relevant Local Plan policies, the NPPF and guidance documents/SPDs to meet targets to achieve net zero carbon emissions. A Climate Change Statement has been supplied. Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Drainage
The site is within a low probability Flood Risk Zone and Officers recommend that a condition would be added to ensure that the additional parking spaces would be drained sufficiently and/or made permeable in accordance with Policy LP28 of the Kirklees Local Plan and the Highways Design Guide SPD.
Biodiversity

Whilst considering Biodiversity, Key Design Principles 12 –13 of the House Extensions and Alterations SPD, LP 30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework is relevant.
It is acknowledged that the site is located within an identified twite buffer area and bat alert layer. The host appears to have a well-sealed roof with reduced potential for roosting bats as such given the limited impact on roosting potential in this instance, an informative would be attached notifying that the applicant should contact a suitably qualified ecologist if they find bats or breeding birds in line with legislation.
To fulfil the aims of the above policies, as far as is practicable, Officers would recommend conditions attached to have bat and bird boxes installed in suitable locations within the site and measures of mitigation for preventing bird strike in order to have a modest biodiversity gain and mitigation to fulfil requirements of the above policies for protected species.
6 – Representations:

No representations had been 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

Application Number: 2024/91172

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 accord with Policies LP01, LP02, LP21, LP22, LP24, LP28, LP30, LP32, LP35 and LP57 of the Kirklees Local Plan, Key Design Principles 1-17 of the Council's House Extensions & Alterations Supplementary Planning Document, and Policies within Chapters 2, 4, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework

3. The external natural stone walls of the northern, western and eastern elevations of the side and rear attached extensions and the section of building annotated 'existing lean to re-built' upon 'drawing (100)02 Rev B' hereby approved shall in all respects match those used in the construction of the existing building and 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 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The roof of the first floor extension to side, two storey extension to rear and the section of building annotated 'existing lean to re-built' upon 'drawing (100)02 Rev 'B' hereby approved shall in all respects match those used in the construction of the existing building and 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 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

5. The proposed sections of render (as stated within the Design and Access Statement) shall be limited as far as is practicable, whereby the stone is damaged or spalled, and be in a lime render and colouring to closely match the natural stone used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

6. A woodcrete or long lasting nest box suitable for starlings or sparrows shall be erected on the exterior of the dwellinghouse before the extensions are first occupied. The box shall be installed on a north facing wall, at least 3 metres above the ground and not located above windows or doors. The box shall thereafter be retained.
Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Key Design Principle 12 of the House Extensions and Alterations SPD and Chapter 15 of the National Planning Policy Framework.

7. One bat box, in the form of a Schwegler type 1FR woodcrete bat box or similar, shall be installed on the exterior of the host before the extensions are first occupied. The boxes shall be installed on a southernly facing wall of the existing buildings, at least 4 metres above the ground and not located above windows or doors. The box shall thereafter be retained.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Key Design Principle 12 of the House Extensions and Alterations SPD and Chapter 15 of the National Planning Policy Framework.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or reenacting that Order) no development included within Class(es) A, AA, B, C and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: In the interests of visual amenity and to preserve the setting of the Green Belt and Grade II Listed Buildings in the locality in accordance with Policies LP02, LP24 and LP35 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations SPD and Policies within Chapters 12, 13 and 16 of the National Planning Policy Framework.

FOOTNOTE: Public footpath Huddersfield COL/121/40 is 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 01484 221000 and ask for Sharon Huddleston. The public rights of way's email address is publicrightsofway@kirklees.gov.uk

FOOTNOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site, development shall cease and the applicant is advised to contact Natural England for advice.

FOOTNOTE: The site is located within the Twite buffer area and there is an increased potential for impact to this protected species. It is advised to have works carried out outside of the breeding season early May to late July to avoid impacts. All wild birds (except game birds) are a protected species in the Wildlife and Countryside Act 1981 (as amended). If twites or other bird nesting or signs of laying are discovered on site, development shall cease without those being disturbed and the applicant is advised to contact Natural England or a suitably qualified ecologist for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	Drawing no. LOC	A	25/04/2024
Existing and Proposed Site Plan.	Drawing no. (100)03.	A	25/04/2024

Plan Type	Reference	Version	Date Received
Existing Floor and Elevation Plans with 3D Views.	Drawing no. (100)01.	Unamended	25/04/2024
Proposed Elevation and Floor Plans.	Drawing no. (100)02.	B	25/04/2024
Proposed Garage Floor and Elevation Plans.	Drawing no. (100)05.	A	25/04/2024
Design and Access Statement	Design and Access Statement by Acumen Designers & Architects. July 2022.	02/2024	25/04/2024
Climate Change Statement	-	-	30/04/2024

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 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. The application benefited from informal advice to overcome previous concerns and submitted details to be assessed.

Report Dated: 18/06/2024