

**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:	2024/62/91261/E
Site Address:	150, Edge Road, Thornhill Edge, Dewsbury, WF12 0QF
Description:	Erection of two storey and single storey rear extension, single storey side extensions and formation of raised parking area with store below
Recommending Officer:	Edward Cheseldine

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: 28-Oct-2024

Officer Report

2024/91261 - 150, Edge Road, Thornhill Edge, Dewsbury, WF12 0QF

Site Description

150 Edge Road is a two and one storey detached dwelling in Thornhill Edge. The building is present on the 1893 County Series map held by Kirklees Council. The property is a hillside dwelling which is formed of stone exterior walls and a pitched roof clad with stone slates. The building has a side projection which is present in the 1893 County Series map and can be assumed to be original. There are later additions, such as the porch on the south facing elevation, which are not present on historic maps. Within the plot there is an associated outbuilding and hardstanding material to the east of the building. There are open fields to the south of the site. Edge Road bounds the site to the north which opens up to woodland. There are currently no off-street parking facilities associated with the dwelling. The dwelling is situated in the green belt.

Note:

There is extant permission for the erection of a two-storey, side extension with front porch and off-road car parking pursuant to 2023/92544. It is noted that if planning permission is granted for this application, both developments could be implemented. The cumulative impact of both extensions would conflict with Green Belt Policy in that the extensions would appear disproportionate to the host and detract from openness contrary to Policies LP57, LP24 and Paragraph 154 c) of the Nation Planning Policy Framework.

The determination of the planning application was therefore balanced, that a unilateral legal agreement between the applicant and local planning authority could be entered. The legal agreement would require that only one of the permission pursuant to either 2023/92544 or 2024/91261 could be developed.

Initially, the principle of a unilateral agreement was agreed by the agent and applicant. However, following details relating to legal fees to underwriting the agreement, the applicant has stated they no longer want to pursue such legal mechanisms.

For the benefit of the application, the following officer report will be an assessment of the proposed development of application 2024/91261.

Proposal Description

The applicant is seeking planning permission for the erection of a two storey and single storey rear extension, single storey side extensions and formation of raised parking area with store below.

The rear extension is formed of a two-storey and single-storey section. It projects ~4.00m from the original rear elevation, it has a width of ~5.95m. The two-storey section would have an eaves height of ~5.35m and a ridgeline height of ~7.40m. The ridgeline will be ~7.70m in length. The rearward elevation contains 4 large rectangular windows. The extension will be built with natural stone, the first-floor section will be wrapped in a natural wood oak cladding and stone roof slates.

The single-storey rear section projects ~4.00m, it has a width of ~4.30m, it has a flat roof form which has a total height of ~3.10m.

The side extension projects ~3.90m with a width of ~4.60m. It has a dual-pitched roof, it will have an eaves height of ~2.65m and ridgeline height of ~4.45m. The side extension will feature a brick chimney stack, the flue is set ~1.10m above the ridgeline of the extension. It features windows on the rear and side elevation.

The front porch will project ~1.30m, it will have a width of ~4.30m. It will have a mono-pitched roof with an eaves height of ~2.25m and ridge height of ~3.00m. It will feature two window and a door within the front elevation and replace an existing porch.

The external wall materials will be natural stone walls, with vertical oak cladding on the first-floor of the two-storey extension.

In addition to the extensions, parking provisions would be provided by forming a double-parking bay where the store currently stands. Additional storage would be kept on the sub-floor level.

Amendments/Negotiations

Notwithstanding the negotiations relating the unilateral agreement, the following amendments were requested.

- The ridgeline of the two-storey rear extension was dropped to illustrate a perception of subservience to the original building.

The amendment was requested under the assessment this application would be undertaken in isolation and would not benefit the cumulative impact of both permissions.

Relevant Planning History

2023/92544 - Erection of two storey side extension with front porch, creation of off road parking and alterations – Full permission granted

Public Representations

Neighbourhood notification letters have been distributed to advertise the application, which expired on 17-Jun-2024. As a result of the publicity, there were no representations.

Consultation Responses

KC Highways DM – No objection.

Policy & Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is located within the Green Belt on the Kirklees Local Plan.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP57** – Extensions, alterations & replacement buildings in the Green Belt

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 the House Extensions & Alterations Supplementary Planning Document will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

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, and 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 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

Assessment

- 1) Principle of development
 - a. Green Belt
- 2) Impact on visual amenity

- 3) Impact of residential amenity
- 4) Impact on highway safety
- 5) Environmental matters
- 6) Conclusion

Principle of development

The application site is located on land allocated as Green Belt in the Kirklees Local Plan.

Chapter 13 of the NPPF requires local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions of which 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'* (paragraph 154 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 of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building.'*

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.

In terms of volume, the original structure has a total cubic volume of 467.73m³. The side extension pursuant to 2023/92544 has a volume of 133.46m³ which is a 28.53% increase in volume.

There are several large-scale additions that are proposed under this application totalling 319.38m³. The resultant impact would see additions of 96.81% above the volume of the original dwelling.

Notwithstanding the above, in the case of extensions in the Green Belt, neither the NPPF or the Local Plan dictates a volumetric increase that is acceptable, but that the original elements of the building remain dominant in terms of size and overall appearance.

The dwelling sits on a hill that slopes from north to south with a steep gradient. To the south is a valley containing agricultural fields. The dwelling is visually prominent when observed from Edge Road and the surrounding valley due to

the linear nature of the street. A significant section of the east and south elevations of the original dwelling will be enclosed by the resultant extensions. These extensions are highly prominent within the streetscene and surrounding valley. In addition to the large prominent extensions to the east and south, there will be a large extension to the west elevation and a porch to the front elevation. Considering the above, there is significant encroachment of the original dwellinghouse that would dominate its overall appearance. Three of the original four elevation would be altered beyond what would be considered to be subservient due to the size and appearance of these faces.

In terms of impact to openness, there is a significant spread of development from the footprint of the original building. The side extension proposed under application 2023/92544 has a projection of ~4.30, whilst the rear extension projects ~4.00m. In addition, there would be a considerable vertical mass due to the two-storey extensions. The ridgeline of the rear extension would be ~7.70m in length. The resultant impact would contribute to adding a large amount of mass to the east and south, where there was no original building, therefore impacting the openness of the green belt whilst competing with the original building.

Considering the cumulative impact, the removal of the side extension pursuant to 2023/92544 would alleviate the encroachment of additional built form. The east elevation is highly visible from Edge Road. Extensions would therefore appear subservient to the original dwelling. However, given permission is extant and a unilateral agreement has not been agreed upon, for the purposes of this assessment, substantial weight has been given to the impact to the harm the cumulative impact development will cause to the green belt.

The cumulative impact of resultant extensions would be disproportionately large in relation to the original building and represents inappropriate development with no very special circumstances to outweigh the harm to the Green Belt. The addition of the extensions in a prominent location would negatively impact the character and openness of the Green Belt. The proposed development is therefore contrary to Policy LP57 of the Kirklees Local Plan and paragraph 154 c) of the National Planning Policy Framework.

Impact on visual amenity

The National Planning Policy Framework (2023) sets out to achieve a high level of design. Paragraph 131 outlines this ethos, 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.'

Paragraph 133 continues this theme by indicating that ‘To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.’

Kirklees Planning Authority have published such guidance within their House Extensions & Alterations Supplementary Planning Document (2021), it expands Policy LP24 (design) of the Kirklees Local Plan. Within which, criterion a) & c) are relevant.

a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;

In principle, extensions should respect the host dwelling in terms of scale and architectural design. They should not appear overly dominant and should appreciate the proximity to neighbouring dwellings.

- Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document states ‘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.

- Key Design Principle 2 of the House Extensions & Alterations Supplementary Planning Document states ‘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.

Edge Road has a rural character due to its views to the south of the surrounding landscape and its Green Belt setting. Dwellings in the area are built with traditional materials and simplistic features.

Extensions are formed of separate, competing additions with a variety of roof forms and sizes. Considering the original property, the host dwelling is comprised of a simplistic rectangular main element and a side protrusion that is similar in design to its counterpart, both with pitched roofs. The extensions are formed of competing designs which are not coherently designed to blend in with the host dwelling. In terms of materials, oak panelling will be added to the first-floor section of the rearward projection. The materials choice will extenuate the bulk and mass of the large ridgeline creating a prominent feature. The

architectural design of the building would therefore depart from its simplistic character which would be contrary to Key Design Principle 2 of the House Extensions & Alterations Supplementary Planning Document.

Due to the resultant alterations, the development therefore fails to respect the surrounding countryside landscape which the application site falls within that is intrinsic to its green belt setting. The bulk and mass of the extensions would conflict with one of the five purposes of the green belt which does not respect the local character of the area.

The cumulative impact of the extensions, due to the scale, roof form and architectural design, would detrimentally alter the form of the host dwelling including appearing unsympathetic to the original character and form of the dwelling, leading to an incongruous design that would be detrimental to the host building and countryside character contrary to the aims of Policy LP24 (a & c), as well as Principles 1 & 2 of the Kirklees House Extensions & Alterations Supplementary Planning Document and the advice within Chapter 12 & 13 of the National Planning Policy Framework.

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 House Extensions and Alterations Supplementary Policy Document goes into further detail with respect to outlining principles.

- Key Design Principle 3, '*extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours*'.
- Key Design Principle 4, '*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.*'

Impact on 160 Edge Road

160 Edge Road is to the east of the application dwelling. It sits ~20.20m from the proposed side extension. In terms of privacy, there will be two ground-floor slim windows ceiling to floor windows and the widening of an existing side facing window. There is a sufficient distance between the two properties to mitigate the impact from the ground floor additional windows and the widening

of the existing windows. Due to distance, there will be no loss of light, outlook or an overbearing impact to the neighbouring dwelling.

Impact on Highway Safety

KC Highways DM had no objection to the formation of the new access. Two off street parking spaces will be provided as part of the proposal increasing the number of off-street parking spaces for the dwelling. Access to the side and rear will remain unchanged for bin storage. 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 & Alterations Supplementary Planning Document.

Environmental Matters

Biodiversity

The proposal is for the construction of a two-storey side extension which will affect the main roof of the existing dwelling. The site is situated in an area that is known to include bat habitats, if signs of bat habitats were found, expert advice should be taken and the advice of a licensed bat worker sought.

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.

Conclusion

The application for extension and alterations has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations Supplementary Planning Document, the National Planning Policy Framework and other material considerations. Given the negative impact to the Green Belt, and harm in terms of visual amenity, the proposed extensions are not 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 not constitute sustainable development and is therefore recommended for refusal.

Recommendation

Refusal

Reasons for Refusal

1. The cumulative impact of resultant extensions would be disproportionately large in relation to the original building and represents inappropriate development with no very special circumstances to outweigh the harm to the Green Belt. The addition of the extensions in a prominent location would negatively impact the character and openness of the Green Belt. The proposed development is therefore contrary to Policy LP57 of the Kirklees Local Plan and paragraph 154 c) of the National Planning Policy Framework.

2. The cumulative impact of the extensions, due to the scale, roof form and architectural design, would detrimentally alter the form of the host dwelling including appearing unsympathetic to the original character and form of the dwelling, leading to an incongruous design that would be detrimental to the host building and countryside character contrary to the aims of Policy LP24 (a & c), as well as Principles 1 & 2 of the Kirklees House Extensions & Alterations Supplementary Planning Document and the advice within Chapter 12 & 13 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Grouped plans and elevations (Existing Plans and Elevations, Proposed Elevations, Location Plan and Block Plan)	23-154-02B	B	03/07/2024
Proposed floor plans	23-154-01B	B	03/07/2024

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 has, 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.

Notwithstanding the negotiations relating the unilateral agreement, the following amendments were requested.

- The ridgeline of the two-storey rear extension was dropped to illustrate a perception of subservience to the original building.

The amendment was requested under the assessment this application would be undertaken in isolation and would not benefit the cumulative impact of both permissions.