

**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:	<b>2024/62/91488/W</b>
Site Address:	Sherwood, 11, Carr Mount, Kirkheaton, Huddersfield, HD5 0PD
Description:	Erection of single storey extension
Recommending Officer:	Molly Storer

**DECISION – Full Conditional 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 25-Jul-2024**

## **OFFICER REPORT**

### **Site Description**

The application site refers to 11 Carr Mount, a detached property in the area of Kirkheaton. The property was constructed around the year 2020 along with another detached dwelling both of which mirror each other with 'L-shaped' footprints.

The property benefits from an integral garage, a driveway to the front and garden amenity space to the side.

The site is accessed from Carr Mount which is a single track lane with a largely made up surface and has passing places at various points. The land slopes gently from north to south across the application site which is surrounded by open fields.

The site is located within the Green Belt and adjacent to a public footpath (KIR/10/10).

### **Description of Proposal**

The application is seeking planning permission for a single storey extension to the front of the property.

This would be situated on the west elevation of the property projecting 4m from this front elevation and would have a width of 6.4m. The proposal would feature a gable roof with a maximum height of 3.4m with an eaves height of 2.1m.

### **Relevant Planning History**

2014/92181 – Erection of two dwellings – Conditional Full Permission.

### **Representations**

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2015).

The application has been publicised as affecting a public right of way on the Council's website, by neighbour notification, site notice and by press advertisement.

The expiry date of the publicity period was the 19<sup>th</sup> July 2024. No representations were received.

### **Consultation Responses**

The following consultations have been undertaken for this application with the summarised responses listed below.

- Kirkheaton Parish Council – No comment.

## **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 27<sup>th</sup> February 2019).

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

## **Kirklees Local Plan Policies**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP51**- Protection and improvement of local air quality
- **LP57**- Extension alteration or replacement of existing building

## **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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 12 – Achieving well-designed and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate, flooding and costal change
- 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) Negotiations
- 7) Conclusion

### 1 – Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the erection of single storey front extension.

Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this include the extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building.

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

Policy LP57 of the Kirklees Local Plan states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be considered. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

### 2 –Impact on the Green Belt and visual amenity:

The Planning Practice Guidance (PPG) sets out that "openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume".

In this case, there have been no previous extensions to the property since its construction.

The agent provided details of the volume of the original house which is 487 cubic metres.

The volume of the proposed front extension would be 74 cubic metres representing a 15% increase.

It is considered that this proposal would be acceptable in the context of the original host dwelling and would not amount to a disproportionate addition.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (SPD) states that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details. With regard to front extensions, the SPD states that they would usually be unacceptable due to the impact on the character of the area and visual amenity. It goes further to state that they will not normally be permitted unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or building; and
- The materials and design match the existing features of the original house; and
- The extension would not unreasonably affect the neighbouring properties.

The proposal would be single storey, would be constructed out of materials which are in-keeping with the host property. Furthermore, the roof has been designed as a gabled roof to match that of the existing property and the side elevations would align with those on the forward projection of the existing property. Whilst it will not be small and subservient in scale, due to the somewhat isolated nature of the property, there would be limited harm to the building and the surrounding area.

It is therefore considered that the proposal would accord with the key principles of the house extension and alteration guide and Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building.

The proposal would comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building and advice within the House Extensions and Alterations SPD, specifically KDP 1 with respect Local Character, taking into account the rural local area. In addition, the proposal would accord with KDP2 with regards to the impact on the original house as the design of the extension is well balanced, proportionate or sympathetic to the existing house.

In addition, the proposal would be considered on balance to preserve the openness of the Green Belt, thus complying with the aims of chapter 12 and 13 of the National Planning Policy Framework

### 3 – 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 SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

The site is bounded by fields to the north, east and west therefore main property that could be affected is No 10 Carr Mount located to the south of the application site. These two properties are separated by one metre at the facing gable ends.

Although the southern gable end is in close proximity to No.10 the extension is proposed on the gable end of on the west elevation which has a separation distance of 7.5m to the property boundary. Therefore, due to this and the extension being single storey in height with low eaves it is unlikely to cause any significant overshadowing or overbearing impact. With regards to privacy, there are two full length windows proposed in the side elevation facing onto this property. However, there is already glazing which exists in this elevation so it is considered that this additional glazing will not cause any further negative impact. In any case the windows would also have relatively small width of 0.45m reducing any significant overlooking.

Therefore, the proposal would have no significant detrimental impact upon the amenity of adjacent occupiers, in accordance with Policy LP 24, KDP 3 and KDP5 of the SPD.

It is considered that the proposal would not take up a significant amount of useable amenity space and sufficient amenity space would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

Due to the location of the existing dwelling and the scale of the extension, there would be no significant harm to the residential amenity of neighbouring residents as a result of the proposal.

### 4 – Impact on highway safety:

The proposal would not increase the number of bedrooms on site. Whilst being located to the front of the property, this would not significantly impact the existing parking arrangements on site and sufficient turning space would

remain for the occupants and other users of the road. Therefore, the proposal 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*

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. 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, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 pre-dates 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.

Due to the size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change, over and above that in the submitted Climate Change Statement.

##### *Public right of way*

Public Right of Way Footpath (KIR10/10) is located adjacent to the north of the site. The proposed works are at a separation distance of ~33m away and will not affect the PROWS their setting or their users. A note will be attached to the report to ensure this is not impacted upon and the other legal duties on the developers regarding PROW.

#### 6 – Representations:

No representations were received.

#### 7 – Negotiations:

The agent was contacted to confirm the volumes of the existing building and the proposed extension. Other than this no negotiations were made.

## 8 – Conclusion:

This application for the erection of a single storey front extension to Sherwood, 11, Carr Mount, Kirkheaton, Huddersfield, HD5 0PD has been assessed against relevant policies in the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

### **Recommendation**

**Approve**

### **Decision Authorisation - Delegated Powers**

**Application Number:** 2024/91488

**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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external facing and roofing materials of the extension hereby approved shall in all respects match those 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 of the House Extensions and Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Public footpath KIR/10/10 is located to the north of the development site/form access to the 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. Contact via email can be made at [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk)

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Date Received</b>
Location plan	Blackwell's mapping services 1:2500	30/05/2020
Existing site/block layout	Blackwell's mapping services 1:1250	30/05/2024
Proposed site/block layout	-	30/05/2024
Existing floor plans	-	30/05/2024
Existing front and rear elevations	-	30/05/2024
Existing side elevations	-	30/05/2024
Proposed floor plans	-	30/05/2024
Proposed elevations	-	30/05/2024
Application form	-	30/05/2024
Climate Change Statement	-	30/05/2024

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. No amendments were deemed necessary in the process of this application.

Dated: 23<sup>rd</sup> July 2024