

**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:	2024/62/91639/E
Site Address:	The Cottage, 86A, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN
Description:	Alterations to dwelling
Recommending Officer:	Faiza Bano

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 12-Aug-2024

Officer Report

Site Description

The application relates to The Cottage, 86A, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN; a two-storey semi-detached dwelling. The dwelling is faced in stone and incorporates a pitched roof covering stone tiles. The neighbouring properties are of residential use and comprise of two storey properties of similar materials and architectural designs.

The area is low density with few residential properties within the vicinity.

Description of Proposal

The applicant is seeking permission to make the following alterations to the dwelling:

- Three additional windows to the northwest elevation (one on the ground floor and two on the first to facilitate subdivision of the existing bedroom)
- Block up existing window/door on the northwest elevation using stone to match the existing materials of the dwelling
- Removal of roof of existing single storey attached out building to create a garden area - walls to be capped with capping stone
- Stone wall to be removed and fence to be installed

Relevant Planning History

Plan Ref: 2015/92614

Site Location: rear of 86B, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Proposal: Demolition of existing commercial building and erection of detached dwelling

Decision: FC - CONDITIONAL FULL PERMISSION

Decision date: 2015-11-05

Plan Ref: 2014/91233

Site Location: 86, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Proposal: Demolition of existing commercial building and erection of one dwelling

Decision: FC - CONDITIONAL FULL PERMISSION

Decision date: 2014-07-22

Plan Ref: 2011/91266

Site Location: Greenwood Farm, 86, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Proposal: Reuse, adaptation and new extension to existing barn to form dwelling

Decision: FC - CONDITIONAL FULL PERMISSION

Decision date: 2011-10-24

Plan Ref: 2008/91325

Site Location: 89, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Proposal: Erection of detached dwelling with integral garage

Decision: FC - CONDITIONAL FULL PERMISSION

Plan Ref: 2006/91435

Site Location: Greenwood Farm / 86, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Proposal: Re-use, extension and adaptation of existing outbuilding to form 1 dwelling. Erection of two storey extension to farmhouse and cottage (86) and re-use, first floor extension and adaptation of former dairy to extend cottage (86)

Decision: RF - REFUSED

Decision date: 2006-06-26

Representations

The application was advertised by neighbour notification letters, which expired on the 2nd of August 2024. As a result of the above publicity, no representations were received.

Consultation Responses

Denby Dale Parish Council: No objections

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 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 22 – Parking
- LP 24 - Design
- LP52- Protection and improvement of local air quality
- LP53- Contaminated and unstable land

- LP57- Extension, alteration or replacement of existing building

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 that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policy 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 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 12** – Achieving well-designed places
- **Chapter 13** – Protecting green belt land
- **Chapter 15** – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below:

1. Principle of development
1. Impact on visual amenity
2. Impact on residential amenity
3. Impact on highway safety
4. Representations
5. Other matters

6. Conditions
7. Conclusion

Principle of Development

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the construction of alterations to the dwelling. Chapter 13 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in paragraph 154 and 155.

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 currently benefits from previous permissions on site which have been constructed. From viewing historical maps of the site, it would appear that the southeast projection and attached single storey are extensions to the 'original'

dwelling as it stood in 1948 and should be considered in the context of the development proposals. The works involve the reduction of built form visible in the street scene. The alterations are minor and do not conflict with the purposes of the Green Belt in accordance Policy LP57 and NPPF chapter 13.

The proposals shall be assessed in respect of design, residential amenity and highway safety along with, biodiversity and all other material considerations and representations received.

Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations 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 HEASPD goes onto 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.

The site currently benefits from previous permissions on site which have been constructed. From viewing historical maps of the site, it would appear that the southeast projection and attached single storey are extensions to the 'original' dwelling as it stood in 1948 and should be considered in the context of the development proposals. Any extension or alteration should not result in disproportionate additions over and above the size of the original building.

The proposed development would retain the shape of the existing building. However, there would be an addition of three windows to the northwest elevation – one window would be featured along the ground floor and two along the first-floor elevation. This design and style of development is appropriate for such a semi-rural location and would not appear to be out of character when viewed in context with the surrounding area. The materials used for the windows would be UPVC and the materials proposed for the rest of the alterations would consist of natural stone walls. This ensures that the

development harmonises with its surroundings as well as having a positive impact upon the Green Belt setting.

In terms of opening to northwest elevation, the building does not have a traditional agricultural character and the addition of these proposed openings would not detract from its appearance.

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, it is considered that this proposal would be acceptable in the context of the original host dwelling and would not amount to disproportionate additions; the removal of the lean-to roof of the original single storey reduces the volume of the built environment in the Green Belt area as well on the host building.

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 HESPD goes onto 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.

Having taken the above into account, the proposed works would not detract from the host dwelling or within the wider street scene, complying with Policy LP24 of the Kirklees Local Plan.

1.1 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.

Impact on neighbours:

Number 80 Barnsley Road – No impact.

Number 82 Barnsley Road – No impact.

Number 84 Barnsley Road – No impact.

There are no properties to the northwest of the property, so the additional windows will not raise any concerns for privacy.

It is considered that the proposal would not take up significant amount of useable amenity space, instead resulting in new amenity space 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.

In summary, there would be no significant harm to the residential amenity of neighbouring residents as a result of the proposal, in accordance with Policy LP24 of the KLP and the House Extensions and Alterations SPD.

Impact on Highway Safety

The proposal does not impact existing parking arrangements on site, 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.

Other Matters

Carbon Budget The proposal is a 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.

Ecology The application site is located within a Bat alert layer on the Councils GIS mapping system. Due to the scale of the application, a note will be added to the application notifying the applicant, should permission be granted. As such the application is considered to comply with guidance within Policy LP 30 of the KLP and Chapter 15 of the NPPF.

Representations

No representations received

Negotiations

N/A

Conclusion

The application for alterations to the dwelling at The Cottage 86A, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN has been assessed against

relevant policies in the development plan as listed in the policy section of the report, 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: 2024/91639

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.

1. 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.

2. 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.

3. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: So as to protect the development from any potential contaminated land and to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared in accordance with Model Procedures for the Management of Land Contamination – Contaminated Land report 11 (CLR11), National Planning Policy Framework (NPPF) and the Council’s Advice for Development documents or any subsequent revisions of those documents.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Proposed Elevations	JWBR-MWA-XX-XX-DR-A-0006_S2_P2_Proposed Elevations		13-Jun-2024
Existing Elevations	JWBR-MWA-XX-XX-DR-A-0004_S2_P1_Existing Elevations		13-Jun-2024
Existing Floor Plans	JWBR-MWA-XX-ZZ-DR-A-0005_S2_P1_Existing Floor Plans		13-Jun-2024
Proposed Floor Plans	JWBR-MWA-XX-ZZ-DR-A-0007_S2_P2_Proposed Floor Plans		13-Jun-2024
Location Plan	JWBR-MWA-XX-XX-DR-A-0001-S2-P1-Location Plan-A4		13-Jun-2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

08/08/2024