



Kerford IPC  
Chartered Independent  
Planning Consultants

07957 609 676  
info@kerfordipc.eu

The Old Granary  
Bawtry Road  
Everton  
North Nottinghamshire  
DN10 5BS

FAO Ms. Laura Yeadon  
Kirklees Metropolitan Council  
Development Management

By email

Your ref: -  
Our ref:DPK\_22HD50RB\_01  
Date:12th June 2024

Dear Ms.Yeadon.

Planning Statement in respect of

Proposal: Formation of additional storey to dwelling

Location: 22, Wellhouse Lane, Kirkheaton, Huddersfield, HD5 0RB

Further to the implementation of Planning Permission 2022/62/92429/W for the "*Demolition of existing dwellinghouse (retrospective) and erection of replacement dwellinghouse*" we submit a Full Planning Application for the above proposal.

This application substantively replicates the proposal submitted under Application 2023/93133 "*Erection of first floor extension*" which was withdrawn from determination.

The reason for withdrawal of Prior Approval application 2023/93133 was Condition 5 of 2022/91480 which removed selected Permitted Development Rights A, AA and B of Part 1 of Schedule 2 to the T&CPA(GPD)O which made the application untenable.

The proposed "*Formation of additional storey to dwelling*" submitted here is not however considered to be inappropriate development and so Full Planning Permission is sought.

Our reasoning is this: The development approved and implemented under application Planning Permission 2022/62/92429/W included the extensions Approved under application 2021/94194 (*Certificate of Lawfulness for*

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*proposed single storey side and rear extensions and porch*). The dwelling approved under 2022/62/92429/W is a new building and therefore constitutes “*the original dwellinghouse*”, notwithstanding that it is materially larger than the building it replaced.

Section 154 of the National Planning Policy Framework (NPPF) 2023. states that:

*“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*...c) 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;”*

As neither the NPPF 2023 nor the Kirklees Local Plan 2019 (KLP) provide a quantum definition for “disproportionate” however Policy 57 provides useful guidance noting:

**“Policy LP57**

**The extension, alteration or replacement of existing buildings**

Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

- a. in the case of extensions the original 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;
- b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;
- c. the proposal does 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
- d. 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.”

In response to these policy elements in turn:

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- a. The proposed first floor addition remains subservient to the original dwelling as it is centrally located above the main living space with the rear and both side parts of the dwelling remaining as single storey elements. In terms of scale and massing floor area of the original dwelling is 112.5m<sup>2</sup> and the first floor extension is 62m<sup>2</sup> (please see drawing 3688-10-C). Expressed as proportions the new floor area represents 35.5% of the completed structure.

Parts b. and c. are not material to the application and;

- d. The first floor extension has been designed to meet the aesthetic of the original building in regards to fenestration scale and architectural detail. Materials will be selected to match those of the original building.

In light of the above we consider the the proposed development represents appropriate development in the Green Belt.

Yours sincerely,

David Kerford  
Director