

**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:	2024/62/92293/W
Site Address:	Overbrook, 24, Arkenley Lane, Almondbury, Huddersfield, HD4 6SQ
Description:	Erection of single storey rear extensions to ground and lower ground floors and installation of air conditioning units
Recommending Officer:	Lucy Taylor

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: 12-Nov-2024

Officer Report.

Reference: 2024/92293

Location: Overbrook, 24, Arkenley Lane, Almondbury, Huddersfield, HD4 6SQ

Proposal: Erection of single storey rear extensions to ground and lower ground floors and installation of air conditioning units

Site Description.

Overbrook, 24 Arkenley Lane, is a large two-storey stone built detached house. The property is located within a semi-rural location, allocated within the Green Belt in the Kirklees Local Plan. Neighbouring residential properties are situated either side of the site along Arkenley Lane, King James School is located on the opposite side of Arkenley Lane to the front and open fields are present to the rear. Access to the property is via a driveway from Arkenley Lane.

Description of Proposal.

Planning permission is sought for the erection of single storey rear extensions to ground and lower ground floors and the installation of air conditioning units.

The proposed ground floor rear extension would replace the existing rear conservatory. The extension would project from the existing ground floor kitchen by 3.25 metres and measure 6.15 metres in width. The extension would have a mono pitch roof constructed from zinc/aluminium. The external walls of the extension would be constructed using natural coursed stone. Aluminium (white) bi-fold doors are proposed on the rear elevation of the extension and windows are proposed on both side elevations. A window is also proposed in the roof.

The second proposed extension will extend out from the existing lower ground floor. This extension would project out by 5.55 metres from the existing gym and would be 8.65 metres wide. The extension would be constructed using natural coursed stone with a GRP (glass reinforced plastic) flat roof. Aluminium (white coloured) bi-fold doors and a separate large window are proposed on the rear elevation of this extension.

Two external air conditioning units are proposed, one on each extension. The units would be located on the north-east elevations of both extensions and would measure 800mm (width) x 285mm (depth) x 714mm (height). The model of unit proposed is the MUZ-HR60VF.

History of Negotiations / Amendments Received.

Discussions took place between the case officer, planning agent and applicant regarding the determination of this current planning application, in light of the previous Certificates of Lawfulness granted at the site. A full assessment of this application, in light of the planning history at the site, is set out within the Green Belt assessment section of this officer report.

These discussions concluded that, prior to determination of this current application, a second site visit would be undertaken by a Planning Officer, to confirm whether commencement of the single storey side extension under Certificate of Lawfulness 2024/91312 had commenced.

A Planning Officer undertook a site visit to confirm that there had been no lawful commencement of the single storey side extension on Thursday 7th November 2024.

Therefore, on this basis, the application proceeded to determination and no further negotiations were undertaken, nor were any amended plans submitted.

Relevant Planning History.

- 2007/90344 – Erection of two-storey and single storey extensions. *Approved.*
- 2020/93122 – Certificate of Lawfulness for formation of first floor office in existing garage and installation of windows and roof lights. *Certificate of Lawful Opps Granted.*
- 2024/91321 – Certificate of Lawfulness for proposed single storey side extension and rear dormers. *Certificate of Lawful Opps Granted.*

Representations.

The application was advertised via site notice, neighbour notification letters and within the newspaper.

Final publicity date expired: 4th October 2024.

No representations were received.

Consultation Responses.

KC Conservation & Design (informal) - no objections. The extensions are to the rear elevation of the host property and the extension nearest the neighbouring listed building is set down.

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 application site is allocated within the Green Belt in the Kirklees Local Plan.

The application site is located just outside of the boundaries of the Almondbury Conservation Area and the properties neighbouring the site to the east are Grade II Listed (No. 26 and 28 Arkenley Lane). The site is located within an area with a known presence of bats.

The site is within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP21 – Highway safety and access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity & geodiversity
- LP35 – Historic environment
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of local environmental quality
- LP57 – The extension, alteration or replacement of existing buildings

Supplementary Planning Documents (SPD):

- House Extensions and Alterations SPD
- Highways Design Guide SPD

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 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

Assessment.

1) Principle of Development

Sustainable Development:

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

Land Allocation - Green Belt:

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF. Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions to this include the extension and alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.

The exemption listed above, set out under paragraph 154(c), could be applicable in this case, provided that the proposed development does not conflict with the purposes of including land within the Green Belt.

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings. Noting 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;*
- a) 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;*
 - b) 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*
 - c) 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 the case of this application, the submitted Planning Statement outlines that this application seeks planning permission for the demolition of the rear conservatory, the erection of two single storey rear extensions, and the installation of two external air conditioning units. The submitted Statement goes further, setting out the following assessment of the application in relation to paragraph 154(c) of the NPPF:

“The property has been extended previously. The LPA may therefore consider that further extensions to the property would be disproportionate additions over and above the size of the original building in respect of paragraph 154 c) in the NPPF.

However, in July 2024, a Certificate of Proposed Lawful Development application for the erection of a single storey side extension and rear dormers was granted. The single storey side extension had a volume measuring 180 cu.m and the rear dormers had a combined volume of 30 cu.m giving an overall volume of 210 cu.m.

The recently granted Certificate of Proposed Lawful Development is therefore now considered to be a relevant material planning consideration as a fallback position for this application and as detailed below, is considered to constitute ‘very special circumstances’ in this case, the event the LPA deem the extensions to be disproportionate. Case law has determined that a fallback position no longer must be probable or have a high chance of occurring but must simply only be more than a merely theoretical prospect.

Although the applicant would now prefer to extend the property in accordance with the current proposals outlined above, as these would better suit their family’s needs, the fallback position would be implemented the event planning permission is not granted in the current case. However, in relation to openness and visual amenity of the Green Belt, it is considered that the proposed development would have a lower and more beneficial impact than the lawfully established fallback position for the following reasons. Reference is also made to the comparison table below.”

The planning statement also includes a comparison table, a copy of which is below:

	Permitted Development Fallback	Proposed Development	Difference
Side extension	180 cu.m	-	-180 cu.m
Dormer extension	30 cu.m	-	-30 cu.m
Lean-to rear extension	-	61 cu.m	+61 cu.m
Flat roof rear extension	-	162 cu.m	+162 cu.m
Existing conservatory (proposed to be demolished)	-	-57 cu.m	-57 cu.m
Totals	210 cu.m	166 cu.m	-44 cu.m

Therefore, given the above, officers consider that, on this occasion, the planning balance needs to be considered, with the submitted Planning Statement setting out factors considered to constitute very special circumstances in this case, principally in the form of a legitimate and lawfully established fallback position.

As set out in paragraph 152 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF goes on to advise that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

When considering if weight can be afforded to this 'fall-back' position, the following tests should be applied:

- (a) Whether there is a fall-back use, that is to say whether there is a lawful ability to undertake such a use
- (b) Whether there is a likelihood or real prospect of such a use occurring (e.g. structural survey, comparable quotations/costs of each proposal, evidence that there is a reasonable prospect of the works taking place); and
- (c) If the answer to (a) and (b) is "yes", then a comparison will be made between the impact between the proposed development and the fallback use at application stage.

The above explanation and information provided within the submitted Planning Statement weighs in favour of there being very special circumstances in this case. In conjunction with the criteria set out above, it is considered that the development that could be undertaken at site is a circumstance which can be afforded such weight as to be considered a factor which weighs in favour of there being very special circumstances in this case.

A Planning Officer undertook a site visit to confirm that there had been no lawful commencement of the single storey side extension on Thursday 7th November 2024. Therefore, given that the Local Planning Authority are

satisfied that development of the single storey side extension has not commenced, it is considered weight can be afforded to the fact that permitted development rights can be removed, as a condition of any grant of permission. It is considered this is a factor which forms part of the very special circumstances that weigh in favour in this case.

It is considered that the removal of Permitted Development Rights for development included within Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) would be applicable in this exceptional case in light of the fact it would contribute to there being identifiable very special circumstances.

Officers do not consider it reasonable to remove Permitted Development Rights for development within other classes of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) for this specific site. This is because, additions to the roof of the host dwelling are not considered to detriment the openness of the Green Belt, and the curtilage of the site is considered to be large enough to support the development of an outbuilding, should the additions comply with the requirements of Permitted Development, with regard to size, scale and design.

With regards to impacts to openness, the proposed rear extensions under this current planning application are concluded to be of a more subservient siting and design, when compared to the side extension as proposed under Certificate of Lawfulness 2024/91321. It is considered that the proposed rear extensions would be less impactful on the green Belt and less harmful to openness, being more contained and less sprawling than the side extension. It is noted that one of the proposed extensions under this current application is to replace the existing conservatory to the rear of the dwelling. The extensions are assessed in greater depth with regard to visual amenity within the following section of this report.

Therefore, as set out above within this section of the report, it is considered that there are considerations to represent very special circumstances in this case, which clearly outweighs the harm of the development in the Green Belt, by reason of inappropriateness and any other harm, all of which is discussed further below in this report. As such, it has been considered that the proposal can, on balance and subject to condition, be supported in this regard.

The proposal is considered to therefore comply with the policies within Chapter 13 of the NPPF.

2) Impact on Visual Amenity and the Historic Environment

Visual Amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration

concerning design which states: *“The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts: -
- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
- *‘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...’*

Key Design Principles 1 and 2 of the Council’s adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

With regard to the proposed rear extensions, it is considered that they would be of a size / scale that would be read as subservient to the host dwelling in terms of size, scale and design. As well as this, with regard to their siting, one of the extensions would replace the existing conservatory and the other would be set down from the ground floor level of the dwelling.

With regard to external construction materials, natural coursed stone is to face the external walls and, whilst the roofs are not proposed to be tiled, this is considered to be acceptable based on the individual merits of the proposal, with the lean-to roof to be replacing the roof of the existing conservatory and the other roofing form a flat roof.

The fenestration detailing proposed to the extensions is considered to be in keeping with the architectural style of the host dwelling.

It is therefore concluded that the proposal would appropriately comply with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations SPD and policies within Chapter 12 of the NPPF.

Historic Environment:

The application site is located just outside of the boundaries of the Almondbury Conservation Area and the properties neighbouring the site to the east are Grade II Listed (No. 26 and 28 Arkenley Lane).

Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) states that, for development which affects a listed building or its setting, the local planning authority shall 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.

Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 of the Kirklees Local Plan states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The submitted Planning Statements includes a section entitled ‘Heritage Impact’. This section of the Planning Statement includes the following assessment:

- Main views of the grade II listed building can currently be appreciated and experienced on the approach to the building along Arkenley Lane in both directions and from King James School to the north of the building. Both the extensions are proposed on the rear of the applicant’s property, which is set back from the listed building. Therefore, the proposed single storey extensions would not, in our opinion, alter the current views of the building.
- The siting of the extensions on the rear elevation would not bring the applicant’s property any closer to the listed building. In addition, the extensions, being both single storey, would not result in the extensions, or host building as a whole, from becoming overly prominent, thereby having a negative impact on the setting of the listed building.
- The proposed materials and overall design of the extensions, whilst coteremporary, would be sympathetic in nature and would be in keeping with the host building and neighbouring buildings, including the listed building.
- With regard to the Conservation Area, the extent of the CA runs along the opposite side of Arkenley Lane. As the proposed extensions would be located on the rear of the applicant’s property, they would not be

visible from inside the CA. As a result, the CA, in our opinion, would also be unaffected by the proposed development.

- In this instance, given the nature of the proposals, it is considered that the proposed development would not cause any harm to the significance of the heritage assets.

As part of the assessment and determination of this application, an informal consultation with undertaken with KC Conservation and Design, with Conservation and Design Officers concluding that they have no objections to the proposal, given that the extensions are to the rear elevation of the host property and the extension nearest the neighbouring listed building is set down.

It is therefore concluded that the development is not considered to lead to harm and therefore, the scheme is considered to accord with policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

3) Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Sections B and C of Policy LP24 of the Kirklees Local Plan state 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 135 of the NPPF states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The proposed extensions are to be single storey in height and would be sufficiently separated from the shared boundary with No. 22 Arkenley Lane, which neighbours the site to the west, as to prevent any significant undue impacts of overbearing, overshadowing or overlooking. Whilst it is noted that glazing is proposed within the western side elevation of the lean-to extension, given the relationship between the two neighbouring properties, the separation distance achieved and that this is to replace an existing conservatory, it is not considered that glazing within this elevation of the extension would detriment the privacy of the occupiers of No. 22 Arkenley Lane.

Whilst the proposed flat roof extension would sit close to the shared boundary with No. 26 Arkenley Lane, given its size/scale and topographical siting, it is

not considered that it would result in any significant impacts of undue overbearing or overshadowing for the occupiers of No. 26 Arkenley Lane. It is also noted that, given the locational relationship between these two neighbouring properties, it would be well separated from the neighbouring dwellinghouse itself. No glazing is proposed in the side elevation of the flat roofed extension, therefore, concluded to be acceptable with regards to privacy.

The lean-to extension is to replace the existing conservatory to the rear of Overbrook and would achieve sufficient separation from the shared boundary with No. 26 as to prevent any undue impacts of overbearing or overshadowing. Whilst glazing is proposed to the side elevation of this extension facing towards No. 26, this is in the form of high set windows only, which replicate those installed to the existing conservatory. Therefore, it is not considered that the design of the fenestration detailing to the lean-to extension would pose detriment to the residential privacy of the occupiers of No. 26 Arkenley Lane.

With regard to the air conditioning units, these are to be installed on the eastern facing elevation of both extensions. For reasons of mitigating undue impacts to neighbouring properties in terms of noise levels from the air conditioning units, upon any grant of approval, a condition shall be imposed to ensure that the combined noise levels do not exceed the background sound level at any time.

Therefore, with the inclusion of the aforementioned condition, it is considered that the proposed extensions would not cause detrimental harm to the residential amenity of neighbouring properties. In turn, the proposed development is considered to comply with Chapter 12 of the National Planning Policy Framework, LP24 of the Kirklees Local Plan and relevant key design principles from the House Extensions and Alterations SPD.

4) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed extensions would not directly result in an increased habitable use of the dwelling, with no additional bedrooms proposed, and parking arrangements would remain as existing.

Therefore, it is considered that the proposal would be acceptable in accordance with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

5) Other Matters

Climate Change:

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 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.

As part of this application, a Climate Change Statement was submitted, setting out various mitigation measures. Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bats:

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The application site is located within an area with a known presence of bats.

Whilst it is noted that the existing conservatory is to be demolished as part of this application, given that the roof of this structure is of a conservatory design and is not tiled, it is considered unlikely that roosting bats would be present. Therefore, in this instance, officers did not consider it necessary for a full assessment of bats to be undertaken.

Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

6) 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 is acceptable and is therefore recommended for approval.

Recommendation: Approve
Decision Authorisation – Delegated Powers
Application Number: 2024/92293
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 51 of the Planning and Compulsory Purchase Act 2004.
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 Policies LP1, LP2, LP21, LP22, LP24, LP30, LP35, LP51, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and Chapters 2, 4, 12, 13, 14 and 15 of the National Planning Policy Framework.
3. The external walls of the extensions hereby approved shall be faced in natural coursed stone, the lean-to roof shall be constructed from zinc/aluminium and the flat roof shall be constructed from GRP (glass reinforced plastic). These materials shall thereafter be retained.
Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A and AA of Part 1 of Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Location Plan without the prior written consent of the Local Planning Authority.

Reason: In the interests of the Green Belt to accord with the requirement for very special circumstances to be demonstrated in this case to comply with policies within Chapter 13 of the National Planning Policy Framework.

5. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the installation of two air conditioning units does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	-	-	21.08.24
Existing Plans and Elevations	01	-	21.08.24
Proposed Elevations	04	-	21.08.24
Proposed Plans and Visuals	03	-	21.08.24
Climate Change Statement	-	-	21.08.24

Planning and Heritage Impact Statement	-	-	21.08.24
Air Conditioning Product Information	-	-	21.08.24

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Discussions took place between the case officer, planning agent and applicant regarding the determination of this current planning application, in light of the previous Certificates of Lawfulness granted at the site. The application proceeded to determination and no further negotiations were undertaken, nor were any amended plans submitted.

Report Dated: 08.11.24