

**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:	2024/62/92784/W
Site Address:	Knowle House, Knowle Top, Knowle Lane, Meltham, Holmfirth, HD9 4DT
Description:	Conversion of garage with erection of first floor extension over to create dwelling forming annex accommodation associated with Knowle House, HD9 4DT
Recommending Officer:	Joanna Rednall

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: 21st November 2024

The Site

Knowle House is a detached, two storey dwelling located in Meltham. The property is constructed from natural stone with a pitched gable roof that is infilled with stone slates. The house is of traditional build and design and was formally two smaller cottages with a large, attached barn. The dwelling has a glass extension to the rear and a small single storey extension to the front; the barn has been demolished and there is now an attached double garage in its place.

The property is set well back from the highway and occupies a spacious plot with a large driveway to the front. It is located in a spacious plot with gardens to all sides and is well screened from the adjacent road.

The site is designated Green Belt on the Kirklees Local Plan.

The Proposal

The applicant is seeking planning permission for conversion of garage with erection of first floor extension over to create dwelling forming annex accommodation associated with Knowle House, HD9 4DT.

The first floor extension would have a width of approximately 6.8 metres and a depth of 7.5 metres. The total height of the garage conversion and first floor extension would be approximately 5.7 metres with an eave height of 3.4 metres.

The extension would be constructed from natural stone with a stone slate pitched roof.

An outbuilding to the west of the dwelling would be demolished as part of the works.

With regard to fenestration, glazing is proposed to the front, side and rear elevations. This is in the form of two small windows to the front and one to the rear, and full-height windows to the ground and first floor of the side/west facing elevation. These are all proposed to be constructed of either timber or aluminium.

Internally, the extension serves a lounge, dining space, bedroom and bathroom to the ground floor and a snug/seating area to the first floor.

Planning History

Relevant planning history for this site is summarised as follows:-

2008/93977 Erection of 2 storey and single storey extension
Withdrawn

2009/92066 Erection of extensions and alterations
Withdrawn

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters and a site notice.

Final publicity date expired: 1st November 2024

No representations were received as a result of the publicity.

Meltham Town Council – support

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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 within the Green Belt upon the Kirklees Local Plan and falls within an area with a known presence of Bats. Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP57 Green Belt

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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- 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 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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”.

Green Belt

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 152 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to ‘inappropriate development’. All proposals for development in

the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 154 a few exceptions to this includes the extension or alterations of a building if this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan sets out that proposals for the extension, alteration, or replacement of buildings in the Green Belt will normally be acceptable, provided that, in the case of extensions, the original building remains the dominant element in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the character of the original part of the building.

Whether the proposal is inappropriate development in the Green Belt

Policy LP57 also provides other criteria for extensions in the green belt, this being that the:

- 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 this case, a review of historic mapping and planning history has been undertaken. It appears that the building as it currently stands is not in its original form and has undergone previous work and extensions.

The quantum of development is broadly in the footprint of original dwelling which appears to have had some additions. Officers note the volume figures quoted within the Design and Access Statement and the dwelling's approximate volume increase of 16.4% from pre 1960 to today.

However, it is acknowledged that the assessment into whether additions to a building are disproportionate is more than just an arithmetic exercise, but visually whether the extension is considered to be disproportionate by means of the overall increase in footprint and volume. When assessing the visual impact of the proposal, the first-floor extension is located to the side of the host in a prominent position when viewed from Knowle Lane and the open

fields surrounding the site. Despite this, the extension is modest in scale relative to the host property and the materials would match those of the host property with a roof form that reflects the design of the dwelling. The extension is set back from the front elevation and the ridge is set down from the host, and the extension is set within the ground floor footprint of the existing house. Furthermore the proposal would see the demolition of an existing outbuilding.

For these reasons, visually, the extensions proposed are not considered to result in disproportionate additions to the original building and the original building would remain the dominant element on site.

In relation to LP57 (c) the proposal would not result in any additional hardstanding at the application site that would adversely impact on the openness of the Green Belt, those areas are to the rear of the dwelling. and would not impact the existing curtilage and means of access at Knowle House.

For the reasons above, it is considered that in design terms the extension would not appear as a disproportionate addition, nor would it adversely impact the openness of the Green Belt or lead to encroachment into the countryside. The development, in this site-specific case is therefore considered to accord with Green Belt Policy set out in LP57 and Chapter 13 of the NPPF.

It is considered that whilst this conclusion is drawn, it is clear the site is reaching the development potential that can be considered to be possible without being considered that the development(s) of the site are disproportionate.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, 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. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.21 of the Council's adopted SPD relates to first floor side extensions:

'5.21 Spaces between houses, including driveways, are important in providing a sense of space, local character and attractive appearance of an area and should be retained. Two-storey and first floor side extensions can cause a negative impact on the street when used to close the gap between semi-detached or detached houses.'

Section 5.22 sets out *two-storey and first floor side extensions should:*

- *ideally be visually smaller in relation to the original house;*
- *be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;*
- *have a roof design that follows the form of the existing roof; and*
- *retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens.*

It is considered that the proposed extension would be of an appropriate design in relation to the host dwelling. The external materials proposed would match the host property, therefore in keeping with the design of the original house. The application property relates to a detached dwelling surrounded by open land; therefore the first-floor extension is not considered to cause a terracing effect in relation to neighbouring properties, although it is noted the extension retains a significant gap to boundary walls and access to the rear garden would be retained.

The extension would appear appropriate in scale to the host. This is because it would be set back from the front elevations and the ridge is appropriately set down from the host. The extension would follow the same footprint as the existing ground floor garage that would be converted to habitable living space. This would involve the removal of the garage door to the front elevation and replaced with two small windows. The external walls around the windows would be constructed from stone to match the host property, and the windows would feature ashlar heads and cills to match the detailing on the main house. Two rooflights are also proposed to the front elevation of the extension. These

details are considered to have an acceptable visual impact and would replicate the character of the application property.

The extension would be located in a prominent position when viewed from Knowle Lane. However, given the matching materials and modest scale of the development, the extension would appear a sympathetic and proportionate addition that leaves the existing property dominant in all aspects. The property is set well back (~25+ metres) from the highway and would therefore not cause detriment to the street scene.

The proposed plans include extensive glazing to the side/west elevation in the form of floor to ceiling windows on both the ground and first floor. While these details would differ from the existing window design, the property already features a modern glazed extension to the rear. Given its setting, the fenestration arrangement would not impact neighbouring properties and would offer views of the open fields to the west. As a result, the fenestration details would appear a harmonious addition with the host property and would not detract from its visual amenity.

Given these reasons, the proposed extension would appear a subservient addition that would not over-dominate the host property. The proposed fenestration details would be of similar proportions to match existing window on the host.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 and LP57 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“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.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The residential properties close to the application site include Knowle Top Farm to the north and Knowle Top Poultry Farm to the east. Both of these neighbours are separated by a distance exceeding 100 metres. Given the extent of the separation distance, the proposed development is not considered to cause harm to the residential amenity of any neighbouring dwellings.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF 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 development would intensify the domestic use of the dwelling and result in one additional bedroom. The adjoined garage would be replaced with living accommodation and would therefore result in the loss of one off-street parking space. The plans indicate the use of a parking space to accommodate four cars to the front of the property; this area is already hard surfaced and there is no impediment to its use.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate

Change statement has been submitted with this application detailing the applicants are proposing solar panels on the south-facing roof and the extension would be insulated with efficient windows.

6 – Representations:

None received

7 – 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 would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2024/92784

Officer Recommendation: Approve

Conditions

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 (as amended).

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 to accord with Policies LP01, LP02, LP21, LP22, LP24 & LP57 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 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	-	-	27/09/2024
Block Plan	-	-	27/09/2024
EXISTING PLANS AND ELEVATIONS	2357	01	27/09/2024
PROPOSED PLANS AND ELEVATIONS	2357	02	27/09/2024
PROPOSED VISUALS	2357	03	27/09/2024
Application form	-	-	27/09/2024
Design and Access Statement dated September 2024	-	-	27/09/2024
Climate Change Statement	-	-	27/09/2024

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 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 sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

19/11/2024

Low coal