

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:	2024/62/92980/E
Site Address:	Four Winds, 2, Highbridge Lane, Skelmanthorpe, Huddersfield, HD8 9JY
Description:	Replacement of flat roof with pitched roof and alteration to existing windows
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: 10-Jan-2025

OFFICER REPORT

Site Description

The site to which this application relates is Four Winds, 2 Highbridge Lane, Skelmanthorpe, Huddersfield, HD8 9JY, a detached red brick residential property.

There are two previously granted permissions on the site that have been constructed.

The dwelling is set back from the street and is surrounded by numerous mature trees.

The area is characterised by low-density development with few residential properties in the vicinity. However, due to the low-density nature and significant vegetation of the street scene, the properties are not highly prominent.

The site is located within the Green Belt as designated in the Kirklees Local Plan.

Description of Proposal

The proposal involves the replacement of the existing flat roof with a pitched roof and alterations to the existing windows.

The proposed alterations would feature a pitched roof matching the existing materials of the dwelling, with a width of 4.2m, a depth of approximately 2.9m. The addition would create an eaves height of 5.6m, and an overall height of 7.7m from ground level.

The existing arched windows, currently serving as openings to the office space, will be replaced by a 1.2m x 1.8m window, which will become the new opening for a ground floor bedroom. Additionally, the existing high level window serving the master bedroom en-suite, located on the first-floor along the front elevation, will be replaced by a 1.2m x 1.3m window. These new windows are designed to match the other existing windows throughout the property.

Relevant Planning History

88/03294: Erection of detached swimming pool, gymnasium, snooker room and garage. Refused and dismissed at appeal.

89/02856: Erection of extension to form gym, snooker room, patio and changing room and W C for outdoor pool. Granted conditionally.

2000/92505: Erection of double garage. Conditional full permission

2023/62/92461/E: Erection of extension and alterations. Refused

2023/93664: Erection of extensions and alterations (modified proposal).
Refused.

2024/91622: The proposal is for erection of single storey rear extension. The extension projects 8m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4m, the height of the eaves of the extension is 3.9m. Not Required

Representations

The application was advertised by neighbour letters, which expired on the 31st of December 2024.

No representations were received.

Consultation Responses

Denby Dale Parish Council: No comments received.

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

- **LP51-** Protection and improvement of local air quality
- **LP52-** 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 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 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 and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate, flooding and coastal 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
 - 1) Impact on residential amenity
 - 2) Impact on highway safety
 - 3) Other matters
 - 4) Representations
 - 5) Conditions
 - 6) Conclusion

1 – Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal involves the replacement of the existing flat roof with a pitched roof and alterations to the existing windows.

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.

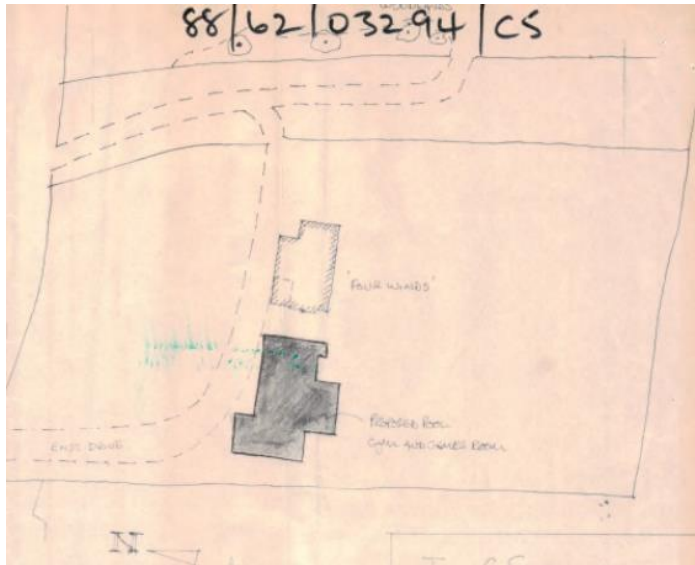
The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and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

2 –Impact on openness of the Green Belt and 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 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.

Historical Plans

As previously highlighted, the site currently benefits from previous permissions on site which have been constructed. From viewing historical maps of the site, and the GA drawings from the previous planning application 88/03294 it is indicated that the original footprint of the dwelling measures approximately 112m², with dimensions 12.9m and 8.7m in depth.



Under application 89/02856, permission was granted for the construction of a single storey side extension which had an approximate width of 11.2m and a depth of 8.8m. This would represent an increase in footprint of 98.6m² which is an 87.5% increase in footprint to the host dwelling. It can also be seen a small outbuilding has been constructed to the north; however, officers are unable to locate a permission for this.



However, from reviewing previous maps of the site, it appears as though there was an outbuilding in this location in 1955 which was removed.

In 2000, permission was granted for the erection of a double garage to the northwest of the existing property, with dimensions of 5.8m in both depth and width. This addition represents a further increase of 33.6m² to the footprint of the dwelling.

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, the additional volume would be in the form of a pitched roof, located at the front elevation above a two-storey extension to the original dwelling. Whilst the extension would be located to the front of the dwelling, the impact of the proposal by virtue of the introduction of additional volume to the dwelling must be considered.

The proposed pitched roof would add an additional volume of approximately 8.12 m³. The replacement windows would be subservient to the character and design of the rest of the dwelling. It is considered that this proposal would be acceptable in the context of the original host dwelling and would not amount to disproportionate additions.

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 HEASPD 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.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying 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. In addition, the proposal is considered to have an acceptable impact on the openness of the Green Belt.

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 application site is not located adjacent to any neighbouring residential properties, and therefore the proposals 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.

The extensions would not cover the entire amenity space of the application property. 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, 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 proposals would result in some intensification of the domestic use of the property. However, due to the proposals not impacting 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.

Although an additional bedroom is introduced at ground floor level, there is adequate space for parking within the site boundary.

5– 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 Council's 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.

Contaminated Land

KC Environmental Health have not been consulted on this application; however, the site is located within a high-risk coal area. As a result, should permission be granted, it is considered reasonable to add a condition relating to the unexpected discovery of contaminated land. This is reasonable due to the application including ground works. Due to the scale of the proposal, it is considered a footnote would suffice advising of the hours of construction on the application, should permission be granted. As such the application is considered to comply with guidance within Policy LP 52 of the KLP and Chapter 15 of the NPPF

.

6 – Representations:
No representations received.

6 – Conclusion:

This application for the replacement of the existing flat roof with a pitched roof and alterations to the existing windows to Four Winds, 2, Highbridge Lane, Skelmanthorpe, Huddersfield, HD8 9JY. The application 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 proposed extension would not form disproportionate additions to the dwelling, which would constitute inappropriate development in the Green Belt. The replacement windows will blend in seamlessly with the rest of the dwelling.

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: 2024/92980

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. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person 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 Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre

commencement condition.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Grouped Plans and Elevations	Location and block plans - 22014D-12-P01	23-Oct-2024
Grouped Plans and Elevations	22014D-10-P01 GA as Existing	23-Oct-2024
Grouped Plans and Elevations	22014D-11-P02 GA as Proposed	23-Oct-2024
General	Climate Change Statement	23-Oct-2024
General	22014-Supporting Statement	23-Oct-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 requested during the course of this application.

Report Dated:

09/1/2025