

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:	2024/62/93152/E
Site Address:	Hermit House, Stubbin Lane, Denby Dale, Huddersfield, HD8 8YW
Description:	Erection of extension and alterations
Recommending Officer:	Jennifer Booth

DECISION – FULL CONDITIONAL 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.

Kevin Walton

AUTHORISED OFFICER

Date: 15-Jan-2025

OFFICER REPORT

Site Description

The building on the site is a compact cottage with intact stone walling some areas of which are rendered. The roof framing, which was still intact in 2018 has now gone. The property has one original entrance door to the north within an extension forming a porch and a projection to the south which appears to have served the property as a kitchen. There is a central area in the shell of the building with what appears to be a feature fire place which possibly formed the living area and a room off this area which may have served as a bedroom. There is also evidence within the shell of a bathroom area to the south west corner with broken bathroom furniture. There is an adjacent store which appears to be detached from the lane. There also appears to be a large subterranean store below the existing timber porch.

The site is off the main road and in a semi-rural location with no immediate neighbours.

Description of Proposal

The applicant is seeking permission for extensions and alterations.

The plans include the removal of the side porch and a small rear extension, the reroofing of the property with an extension linking the house to the existing outbuilding, which appears to have a small, subterranean link with the main house. The roof over the outbuilding would be altered from a flat roof to a gabled roof.

The new roof would be stone slates, with dark timber cladding and aluminium for the extension.

Relevant Planning History

2018/92135 - certificate of lawful existing use for property as a residential dwelling - granted

Representations

The application was advertised by neighbour letters, which expired on 12/12/2024

As a result of the above publicity, no representations have been received.

Denby Dale Parish Council have been notified of the application and have responded with no objections.

Consultation Responses

None

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 Green Belt on the Kirklees Local Plan Proposals Map

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
- **LP 57** – Extension, alteration or replacement within Green Belt

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 2024, 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 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

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 all other material considerations and representations received.

The site is in a poor state at present and there has been a certificate of lawfulness for the continued use of the site as a dwelling in 2018 under 2018/92135. Matters of abandonment and the derelict status of the building were considered as part of the certificate assessment and it was concluded that with some repairs such as installation of windows in the openings and the addition of a replacement roof, the building is still legally considered as a dwelling.

These issues along with other policy considerations will be addressed below.

Green Belt:

The NPPF identifies that a 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. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances'. Paragraphs 154 and 155 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. Paragraph 154 sets out that the extension or alteration of a building could be appropriate provided it does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan is consistent with advice within the NPPF. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance. Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this,

Policy LP57 states that with such development, 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.

The suggested expansion of the footprint would be limited to the area between the main building and linked outbuilding. As shown in the current drawings, a partially underground store is located between the two buildings. Therefore it can be considered to be a practical solution to connect the buildings with an infill extension, which would expand the available space without infringing upon the spatial or visual impact on the green belt and would allow the restoration of the building to active use.

The current massing of the buildings is divided into two levels, following the natural slope of the site. The smaller outbuilding sits about 1.5 metres lower than the larger structure. The proposal maintains this stepped form by creating a connection between the two, with the floor level positioned between the heights of the two existing floors. The stepped roofline accentuates this pattern, with the eaves and ridge lines stepping between the two building masses. This approach ensures the dwelling preserves the varying roof heights and the modest charm of the original structure and essentially infills the current build form without extending the wider footprint thus preserving the spatial and visual openness of the green belt.

Historic maps held by the Council indicate the original dwellinghouse consisted of the main part of the building along with the outbuilding. Given the subterranean element of the building appears to also be original to the dwellinghouse in light of the construction and link through to the original outbuilding. Historic maps do not show the porch or rear extension. Consequently, it is considered the volume of the original combined masses amount to 216m³. The resultant dwellinghouse would amount to a volume of 285m³, which is a 31.7% increase. This is a borderline disproportionate increase in the size of the original dwellinghouse although is based on the original outbuilding being in the same condition as existing which is unlikely. It is considered the original outbuilding would have had a roof covering of some size, either a dual pitched or mono-pitched roof which with even a modest roof space of 5 cubic metres would reduce the net increase to less than 30%. Considering the likelihood of the outbuilding consisting of roof space to a modest degree it is considered, on balance that the net increase of the volume of the original dwellinghouse is not disproportionate.

The works proposed are considered to respect the traditional character of the dwelling whilst offering a borderline increase in volume the minimal impact on the openness and character of the green belt result in development that is not considered inappropriate development in the greenbelt thereby complying with Policy LP57 of the Kirklees Local Plan and advice within Chapter 13 of the National Planning Policy Framework.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state 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 House Extensions & Alterations SPD 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.

The proposals seek to restore the original structure with repairs to the wall and a replacement roof along with the provision of a link extension between the main building and the outbuilding. The link extension would introduce a modern design featuring glazing and dark timber cladding which provide a clear distinction between the traditional styling of the original dwelling and the extension. The property itself is modest and the link extension would be contained within the existing footprint of the cottage and linked outbuilding. The scale is therefore acceptable. The materials proposed are not in keeping with the materials of the existing building although given the small areas of timber cladding and large amount of glazing, the proposed link does not add large areas of material which would harm the overall appearance of the dwellinghouse. The works proposed are therefore considered to be acceptable in terms of visual amenity.

Having taken the above into account, the proposals 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, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The dwelling is isolated with no immediate neighbours which could be affected by the works proposed.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Paragraph 135 (f) of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the plans also show the provision of a parking area to the side of the property for two vehicles which is considered to represent a sufficient provision. As such the scheme 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 & Alterations SPD.

Other matters:

Carbon Budget

The proposal is a small scale 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.

There are no other matters for consideration.

Representations:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Consideration has been given to removing permitted development rights for further extensions to preserve the green belt. However, the plot itself is limited and the potential for any further development is also limited. As such, it is not considered to be reasonable or necessary to remove permitted development rights.

Conclusion:

This application for extensions and alterations to Hermit House has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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: 2024/93152

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.

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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the roof enlargement to the existing outbuilding 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 & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and

Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-`	1065021	05/11/2024
Block Plan	-	1065024	05/11/2024
Existing plans	01	1065022	05/11/2024
Proposed plans	02	1065020	05/11/2024
Proposed site plan	03	1065026	05/11/2024
Design and access statement	-	1065025	05/11/2024
Climate change statement	-	1065023	05/11/2024

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

13/01/2025