

**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:	2024/62/93528/E
Site Address:	Bell House Barn, 14, Roydhouse, Drinker Lane, Shelley, Huddersfield, HD8 8LR
Description:	Erection of two storey front extension, single storey side extension, dormers to front and rear with associated internal and external works
Recommending Officer:	Nicole Helliwell

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: 11-Feb-2025

Officer Report

Reference no. 2024/62/93528/E

Site Address: Bell House Barn, 14, Roydhouse, Drinker Lane, Shelley, Huddersfield, HD8 8LR

Proposal: Erection of two storey front extension, single storey side extension, dormers to front and rear with associated internal and external works

Site Description

The application relates to Bell House Barn, a 1.5 storey detached property situated in Shelley, Huddersfield. The dwelling is of stone construction and incorporates a dual-pitched roof finished in tiles. The surrounding area comprises residential properties of similar materials and architectural styles. The site is not within a conservation area, nor are there any listed buildings nearby. However, public right of way KIR/130/30 is located within the application site.

Description of Proposal

The applicant is seeking planning permission for the erection of a two storey front extension, a single storey side extension, alterations to convert the garage to living accommodation, dormers to the front and rear with associated internal and external works. The proposed works are summarised below:

- Two storey front extension (projection approx. 1.4m, maximum height approx. 6.1m, and eaves height approx. 4.6m)
- Single storey side extension (projection approx. 4.65m, maximum height approx. 4.05m, and eaves height approx. 4m)
- Alterations to convert the garage to living accommodation
- Front Dormer Extensions (width of approx. 1.10m, depth of approx. 2.36m and a maximum height of approx. 1.10m)
- Rear Dormer Extensions (width of approx. 1.45m, depth of approx. 2.75m and a maximum height of approx. 1.15m)
- Installation of roof lights within the south-facing roof plane
- Alteration to fenestration within the east, west and south-facing western elevations

History of negotiations/amendments received

No amendments were sought or received during the course of the application.

Relevant Planning History

- **2020/93069:** Discharge of conditions 3. (materials) and 4. (fencing) on previous permission no. 2014/92712 for alterations and extension to existing building to form dwelling. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
- **2014/92712:** Alterations and extension to existing building to form dwelling. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **99/92586:** Change of use of existing storage barn to dwelling. [Planning application details | Kirklees Council](#) – Refused
- **87/01717:** Extension and conversion of barn to form dwelling. [Planning application details | Kirklees Council](#) – Refused

Representations

The application was publicised by site notice, press advertisement and neighbour notification letters, which expired on 10th February 2025. As a result of the above publicity, no representations have been received.

Parish/Town Council Comments

Kirkburton Parish Council – No comments received.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Public Right of Way – No formal comments received

Planning Policy Background

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 designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** – Extension, Alterations or Replacement within Green Belt

Supplementary Planning Guidance/Documents:

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.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- House Extensions and Alteration's SPD (adopted 29th June 2021)

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated December 2024, 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. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making
- **Chapter 12** - Achieving Well-Designed 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

Impact on Green Belt

The application site is located on land allocated as Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP Policy LP57 and Chapter 13 of the NPPF. The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. For extensions within the Green Belt to be considered acceptable, it is essential that they should not impact on the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Paragraph 2.12 of the House Extensions and Alterations SPD states that when considering any application, substantial weight will be given to any harm to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Paragraphs 153 and 154 of the National Planning Policy Framework states that certain forms of development are exceptions to 'inappropriate development'. One of these is the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.

The host property is a residential dwelling located off Roydhouse Drinker Lane. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal would introduce additional built development within the Green Belt which would have some effect on the character and openness. The proposed additions (single storey side extension, two storey front extension and front and rear dormer extensions) would equate to a percentage increase in floor space by approximately 14.8% over the original house. However, the proposed development would be subservient and would have an acceptable scale relative to the original dwellinghouse. Furthermore, given the size of the host property and its associated curtilage, it is considered that the effect on the Green Belt would be minimal. On this basis, it is considered that the proposed development would preserve openness and would constitute appropriate development in the Green Belt in accordance with Policy LP57 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

1. Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states 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.

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (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 SPD goes onto 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.

Part of Policy LP57 of the Kirklees Local Plan stipulates that *'the design and materials used (for extensions to buildings) in the Green Belt should be sensitive to the character of the Green Belt setting.'*

Single Storey Side Extension

The single storey extension would extend approximately 4.65m from the side elevation of the original dwellinghouse. The enlargement would be heavily glazed with an oak frame and would incorporate a dual-pitched roof finished in tiles to match the appearance of the host property. The extension would also feature a lower ridge line and would be set back approx. 3.6m from the principal elevation such that it would have some form of subservience to the original build. For these reasons, it is considered that the extension would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Two Storey Front Extension

The proposed two storey extension would project approximately 1.4m from the front elevation of the original dwellinghouse. Although the extension would project forward of the principal elevation, it would feature a lower ridge line and would have an acceptable scale relative to the original build. The extension would also be predominately built in oak with tiles for the roof and would be heavily glazed which would introduce a contemporary element to the building. Whilst this would contrast from the appearance of the original dwellinghouse, on balance, it is considered that the proposed development would be acceptable with regard to visual amenity.

Front and Rear Dormer Extensions

The traditional vertical dormer windows would be located within the south-facing and north-facing roof planes. The dormers would be set back from the eaves, sited below the existing ridge line and would have an oak frame with ties for the roof. Although the material palette would not entirely match the appearance of the host property, it would broadly conform with the original build and would be considered appropriate in this regard. The dormer windows would also be of an appropriate size and design and would generally align with the existing fenestration. Whilst it is noted that the area is generally devoid of dormer extensions, in this instance, the dormers are considered acceptable given that they would have limited visibility from public vantage points within the street scene. On this basis, the proposed development would not have any significant visual impact on the character and appearance of the host property and surrounding area.

Velux Windows

The submitted plans confirm that velux windows would be installed within the south facing roof plane of the original dwellinghouse. Given that the roof lights proposed would be of an appropriate design and scale, they are considered to respect the appearance and character of the host property and surrounding area.

Alterations to Fenestration

It is noted that alterations would be made to the fenestration within the east, west and south-facing elevations of the dwelling. Furthermore, the existing garage door would be removed and replaced with windows to provide additional living accommodation. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would not have any significant visual impact on the character and appearance of the host property and surrounding area.

Having taken the above into account, the proposed development 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, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, 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 submitted plans confirm that no properties located east, west and south of the application site would be affected by the proposed works.

Impact on Bell House Lodge

Bell House Lodge is a detached bungalow located to the north-west and occupies a position on higher ground relative to the application site. It is noted that a separation distance of approximately 8.9m would be retained between the proposed development and Bell House Lodge. Although the separation distance would fall short of the 21m recommended within the Kirklees House Extensions & Alterations Supplementary Planning Document (SPD), given the indirect relationship between the properties including their habitable windows, it is considered that there would be no additional harm to the neighbour's residential amenity with regard to overbearing, overshadowing, or overlooking impact.

Having considered the above factors, the proposal is 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 and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed alterations would not intensify the domestic use although would result in the loss of the existing integral garage (although existing plans show this to fall short of the dimensions required for a parking space in any case). Notwithstanding this, adequate off street parking provision would remain to the side. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. 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.

Public Right of Way

Public Right of Way KIR/130/30 is located within the application site. As such, the proposal was advertised as affecting a PROW. Whilst KC Public Rights of Way were formally consulted on the application, no formal comments have been received. However, it is considered that the proposed development would not have a significant impact on the amenity of the footpath or its users. As such, the proposal is considered to accord with Policy LP23 of the Kirklees Local Plan.

There are no other matters relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. Conclusion

This application for the erection of a two storey front extension, a single storey side extension, alterations to convert the garage to living accommodation, dormers to the front and rear with associated internal and external works at Bell House Barn has been assessed against relevant policies in the development plan as listed in the policy section of the report, 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 proposed development is 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. 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: 2024/93528

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims 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.

NOTE: Public footpath KIR/130/30 is located within the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's Public Rights of Way unit may be contacted by telephone on 01484 221000. Public rights of way are based at Flint Street, Fartown, Huddersfield HD1 6LG and the email address is publicrightsofway@kirklees.gov.uk

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	Revision	Date Received
Location Plan	(EX)002	-	13/12/2024
Existing GA	(EX)001	-	13/12/2024
Proposed GA	(20)001	-	13/12/2024
Block Plan	(20)002	A	13/12/2024
Climate Change Statement	-	-	13/12/2024
Application Form			13/12/2024

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 10/02/2025