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:	**2025/62/90389/E**
Site Address:	Pigatu, 106, Hartshead Lane, Hartshead, Liversedge, WF15 8AJ
Description:	Erection of front extension
Recommending Officer:	Jennifer Booth

DECISION – REFUSED

I hereby authorise the refusal 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: 11-Apr-2025

OFFICER REPORT

Site Description

Pigatu is a barn conversion with original barn door style opening on the front elevation. The dwelling is accessed via a shared courtyard off the main road.

There are a mix of residential properties surrounding the site in terms of age and style.

Description of Proposal

The applicant is seeking permission for the erection of a front extension.

The extension is proposed to be constructed over the barn door opening with a width of 3.9m and a projection of 1.4m. The eaves height would be 3.3m and the overall height would be 5.1m with a stone dwarf wall and timber framing with glazing. The roof form would be a perpendicular pitched roof form.

Relevant Planning History

1990/01927 - conversion of barns to dwelling - approved

1991/02945 - erection of detached garage and stables - approved

1997/93288 - regrading embankments and drystone walling - approved

2001/93273 - erection of extensions - approved

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The proposals are unacceptable due to the design and position, as they would undermine the character of the dwellinghouse and its agricultural appearance in the green belt. Amended plans have not been sought.

Representations

The application was advertised by neighbour letters, which expired on 27/03/2025

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

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 30 – Biodiversity
- **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
- Chapter 15 – Conserving and enhancing the natural environment

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, biodiversity and all other material considerations and representations received.

Impact on 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. 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 stating the following:

> *Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided 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;
b. 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;
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.

As set out in greater detail within the 'Impact on visual amenity' section of this report, the proposed development is not considered to meet the requirement of part a of LP57 insofar that the original building would no longer remain the dominant element both in terms overall appearance. Furthermore, it is considered the design is such that the development would materially detract from its Green Belt setting.

In this instance, although the modest footprint of the extension is noted, the design and scale of the extension would obscure the barn style opening of the property and would harm the agricultural character of the main house. The front extension is therefore not considered to be acceptable in terms of local planning policy in relation to development within the Green Belt, specifically policy LP57 of the Kirklees Local Plan.

Impact on visual amenity:

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

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'*

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 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.

Paragraph 5.13 of the House Extensions & Alterations SPD states that front extensions are highly prominent in the street scene. As per paragraph 5.14 of the House Extensions & Alterations SPD, careful consideration needs to be given to ensure that they are carefully designed to limit the potential for them to erode the character, they should be small and subservient to the main house and constructed using appropriate materials.

The scale of the front extension is considered to be out of proportion with the main house. Being of a gable roof design which protrudes above the eaves with part of the roof slopes. The proposal is sited to the front of a large opening which has a recessed glazed curtain wall. It is considered the visual impact of the existing openings and recessed glazing is in keeping with the character and style of the building, and the proposal would introduce a feature which does not remain in keeping with the character of the building to which it is proposed.

The design would not be in keeping with the agricultural style of the dwelling, obscuring the barn door style opening and is concluded to form an incongruous feature. The front extension is considered to dominate the original house as a result of its size, scale, design and siting and would fail to respect the appearance of the existing building and character of the wider area. The development is therefore not considered to meet the requirements of the aforementioned policies and is considered to

The impact of the proposal in relation to policy LP57 is set out in the 'Impact on Green Belt' section of this report.

Having taken the above into account, the proposals would result in the formation of an incongruous feature out of character with the host dwelling and the wider street scene, thereby failing to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

<u>Impact on residential amenity</u>:

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 limited scale of the extension proposed to the front of the property would, by reason of its modest scale and position relative to the neighbouring properties, not result in any detrimental impact in terms of overbearing, overshadowing or overlooking.

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 Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any intensification of the domestic use. Bin storage for the dwelling would not be moved as part of the proposals. 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:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

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

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to erect a single storey extension to the front of Pigatu 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.

The proposed front extension, by reason of its design and position, would result in the loss of the agricultural character of the host property and would form an incongruous feature. To permit the proposals would be contrary to Policies LP24 & LP57 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation **Refuse**

Decision Authorisation - Delegated Powers
Application Number: 2025/90389
Officer Recommendation: Refuse
Reasons for refusal

1. The proposed front extension, by reason of its size, scale, design and siting, would form an incongruous feature which fails to respect the appearance of the existing building and character of the wider area that would have a visually harmful impact and is contrary to Policies LP24 & LP57 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions & Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1077117	14/02/2025
Block plans	-	1077120	14/02/2025
Existing plans	-	1077118	14/02/2025
Proposed plans	-	1077119	14/02/2025
Climate change statement	-	1077121	14/02/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application. The proposals are unacceptable due to the design and position, as they would undermine the character of the

dwellinghouse and its agricultural appearance in the green belt. Amended plans have not been sought.

Report Dated 09/04/2025