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:	**2025/62/90887/E**
Site Address:	Primrose Farm, Crossley Lane, Mirfield, WF14 0NR
Description:	Erection of two storey side and rear extensions
Recommending Officer:	Elenya Jackson

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.

Emma Thompson

AUTHORISED OFFICER

Date: 30-May-2025

OFFICER REPORT

Site Description

Primrose Farm, Crossley Lane, Mirfield, WF14 0NR

The site is currently a double fronted, stone built, two storey dwelling which benefits from ample amenity space to the side and rear and its own driveway. Currently, the property has a single storey side extension and conservatory on the south western side elevation.

The site is immediately adjacent Primrose Barn, which is also in residential use. The site is accessed via a drive from Crossley Lane.

The site is located in a high risk coal area.

Description of Proposal

This application has been received for the erection of a two storey rear extension and a part two storey, part first floor side extension which would be facilitated by the removal of the existing conservatory.

The side extension would project approximately 3.17m from the side elevation of the property above the existing single storey side extension and have a depth of 6.5m. This would be set back from the principal elevation by 1m.

The two storey rear extension would project 4.2m beyond the rear elevation of the host dwelling and have a width of 6.5m.

The extensions would be constructed from stone with a slate roof.

The application is the same as application 2021/62/93446/E for the erection of two storey side and rear extensions.

Relevant Planning History

2021/62/93446/E: Erection of two storey side and rear extensions. Approved 2018/91781 Erection of two storey side and rear extensions Approved 05/SEP/2018 2016/91429 – Alterations to convert swimming pool/leisure room into one bungalow – Approved

2015/91210 – application for the erection of extensions at this property – Approved
2011/93053 – application for extension to time limit to application 2008/93803 Approved
2008/93803 – application for the erections of extensions at this property – Approved

Representations

The application was advertised by site notice which expired on 11/5/2025

- No comments received.

Consultation Responses

N/A

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 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, flooding and costal 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
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Negotiations
7) Conditions
8) Conclusion

<u>1 – Principle of development</u>:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the construction of extensions to the host dwelling.

Chapter 13 of the NPPF requires Local Planning Authorities to give substantial weight to any harm to the green belt. Development in the Green Belt is considered inappropriate unless exceptions apply. These exceptions 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 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.

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” and this is acknowledged by officers.

Officers have reviewed the application in the context of the planning history on site.
The most recent application was 2021/62/93446/E which was for a scheme identical to the existing application. This was assessed as follows:

‘As was found in the determination of previous planning applications for identical development proposals on site; from looking at historical maps, it is clear that the existing single storey side extension was added at some point between 1955 and 1965; this would be retained and built above. Although these are significant extensions to the dwelling, they have been approved twice before and been found acceptable. Whilst these were determined under

previous policy and guidance, the principals of the policy framework has not significantly changed. As such, the previous applications would have been assessed against similar requirements. The extensions would be wholly within the curtilage of the building; they would not have a significant adverse effect on the openness of the Green Belt and would not represent disproportionate additions to the dwelling'.

Since the determination of the 2021 submission there have been no amendments to policy that would alter the view that the proposals remain acceptable. Given these factors, it is considered that the principle of the proposed development can be supported in terms of its impact upon the Green Belt in accordance with policy LP57 of the Kirklees Local Plan'

Following on from this, with regard to the design of the proposed extensions, the Kirklees House Extensions and Alterations SPD states that 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; Would comply
- 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.

The side extension would comply with the criteria in the SPD for side additions. It would be subservient in scale, set back and would assimilate acceptably into the host building.

With regard to the rear extension, The Kirklees house extension and alteration SPD states that two storey rear extensions should:

- be proportionate to the size of the original house and garden
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings)
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties.
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary; Complies; more than 1.5m from boundary
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metres.
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

It has previously been considered that the proposal would accord with the aforementioned criteria except for its depth exceeding 4m. The SPD has a 'comply or justify' policy, the additional 20cm in the context of the dwelling would not read as an incongruous or out of keeping element relative to the host.

It is considered that there have been no significant policy updates since this previous permission was granted. It is therefore considered that the proposal would comply with Policy LP24 and LP57 of the Kirklees Local Plan and the aims of Chapter 12 and 13 of the NPPF. The proposed extensions would fail to be in-keeping with the character of the host building and fail to integrate with the rural character of the area.

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.

Primrose Barn adjoins the application site to the north.
Overlooking: The proposal would not feature any side facing windows. First floor windows are positioned to avoid any impact on neighbouring occupants.
Overshadowing/loss of light/overbearing: The side extension would be screened by the host dwelling and would not raise any concerns. There is also a large hedgerow between the properties which would largely screen the rear extension from view. Therefore, no significant issues would be raised regarding Overshadowing/loss of light/overbearing.

It is considered that due to the location of the proposal, no further properties would be impacted by the development

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 and the scale of the extension, 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 proposal 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.

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.

6 – Representations:

N/A.

7 – Negotiations:

N/A

8 – Conclusion:

This application for the erection of a two storey side and rear extension to Primrose Farm, Crossley Lane, Mirfield, WF14 0NR 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 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: 2025/90887
Officer Recommendation: APPROVE

Conditions and Reason:

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP23, LP24 and LP51 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.
2. The external walls and roofing materials of the extensions 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 and the aims of Chapter 12 of the National Planning Policy Framework.

   NOTE: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

   NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) to obtain this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

   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 13.00 hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan			4/04/2025
Proposed site plan	0110		4/04/2025

Plan Type	Reference	Revision	Date Received
Grouped Plans and Elevations	2010		4/04/2025
Existing site plan	0105		4/04/2025
Existing floor plans	2000		4/04/2025
Climate change statement			4/04/2025

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 2015 and otherwise actively engaged with the applicant in dealing with the application.

No further alterations requested as they were not deemed necessary.