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:	**2025/62/92216/W**
Site Address:	Butterley Leys Cottage, Spring Lane, New Mill, Holmfirth, HD9 7EH
Description:	Change of use of land to garden space, erection of single storey front extension and formation of 2 parking spaces
Recommending Officer:	Joanna Rednall

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: 16th October 2025

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The Site

Butterley Leys Cottage is a stone-built dwelling located south of Spring Lane,. The property is accessed via a private track and is set back from the road. The cottage is constructed in natural stone with a slate roof and occupies a plot that includes an area of hardstanding to the front, as well as a lawned garden that wraps around the front, side, and rear of the dwelling. Opposite the dwelling are open fields.

The site is allocated Green Belt within the Kirklees Local Plan.

The host property has a clearly defined curtilage, with boundary treatments. Aerial photographs from 2002, 2006, 2009, 2012, 2018 and 2021 which all indicate that the curtilage has remained unaltered and closely defined to the side (pedestrian access width only) and to the front and rear of the property only.

The Proposal

The applicant is seeking planning permission for change of use of land to garden space, erection of single storey front extension and formation of 2 parking spaces.

The proposal includes the change of use of an area of land measuring approximately 5 metres by 6.5 metres, into a parking area for two vehicles. This plot is located to the south of the existing dwelling and is beyond the extent of the residential curtilage.

The front extension is proposed to the west-facing elevation, measuring approximately 3.4m in depth, 9.4m in width, 2.4m at eave height and 3.3m to the topmost part of the roof. The extension is finished in natural stone with a slate lean-to roof.

Five windows are proposed to the front elevation with two rooflights above. Internally, the extension serves a sitting area and entrance hall.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered significant amendments would be required to overcome the harm of the development.

Planning History

Relevant planning history for this site is summarised as follows:-

2010/91213 - Erection of first floor extension and alterations
Conditional full permission

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.
Final publicity date expired: 19th September 2025.
No representations were received as a result of the publicity.

Parish/ Town Council Comments

Holme Valley Parish Council: Oppose, stating the following:

> *'There is insufficient detail regarding the green belt, change of use and heritage. The Climate Change Statement was insufficient and inadequate.'*

Officer response: These points are noted. The impact upon the Green Belt / change of use is considered within Section 1 of the 'Assessment' section of this report. The impact upon Climate Change is considered under Section 5 of the 'Assessment' section of this report. The site is not within a Conservation Area or relates to a listed building. The Visual impact of the development is assessed within sections 1 and 2 of the 'Assessment' section of this report.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is within the Green Belt as allocated within the Kirklees Local Plan, the site also falls within an area with a known presence of Bats.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

LP1 Achieving Sustainable Development

LP2 Place Shaping
LP21 Highway Safety
LP22 Parking Provision
LP24 Design
LP57 The extension, alteration or replacement of existing buildings
LP58 Garden Extensions

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
Policy 12 – Promoting Sustainability
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

Chapter 2 – Achieving sustainable development
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)
Holme Valley Neighbourhood Development Plan

Legislation

The Town & Country Planning Act 1990 (as amended).
The Conservation of Habitats and Species Regulations 2017

Assessment

1 – Principle of development:

LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

> *The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

Land allocation – Green Belt

The site is designated Green Belt on the Kirklees Local Plan. 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, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155.

Further to this, Policy LP57 of the Kirklees Local Plan states 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.'*

Policy LP58 of the Kirklees Local Plan states the following:

> *'Proposals to change the use of land in the Green Belt to a domestic garden will not normally be permitted. Where it can be shown that very special circumstances exist that would warrant allowing the proposal, consideration will need to be given to the following;*
> *a. the degree, location and orientation of the enclosure, which should cause least harm to the openness of the Green Belt; and that*
> *b. the means of enclosure is appropriate to its setting and is of a high quality of materials and design.*
>
> *Permitted development rights for structures such as garages, sheds, greenhouses or other ancillary or incidental buildings or structures may be removed if it is considered that they would subsequently result in an unacceptable intrusion of urban character into their Green Belt setting.'*

Paragraph 154(c) sets out that 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 may be an acceptable exception. Paragraph 154(h) of the NPPF sets out that material changes in the use of land may be an exception provided they preserve its openness and do not conflict with the purposes of including land within it.

The proposed development comprises the erection of a single-storey front extension to the west-facing elevation of the dwelling, which would measure approximately 9.4 metres in width, 3.4 metres in depth, and 3.3 metres in height. A review of the planning history and historic mapping records indicates that the existing dwelling has already been subject to enlargement over time, most notably through the addition of an addition to the side. The proposed front extension would adjoin this existing addition and further increase the footprint and volume of the building over and above the original built form within a prominent part of the site.

It is considered that the proposed front extension, by reason of its scale, siting, and overall design, would constitute a visually dominant and discordant addition to the front of the dwelling, which would be readily visible from public vantage points. The extension would be read as a competing addition that would not appear subservient to the original dwelling, which would no longer remain the dominant element. In this regard, the proposal would fail to comply with the policy requirement set out in paragraph 154(c) of the NPPF, that extensions to buildings within the Green Belt must not result in disproportionate additions over and above the size of the original building.

When viewed cumulatively with the existing extensions that have already been carried out at the property, it is considered that the proposal would represent a further material increase in the built form associated with the site. This, combined with the design, siting and prominence of the extension would result in a level of development that is disproportionate relative to the scale of the original dwelling. As such, the development would fall outside the scope of

the exceptions listed under paragraph 154 of the NPPF and would therefore be considered as inappropriate development within the Green Belt, for which no very special circumstances have been demonstrated or are considered to exist more generally.

In addition to the proposed extension, the application also includes the change of use of a section of the existing soft landscaped garden area, located immediately to the south of the dwelling, to form a parking area for two vehicles. This area, measuring approximately 5.0 metres by 6.5 metres, is currently free from any built form and contributes positively to the open and undeveloped character of the surrounding land. The conversion of this green space into a domestic parking area would result in a significant visual change to the character of the land, resulting in urbanisation into an area that currently contributes to the openness of the Green Belt. This aspect of the proposal would result in an encroachment of the residential curtilage into an area of previously open land and would therefore conflict with one of the fundamental purposes of including land within the Green Belt, as set out in paragraph 143 of the NPPF. The introduction of a parking area in this location would represent an extension of residential curtilage into land that is not currently developed, thereby eroding both the spatial and visual openness of the Green Belt in this location.

Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

There are not considered to be very special circumstances present to clearly outweigh the identified harm resulting from the encroachment of the residential curtilage and the scale of the extension proposed. Whilst additional vehicular parking would result, this is not considered to be a factor which would clearly outweigh the harm in this case and the fact that there is a level of parking arrangements which can be undertaken in any event.

Taking all of the above factors into account, it is considered that the proposed development, by reason of its siting, scale, and cumulative impact with previous extensions, would result in a disproportionate addition to the original dwelling and therefore constitute inappropriate development in the Green Belt, contrary to paragraphs 143 of the NPPF. Furthermore, the introduction of additional parking and the extension of domestic use into a previously undeveloped area of land would result in a harmful encroachment into the Green Belt, undermining its openness and conflicting with the fundamental purpose of preventing urban sprawl.

In spatial and visual terms therefore, the proposed development would add built development where presently there is none and it would be visible from a number of vantage points, resulting in a visual as well as physical reduction in

openness. As such, the proposed development would result in harm to the openness of the Green Belt. For similar reasons, it would result in an encroachment into the countryside, in conflict with this Green Belt purpose, as set paragraph 143c of the NPPF.

It is therefore considered the development would not preserve openness and the proposed change of use is considered to conflict with one of the purposes of including land within the Green Belt. For these reasons the proposal is concluded to be inappropriate development within the Green Belt, contrary to Policy LP57 and LP58 of the Local Plan and Policies within Chapter 13 of the NPPF.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out 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, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA).

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting. Furthermore this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

The application site is within Landscape Character Area 7 - River Holme Wooded Valley
Key landscape characteristic of the area are

- Glimpsed views towards the wider landscape through gaps between built form.

- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

Key built characteristic of the area are

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.
- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

Front extension

Paragraph 5.13 of the Council's House Extensions and Alterations SPD relates to front extensions and details that as front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed, large extensions (single and two-storey) and conservatories on the front of an existing house will not normally be acceptable and are considered likely to appear particularly intrusive.

In this case, the proposed front extension is to be constructed on the west-facing elevation of the dwelling and would measure approximately 3.4 metres in depth, 9.4 metres in width, with an eaves height of approximately 2.4 metres and a ridge height of 3.3 metres. The extension is proposed to be finished in natural stone with a lean-to roof clad in slate to match the materials of the host dwelling.

Whilst it is acknowledged that the property does not directly front onto the public highway, it does face an area of open space to the west, which affords the dwelling a degree of visual exposure from surrounding land. Although the house is not considered to be a prominent feature within the wider streetscape, its western elevation remains visible within the setting and contributes to the open and rural character of the area.

The proposed front extension, by virtue of its overall width, depth, and design, would span a substantial portion of the principal façade of the dwelling and would fail to appear subservient to the original built form. When viewed from the side elevations, the scale of the projection would appear particularly disproportionate relative to the depth of the original house forming an unsympathetic and obtrusive addition. The extension would significantly alter the visual massing of the dwelling from the western aspect, resulting in a development that would dominate the original structure.

Furthermore, the design of the windows proposed on the front (west-facing) elevation does not reflect the architectural style of the original house. The new windows, which differ in proportion and alignment, would contrast sharply with the existing vertically-oriented openings, creating a noticeable visual disconnect between the extension and the original building. This lack of consistency in window design and detailing would result in an unsympathetic addition that disrupts the balance of the façade and would undermine the character of the host dwelling.

Although the use of matching materials is acknowledged, this alone does not address the key concerns related to the extension's scale, proportion, and overall design. The choice of materials would not overcome the visual harm caused, as the extension would still appear overly prominent and out of keeping with the original building.

As set out above in relation to the proposed parking area, the development would introduce a visually intrusive and urbanising feature onto land that is currently open and undeveloped. This would reduce the visual openness of the site, extend domestic use into the Green Belt, conflict with its intended purpose and rural character, and cause harm to visual amenity.

It is therefore concluded that the proposed development would have a detrimental impact to the host property and appearance of the area contrary to policies LP24 (a and c) of the Kirklees Local Plan, paragraph 5.13 and principles 1 and 2 of the Kirklees House Extensions and Alterations SPD, Policy 2 (building form) of the Holme Valley Neighbourhood Development Plan and policies contained within Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

The House Extensions and Alterations SPD sets out a number of designs principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *"extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours".*
- Principle 4 – that: *"extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook."*
- Principle 5 – that: *"extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property".*
- Principle 6 – that: *"extensions and alterations should not unduly reduce the outlook from a neighbouring property."*

The proposed extension would be positioned to the front (west-facing elevation) of the dwelling, in a location where there are no neighbouring residential properties in close proximity. The extension would project approximately 3.4 metres from the existing elevation; however, due to the separation distance from any neighbouring dwellings or windows, it is not considered to result in any undue overbearing, overshadowing, or overlooking impacts. The proposed area for parking is not considered to lead to any significant additional harm to neighbouring occupiers.

The proposal is therefore not anticipated to lead to unacceptable harm in relation to the residential amenity of any surrounding properties.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. The proposal would provide an additional parking area to serve Butterley Leys Cottage, however this is not considered very special circumstances to outweigh the considered harm of the development in the Green Belt setting. On balance, while the development may improve parking provision, this benefit holds limited weight as it fails to preserve the openness and conflicts with the fundamental purpose of the Green Belt.

As such, it is considered that while the development would comply with the aforementioned policies, the principle of development to provide additional

parking spaces in this site-specific case would constitute inappropriate development within the Green Belt.

5 – Other matters:

Ecology

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative would be included, however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

Climate Change

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application outlining local materials will be used in the construction of the extension. Given the scale of the proposal, and requirements of building regulations, this is considered acceptable in terms of climate change mitigation.

6 – Representations:

Representations received from the Parish Council are addressed earlier within this report.

7 – Conclusion:

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 in this report, 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: 2025/92216

Officer Recommendation: Refusal

Reasons:

1. The proposed change of use of land to garden space would extend the residential curtilage into the Green Belt, which would fail to safeguard the countryside from encroachment and would not preserve the openness of the Green Belt and would lead to an urbanising feature which has a visually harmful impact in relation to the countryside setting within which it would be viewed. The proposed development would therefore represent a visually harmful development that also constitutes inappropriate development within the Green Belt for which no very special circumstances have been submitted to outweigh the harm to the Green Belt or any other harm. The proposal therefore fails to accord with policies LP24 & LP58 of the Kirklees Local Plan Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapters 12 and 13 of the National Planning Policy Framework

2. The proposed front extension, by reason of its design, siting and scale, would result in the construction of an incongruous and unsympathetic feature which would fail to harmonise with the host dwelling and would be detrimental to the character and appearance of the original house. The proposal therefore fails to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Kirklees House Extensions and Alterations Supplementary Planning Document, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

3. The proposed front extension, by virtue of its design, siting and scale constitutes a disproportionate addition and would therefore be inappropriate development within the Green Belt for which no very special circumstances have been submitted to outweigh the harm to the Green Belt. The proposal therefore fails to accord with policies within Chapter 13 of the National Planning Policy Framework, together with policy LP57 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Planning Drawing	01		06/08/2025
Climate Change Statement	-	-	11/08/2025
Application form	-	-	22/08/2025

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 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. No amendments have been sought in the processing of this application as it was considered significant amendments would be required to overcome the harm of the development.