

APPEAL STATEMENT

Applicants: Mr and Mrs B Glover

Local Planning Authority: Kirklees Metropolitan Council

Application Reference: 2025/62/92545/W

Site Address: Stonecourt, Oldfield Road, Honley, Holmfirth, HD9 6NL

Proposal: Erection of single and two storey rear extension and associated alterations

Introduction

This appeal is made against the refusal of planning permission by Kirklees Metropolitan Council for extension to Stonecourt, a detached dwelling within the Green Belt. The proposal seeks to provide modest additional living accommodation to meet the evolving needs of a family with young children, whilst retaining the character and appearance of the host dwelling and its rural setting.

The refusal rests on two principal grounds:

1. That the design and scale of the proposal constitutes a disproportionate addition to the original property that does not harmonise with the host property and wider locality and
2. That the development constitutes inappropriate development within the Green Belt and would result in visual harm and lack subservience to the original dwelling.

It is respectfully submitted that these conclusions place undue weight on volumetric calculations and insufficient weight on visual perception, site context, strong design and positioning. When assessed holistically, the proposal meets with paragraph 154(c) of the National Planning Policy Framework (NPPF), Policies LP24 & LP57 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.

Context

1. Background and site information.
2. Policy LP1 of the Kirklees Local Plan.
3. Comments on differences on refusal reasons on paragraph 154(c) of the National Planning Policy Framework (MPPF) and Policy LP57 of the Kirklees Local Plan.
4. Comments on difference on refusal reasons on Policy LP24 of the Kirklees Local Plan.
5. Comments on areas of differences on Policy 2 of the Holme Valley Neighbourhood Development Plan.
6. Comments on Parish Council representation.

1. Background and site information

Stonecourt is a substantial detached dwelling set within a large, elevated plot. It is well screened by existing landscaping and boundary treatments and is read as a single residential entity when viewed from public vantage points. The site is not isolated in the countryside, but forms part of an established cluster of dwellings along Oldfield Road, where properties vary considerably in size, form, and architectural expression.

Importantly, the extension is proposed entirely to the rear of the dwelling and would have no impact on the established street scene or the openness of the Green Belt when viewed from the highway. Images to show the property from the street scene and to the rear of the property to show the visual aspects of the site are attached in appendix 2.

2. Policy LP1 of the Kirklees Local Plan

Policy LP1 states:

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.

We have not received any correspondence from the Kirklees officer or The Council on this application and have on multiple occasions had no response to email correspondence from us as the applicants or our instructed agent. This lack of correspondence does not constitute working pro-actively with us to jointly find a solution and therefore we deem that The Council has not adhered to the policy, meaning we have not been given fair opportunity compared with other applicants to come to a potential approval or to discuss any amendments.

Therefore, we have decided to appeal this refusal as we were not given opportunity to have a pro-active approach during the application process.

3. Comments on differences on refusal reasons on paragraph 154(c) of the National Planning Policy Framework (NPPF) and Policy LP57 of the Kirklees Local Plan.

Paragraph 154(c) of the NPPF sets out that the extension or alteration of a building if it does not result in disproportionate additions over and above the size of the original building may be an acceptable exception and therefore are deemed as appropriate.

The officer's report states the volume calculations to be 485.3m³ for the original house and the proposed extensions, when combined with the existing garage would increase the volume by approximately 476m³. We have not seen the calculation of the reporting officer but from our calculations we do not agree with these volumes. We include detailed volume calculations in appendix 1, showing a total volume of the original house of 568.6m³, the proposed extension of 310.7m³ and the garage extension of 79.6m³ giving a total extension ratio including the garage of 68.7% of the original house. This is significantly less than the delegate reports stated 98.1%.

This shows that the extension is not as large in terms of scale and volumetric proportion as documented in the reports.

We would like to draw attention to application number 2023/62/93669/W, erection of two storey side extension and associated alterations at 80, Far Banks, Banks Road, Honley, Holmfirth, HD9 6NW. This property is with the same cluster of properties as Stonecourt, with access to the rear of the property off Oldfield Road and is also in the Green Belt. This application was approved and the officer made the following comments on the consideration to disproportionate (visually) in scale:

The proposed two storey extension, and small rear outrigger, is not disproportionate (visually) in scale and would leave most of the original dwellinghouse dominant all aspects. The proposed two-storey extension would provide an additional ~288 cubic metres to the dwellinghouse, of which hosts an existing volume of ~464 cubic metres. This, due to its siting, design and appearance, would be

considered a proportionate increase to the existing dwelling and would not over-dominate the existing house; recognising that the increases is just over 60% of the original volume of the dwelling. In addition, it is noted that this application would be the first extension to 50, Far Banks, therefore the cumulative impact of previous extensions would not be applicable in this case. This is an individual conclusion based on the design and appearance of the proposed extension in this case. Despite the increase in volume of the dwelling, the design and appearance is proportionate to the original building. The proposed extension would follow through the design of the original dwelling in terms of height, and length, therefore would not materially detract from the Green Belt setting with regards to design and materials. Given these factors, it is considered that the proposed extension would be proportionate additions to the original dwelling: in this site specific unusual case.

The scale of the development at 80 Far Banks was 62% of the original building, which is comparable to the application for Stonecourt without the inclusion of the garage, at 54.6%. Therefore it would appear that a consistent approach to the application of the policies has not been applied. The garage is a historical application and although it is understandable to include it in calculations, heavy weighting seems to have been placed on the garage. It is stand alone and separate from the main dwelling and it's impact on the development is difficult to connect apart from a numerical point of view, which as noted in paragraph 154(c) of the NFFP is not solely on numerical or volumetric exercise.

We would argue that the development at 80 Far Banks is more harmful to the openness of the Green Belt as it is visual from Long Lane, Far Bank and Woodhead Road and the far side of the valley, when in comparison Stonecourt's proposal would be significantly less impact as can be seen from the edited photos of appendix 3 it is difficult to see from the public vantage point on Oldfield Road or from the farmers field at the rear due the site elevations.

The officer then goes on to state that the definition of "disproportionate addition" in paragraph 154(c) of the NPPF is not solely on numerical or volumetric exercise and consideration should be given to visual and spatial relationship between the development and original dwelling, having regard to scale, siting, massing and overall design.

The officer's report states that:

In this instance, it is considered that the proposed single- and two-storey rear extensions, by virtue of their overall size, height, and bulk, would form a visually dominant and discordant addition to the host property. The cumulative massing of the extensions would compete visually with the original dwelling, resulting in a form of development that would fail to appear subservient. The proposal would therefore erode the legibility of the original house as the principal element of the building.

Furthermore, given the property's siting and topography, the extensions would be readily visible from public vantage points, thereby increasing their perceived impact on the openness of the surrounding Green Belt.

When viewed cumulatively with the existing detached garage, the proposal would materially increase the overall scale and footprint of built development on the site. This additional massing would further compound the visual and spatial impact, resulting in a level of development that is considered disproportionate relative to the size and character of the original dwelling. As such, the proposal would not fall within the exception set out under paragraph 154(c) of the NPPF, which permits extensions to buildings in the Green Belt provided they are not disproportionate additions over and above the size of the original building.

We do not accept that the overall size, height or bulk of the proposed development visually dominate the original property due to the following reasons:

- The proposed development has a pitched roof to preserve the character of the original property but has been designed so the ridge is significantly lower than the original property to ensure it is visually subservient. Leaving the original property as the principal element from all aspects.
- We contest that the extension would be readily visible from public vantage points. Attached are photographs of the site and show the public vantage points from the street scene and from the neighbouring farmers field at the rear of the property. As can be seen from the photographs in appendix 2 and 3, it could be argued that only the south east elevation of the single storey element of the extension can be seen from the only public vantage point (the road scene) and so we disagree that this has an impact on the openness of the greenbelt due to the design.

For the points raised above, the proposed development is subservient to the original dwelling, ensuring the original building remains the dominant element both in terms of size and overall appearance. The proposed extension has been designed to reflect the character of the original dwelling and preserve the established character of the area. The extension is at the rear of the original property and does not have a greater impact to the openness of the greenbelt than the original dwelling, especially from public vantage points.

Therefore, is not a disproportionate addition to the original dwelling and meets exception of paragraph 154(c) of the NPPF and Policy LP57 of the Kirklees Plan. We acknowledge that the increase in size of the overall property is significant compared other extensions, but have tried to mitigate this with a design and position of the development.

In addition, we gave significant consideration to the extension limits based on neighbouring properties. Stonecourt is dwarfed by neighbouring properties and the double storey extension would align the property with neighbouring properties as can be seen on the block plan, appendix 4. Most of the neighbouring properties have extended some under permitted development and we understand that this option would be available to us, but it was our intention to have proactive discussion with the Council on achieving an extension that was in keeping with the original property, local area and with good design fitting for the Green Belt and neighbouring properties. In comparison, we felt this was a better development proposal than a large single storey blocks under permitted development which would bring a significantly larger amount of harm to the Green Belt.

4. Comments on difference on refusal reasons on Policy LP24 of the Kirklees Local Plan

Design

The proposal uses:

- Natural stone to match the existing dwelling
- Blue slate roofing
- Traditional proportions and detailing

These elements were expressly acknowledged by the Council as positive. The extensions read as a coherent evolution of the dwelling rather than an incongruous addition.

Local Character

The surrounding area contains dwellings of varying scale and form. The proposal respects this established pattern and does not introduce an alien or intrusive form. Importantly, no objections were received from neighbouring residents, and residential amenity impacts were found to be acceptable in full.

Other Material Considerations

- Residential amenity: Fully compliant – no overlooking, overshadowing, or overbearing impacts
- Highway safety and parking: Fully compliant
- Ecology: Low risk, acceptable with informative
- Climate change: No adverse impacts identified

These matters weigh in favour of the proposal and reinforce its sustainability credentials.

Key Design Principle 2 of the Council's House Extensions and Alterations SPD states:

Impact on the original house 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 detail.

The officer's report states that the extension would not read as subordinate additions but rather as competing elements that visually dominate the host building and therefore conflict with the Key Design Principle 2.

The property has been designed to:

1. Not dominate the original house as it isn't larger.
2. It is in keeping with the materials and details of the original dwelling and
3. The scale is not excessive compared to the host property.

The officer's report goes on to state that:

Consequently, the proposal would fail to respect the established character and appearance of the host property and its surroundings, contrary to Policy LP24 (a and c) of the Local Plan, which seeks to ensure that development proposals are well designed, respect the character of both the townscape and landscape, and that extensions remain subservient to the original building.

The design for the extension heavily considered the core for good design as stated in Policy LP24 of the Local Plan. The design incorporates the high quality, accessible, inclusive and safe design to ensure:

1. A form, scale and details that respect and enhance the character of the local area and the original host property. This was achieved by using natural stone for the external walls and blue slate roof will match the materials of the existing dwelling. The design also incorporated mullion windows and other traditional details which are common in the neighbouring local area.
2. It is subservient to the original building as can be seen from the positioning and height of the proposal and therefore is in keeping with the existing buildings in terms of scale, materials and details to minimise the impact on neighbouring properties and future use of the property.

In additions, the officer has not considered other factors in the Policy LP24 of the Local Plan, which were mentioned via email to the planning officer but we did not receive a response, and have not been given any consideration to their importance:

3. The design was purposely positioned across the back of the property to reduce the access to the property from the front aspect via the driveway with the view of minimising the risk of crime and enhancing security for the current occupants (of which there are three young children) and future occupants.
4. The design sealed the back garden from a steep driveway onto a busy street junction with a current speed limit set at the national speed limit. This design created a accessible, safe and inclusive outside space for our family with younger children.

5. The design incorporates the existing planting, hedges, trees and other mature garden shrubs to mitigate the impact it has on neighbouring properties.

Therefore, we contest that in terms of visual amenity, the proposal would be contrary with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD and advice within the NPPF. We believe the design has been very much in line with the Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD and advice within the NPPF and shows significant benefits for the wellbeing and health of the current occupiers and future occupiers.

The design has also been focused on its impact on residential amenity. We undertook discussions with all our neighbours, showing them the design and the reasoning. The officer's report states that the design complies 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. This is supported by the lack of neighbour comments in the initial application.

5. Comments on areas of differences on Policy 2 of the Holme Valley Neighbourhood Development Plan.

We have reviewed Policy 2 of the Holme Valley Neighbourhood Development Plan and cannot see how the proposed extension fails according to this policy, as stated in the officer's reason on the report.

We have considered all the following elements of the policy and feel that any area raised have been covered when commenting on the Local Plan policies above:

1. Local Character Building
2. Sense of Place
3. Utilising Existing Assets
4. Innovation and Responding to Local Context
6. Inclusivity and Accessibility Designs
8. Built Form and Materials
10. Protecting Amenity

6. Comments on Parish Council representation.

The Parish Council commented that a planning statement is required for development in the Green Belt, the extension is out of scale with the original building and there is a loss of the chimney as a key feature.

Similar to the Council, no consultation was made with us as the applicants on the comments. We agree that the chimneys are key features of the property with two visible chimneys from the front elevation. The Parish Council's comments assumed that one of these chimneys were to be removed, this was not the case and was a misunderstanding. The third and less visible chimney at the rear is the proposed chimney for removal, with the aim to recycle the material within the build and this was noted by the Council Officer as less impacted.

Our agent states that the planning statement is not a requirement and this statement by the Parish Council is factually incorrect.

We have addressed the scale of the extension above with the NPPF and Local Plan policies.

Conclusion

The reason for refusal on the Officer's report:

The proposed development, by virtue of its design and scale, constitutes a disproportionate addition to Stonecourt, Oldfield Road. In addition the proposed development represents a visually harmful development that does not harmonise with the host property and wider locality. The development therefore constitutes inappropriate development within the Green Belt for which no very special circumstances have been submitted to outweigh the harm to the Green Belt which also has a detrimental visual impact. The proposal fails to accord with policies LP24 & LP57 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.

As noted above, we do not agree that the proposed development constitutes a disproportionate addition to Stonecourt, Oldfield Road and that the design and position of the extension have been created to ensure that the development is not visually harmful to the host property using the same materials to ensure it harmonises.

The design also harmonises with the wider locality as stated in the Officer's report and has been designed to harmonise with neighbouring properties. The properties on Oldfield road, vary in size and architectural design, ranging from a Spanish styled villa, stone constructed, block and render constructed, bright blue dormers extensions and brick properties, making complete harmonisation difficult, hence focus was on the host property.

As stated above, the development does constitute appropriate development as per paragraph 154(c) of the NPPF and the harm to Green Belt is insignificant and no more impacting than the original property or any of the neighbour property extensions, some under permitted development.

As can be seen from the photographs in the appendices and comments above, we consider the proposal does meet the policies LP24 & LP57 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 and therefore would like to appeal the refusal by Kirklees Council.

We respect the planning process and the importance of the policies in place which offer protection to our local area for the members of the public. On this application we deem the policies haven't been applied consistently with other applications, consideration has been heavily weighted on a few points and a pro-active approach hasn't been undertaken to find a positive solution. We therefore appreciate the time spent to consider our comments above and look at the application appeal.