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:	**2026/62/90286/E**
Site Address:	Savile Croft, Hunsworth Lane, Hunsworth, Cleckheaton, BD19 4DX
Description:	Change of use of agricultural land to residential curtilage/garden, erection of extensions and alterations, formation of hipped roof and formation of raised patio
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.

Emma Thompson

AUTHORISED OFFICER

Date: 17-Jul-26

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OFFICER REPORT

Site Description

Savile Croft is a detached, brick built bungalow with hardstanding and stables to the front and a small garden area to the rear.

The surrounding area is residential with a mix of house type although the surrounding properties are similar in terms of age.

There are open rural aspects to the north east, east and south east.

Description of Proposal

The applicant is seeking permission for a change of use of agricultural land to garden and to alter the roof form and erect extensions to the rear.

The roof over the original house is currently a main hip and a smaller hip. The proposals include replacing the two mismatched hips with a single hip.

The rear extension would project 6.8m from the original rear wall of the dwelling with accommodation over the ground and first floor. The width would be 14.5m. The roof form would be a steeply sloped, perpendicular pitched roof. There would be feature glazing.

The plans also include further rear extension with the formation of an undercroft with a terrace above with a projection of 3m from the proposed rear extension and with a width of 18.6m.

The plans also show a patio being formed facilitated within part of the area formerly land outside the curtilage and applied for change of use under this application. The site boundary extends further into the field to provide garden.

The walls of the original part of the house would be stone with the walls of the rear extension being clad with timber and the undercroft being of stone construction with tiles for the roof covering.

Relevant Planning History

1991/01536 – replacement of flat roof with pitched - 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. There are fundamental issues with the proposed change of use of the green belt for domestic purposes doing so undermines their purpose of protecting open countryside, preserving biodiversity, and preventing urban sprawl. Furthermore, the substantial extensions proposed to the dwelling would overwhelm the main house and would form disproportionate additions to the property failing to accord with design policies. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 22/06/2024

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

Consultation Responses

K.C. Biodiveristy – informal, information supplied is acceptable

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).

Part of the site is unallocated and part of 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
- **LP 58** – Garden extensions

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.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

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

<u>Principle of development</u>:

The site is partially unallocated within the Kirklees Local Plan (KLP), with the part of the site containing the existing dwelling falling outside any specific designation, while the land to the rear, comprising the garden area and part of the area for the proposed extension, lies within the Green Belt as identified on the Proposals Map.

Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach reflecting the presumption in favour of sustainable development contained within the NPPF. In relation to extensions and alterations to a property, Policy LP24 of the KLP is relevant, alongside the House Extensions & Alterations SPD and Chapter 12 of the NPPF in respect of design. Given that part of the proposal extends into the

Green Belt, a key consideration is its impact on openness and the purposes of including land within the Green Belt, assessed in accordance with Policy LP57 of the KLP and Chapter 13 of the NPPF. The principle of development is considered acceptable in this instance, and the proposal will therefore be assessed against all other material planning considerations, including its impact on visual amenity, residential amenity, highway safety, biodiversity, and any 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. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this, Policy LP57 states that with such development, 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 further advises that proposals involving the extension of domestic curtilage into the Green Belt will not normally be permitted, as such changes are, by definition, harmful to openness. Where very special circumstances are advanced, the policy requires careful consideration of the degree, location and orientation of any enclosure to ensure that it results in the least possible harm to the openness of the Green Belt, alongside ensuring that any means of enclosure is of an appropriate design and materials that respond positively to the rural character of the area and do not introduce an urbanising influence.

The proposed extensions would result in the enlargement of the dwelling into the Green Belt. By virtue of their scale and siting, the extensions would represent a disproportionate addition which would fail to respect the modest scale and simple character of the original dwelling, contrary to Policy LP57 of the Kirklees Local Plan.

Furthermore, the proposal includes the enlargement of the domestic curtilage into the Green Belt, which constitutes a change of use of land to residential garden. This would result in erosion and encroachment into the countryside and introduce an urbanising influence that would erode the openness of the Green Belt. In the absence of very special circumstances, such development is inappropriate and conflicts with Policy LP58 of the Kirklees Local Plan.

Impact on visual amenity:

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.
The proposed extensions are significant in scale and would fail to appear as subservient additions to the host dwelling. Their overall form and massing would appear disproportionate, detracting from the modest scale and simple character of the existing property. Furthermore, whilst the use of cladding may be appropriate in the context of the extension itself, it would not be sympathetic to the design and appearance of the host dwelling, resulting in a discordant and visually incongruous form of development. Given that the property is visible from the A58, the site occupies a degree of prominence within the wider area, and as such the harmful visual impact of the proposal would be clearly perceptible in the public realm, to the detriment of the character and appearance of the site and its surroundings.

Having taken the above into account, the proposals would not be subservient and would form an incongruous appearance thereby failing to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would not form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 & 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.
There are no properties in close proximity to the dwelling which could be affected by the works proposed. Those adjacent are sufficient distance to avoid any detriment to amenity.

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 result in some intensification of the domestic use. However, there is plenty of parking to the front which is considered to represent a sufficient provision. 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

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.

Information has been provided and reviewed by the Biodiversity Officer and is found to be acceptable.

It is noted that the site is flagged as a bat area. 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 for a change of use of field to gardens and extensions to Savile Croft 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 extensions, by reason of their scale, massing and siting, would result in a disproportionate addition to the original dwelling within the Green Belt. The development would fail to remain subordinate to the host property and would not respect its modest scale and simple character, thereby resulting in harm to the openness of the Green Belt. As such, the proposal constitutes inappropriate development and is contrary to Policy LP57 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.
The proposal includes the extension of the residential curtilage into the Green Belt, resulting in the unjustified encroachment of domestic use into the open countryside. This would erode the openness of the Green Belt and introduce an urbanising influence. In the absence of very special circumstances, the development is inappropriate and conflicts with Policy LP58 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.
The proposed extensions, by virtue of their scale, form and design, would fail to appear as subservient additions and would be at odds with the simple character of the host dwelling. Whilst the proposed cladding may be appropriate in isolation, it would not be sympathetic to the overall design of the property, resulting in a discordant appearance. Given the site's visibility from the A58, the property occupies a prominent position within the wider area, and the development would therefore be visually intrusive and harmful to the character and appearance of the site and surrounding area, contrary to Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.
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: 2026/90286
Officer Recommendation: Refuse
Reasons for refusal

1. The proposed extensions, by reason of their scale, massing and siting, would result disproportionate additions to the original dwelling within the Green Belt. The development would fail to remain subordinate to the host property and would not respect its modest scale and simple character, thereby resulting in harm to the openness of the Green Belt. As such, the proposal constitutes inappropriate development and is contrary to Policy LP57 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

1. The proposal includes the extension of the residential curtilage into the Green Belt, resulting in encroachment of domestic use into the open countryside. This would erode the openness of the Green Belt and introduce an urbanising influence. In the absence of very special circumstances, the development is inappropriate and conflicts with Policy LP58 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

2. The proposed extensions, by virtue of their excessive scale, form and design, would fail to appear as subservient additions and would be at odds with the simple character of the host dwelling. Whilst the proposed cladding may be appropriate in isolation, it would not be sympathetic to the overall design of the property, resulting in a discordant appearance. Given the site's visibility from the A58, the property occupies a prominent position within the wider area, and the development would therefore be visually intrusive and harmful to the character and appearance of the site and surrounding area, contrary to Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	E0001	1130386	12/03/2026
Existing site plan	-	1130389	12/03/2026
Existing elevations	E20000	1124511	12/03/2026
Existing elevations	E30001	1124499	12/03/2026
Existing elevations	E30000	1124497	12/03/2026
Existing floor plans	E10000	1124505	12/03/2026
Existing floor plans	E10002	1124508	12/03/2026
Proposed site plan	P1000	1130388	12/03/2026
Proposed elevations	P30000	1124496	12/03/2026
Proposed elevations	P20000	1130398	12/03/2026
Proposed elevations	P30001	1130397	12/03/2026
Proposed floor plans	P1000	1130392	12/03/2026

Plan Type	Reference	Web ID	Date Received
Proposed floor plans	P10001	1130393	12/03/2026
Proposed floor plans	P10002	1130395	12/03/2026
Proposed floor plans	P10003	1130396	12/03/2026
Proposed floor plans	E10001	1124509	12/03/2026
BNG	-	1130405	12/03/2026
Baseline map	-	1130404	12/03/2026
Climate change statement	-	1125009	12/03/2026

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.

There are fundamental issues with the proposed change of use of the green belt for domestic purposes doing so undermines their purpose of protecting open countryside, preserving biodiversity, and preventing urban sprawl. Furthermore, the substantial extensions proposed to the dwelling would overwhelm the main house and would form disproportionate additions to the property failing to accord with design policies. Amended plans have not been sought.

Report Dated 03/10/2024