
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 23-Nov-2017

Subject: Planning Application 2017/92422 Erection of single storey side and rear extensions to dwelling, erection of machinery store and engineering operations 9, Clough Head, Slaithwaite Gate, Bolster Moor, Huddersfield, HD7 4NW

APPLICANT

C Friend

DATE VALID

28-Jul-2017

TARGET DATE

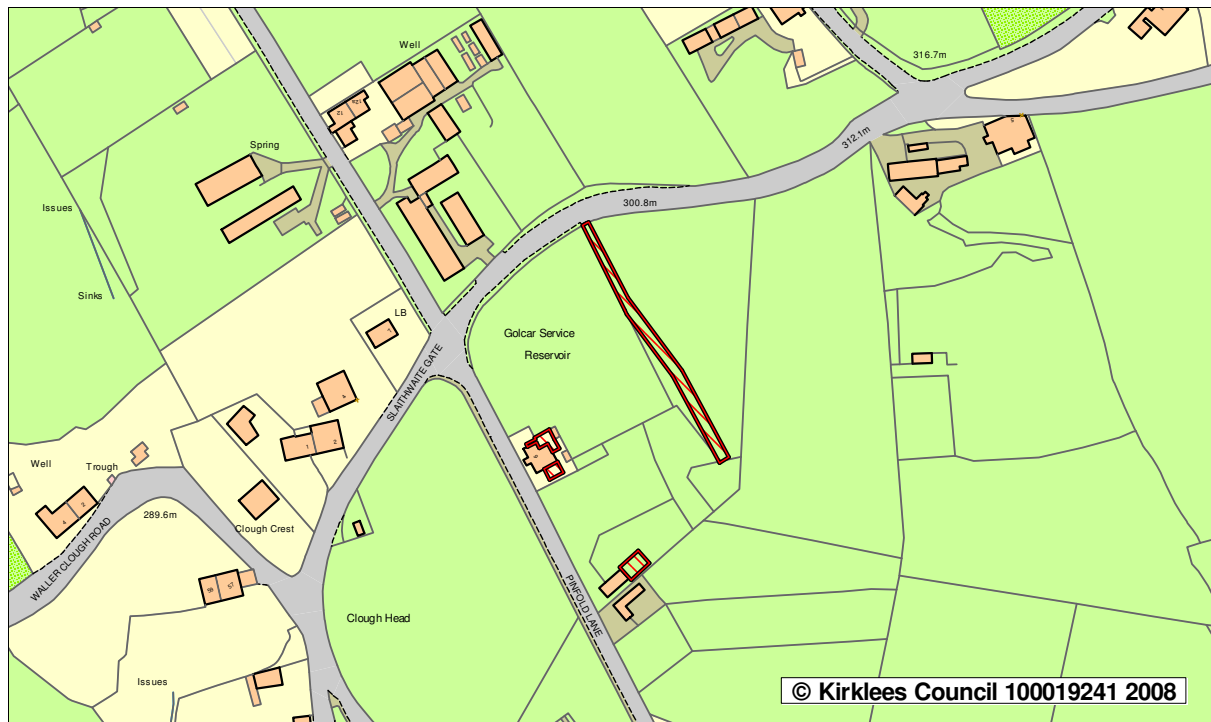
22-Sep-2017

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Colne Valley

No

Ward Members consulted

RECOMMENDATION: REFUSE

1. The site lies within an area of designated Green Belt. The proposed side and rear extensions to the dwellinghouse would result in disproportionate additions over and above the size of the original building. The extensions therefore constitute inappropriate development that would be harmful to the openness of the Green Belt. The application is contrary to Policy D11 of the Unitary Development Plan, PLP 57 of the emerging Local Plan and paragraph 89 of the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 The application is brought to the Sub Committee in accordance with the Scheme of Delegation because the applicant is related to an employee of Planning Services.

2.0 SITE AND SURROUNDINGS:

2.1 The application relates to 9 Clough Head, Slaithwaite Gate at Bolster Moor. The property forms a two storey dwelling with a detached garage to the side and amenity space to the front and rear. Associated with the property is a large field which extends to the south and northeast. The site lies in a rural area and is adjacent to a former reservoir (Golcar Service Reservoir).

3.0 PROPOSAL:

3.1 The application is for single storey side and rear extensions to the dwelling, the erection of a machinery store within the field to the south of the dwelling and engineering operations.

3.2 The engineering operations comprise the opening up of an existing culvert that dissects the field, the formation of 'grasscrete' type hard surfacing that will link an existing stable access up to a proposed ground water tank in the north east corner of the field and the formation of a path and steps within a part of the field. An existing stable building adjacent to the proposed machinery store is to be demolished.

- 3.3 The proposed rear extension would project beyond the existing two storey rear extension by 3.2m and would wrap around the single storey utility room extension to join onto the garage. Much of the gap between the dwellinghouse and the garage would also be infilled. This extension would have a flat roof.
- 3.4 The garden room extension to the southern elevation of the dwelling would project by 4.6m from the existing side wall. It would be set back from the front elevation by 2.7m and would be almost flush with the existing rear wall. A ramped access with steel and glass balustrade would be formed to the side of the extension and the balustrading would continue along the rear boundary.
- 3.5 The submitted site plan also indicates various areas of new planting within the existing field, such as an orchard, woodland, vegetable crop area and soft fruit and shrub area. Such planting does not constitute development and does not require planning permission.
- 3.6 The site plan also shows indicates two moveable polytunnels although these do not form part of the proposals.
- 3.7 Supporting information indicates that the applicant is intending on creating an eco-friendly small holding.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2013/91419 Erection of pitched roof – Approved
- 4.2 Land adjacent 9 Clough Head:
2005/93898 Erection of stable block – Approved

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The original scheme included the change of use of part of the existing field to domestic garden and this has now been removed. The applicant has also removed the proposed polytunnels from the description of development and intends to rely on the fact that polytunnels are of a type that would not constitute development. The applicant is proposing to demolish the existing stable block to compensate for the erection of the proposed machinery store.

6.0 PLANNING POLICY:

- 6.1 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy

Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

- 6.2 The site is allocated as Green Belt on the UDP Proposals Map and is allocated as Green Belt in the Draft Publication Local Plan.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- 6.3 BE1 – Design principles
BE13 – Extensions to dwellings (design principles)
BE14 – Extensions to dwellings (scale)
D11 - Extensions in the Green Belt
EP3A – Culverting and canalisation of watercourses

6.4 Draft Publication Local Plan:

- PLP24 – Design
PLP57 – Extensions within the Green Belt

6.5 National Planning Guidance:

- NPPF Chapter 7 – Requiring good design
NPPF Chapter 9 - Protecting Green Belt land
NPPF Chapter 10 – Meeting the challenge of climate change, flooding and coastal change

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by site notices and neighbour notification letters.
- 7.2 One representation has been received raising an objection to the two polytunnels. Concerns have been raised with the visual impact of the polytunnels contributing to the degradation of the rural character of the area.

8.0 CONSULTATION RESPONSES:

- 8.1 No consultation was carried out.

9.0 MAIN ISSUES

- Principle of development
- Impact on the openness and visual amenity of the Green Belt
- Residential amenity
- Highway issues
- Flood risk and drainage issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development:

- 10.1 The site lies within the Green Belt and the main issue is the impact of the proposed development on the openness and visual amenity of the Green Belt.
- 10.2 Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include 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.
- 10.3 Paragraph 90 of the NPPF states that “certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. These include engineering operations.

- 10.4 Policy D11 of the UDP relates to extensions to buildings within the Green Belt and states that:

Proposals for the extension of buildings within the green belt will be considered having regard to:

- i the impact on the openness and character of the green belt;
- ii the size of the extension in relation to the existing building which should remain the dominant element;

and, in the case of traditional buildings,

- iii the effect on the character of the existing building.

in the case of proposals to extend buildings which have already been extended the proposal should have regard to the scale and character of the original part of the building.

- 10.5 Policy PLP 57 of the emerging Local Plan relates to the extension, alteration or replacement of existing buildings within the Green Belt. It states:

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 host 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 used should be sensitive to the character of the green belt setting.
- 10.6 The principle of the development is accepted subject to an assessment of the above policies.

Impact on the openness and visual amenity of the Green Belt:

Extensions to the dwelling:

- 10.7 In order to assess the proposed extensions in relation to local and national Green Belt policy it is first necessary to establish what constitutes the original building. The original building is defined as a building as it existed on 1st July 1948 (if it was built before that date) or as it was built when built after 1st July 1948. The property was built in the 19th century and therefore in this case the original building means as it existed on 1st July 1948.
- 10.8 The applicant has submitted information to justify the proposed single storey extensions. This includes historic maps which show that the original building included a projecting element at the rear which resulted in the building's footprint being a shortened 'T' shape. Historic maps and aerial photographs also indicate two small outbuildings at the rear of the property which have now been demolished but existed up until relatively recently. The applicant also contends that the existing detached garage to the side of the property was erected pre 1948 although officers have not seen any evidence to support this assertion and two separate historic maps from the 1960s do not indicate the presence of the garage. On this basis the garage is unlikely to be part of the original property.
- 10.9 There is no dispute that the original building has been extended since 1948. The applicant has confirmed that a two storey rear extension with a flat roof was erected in 1967 and a pitched roof has recently been added to it under planning permission 2013/91419. There is also a small single storey utility room extension adjoining the northern side of the two storey extension. It appears that these extensions replaced part of the original building (rear projecting element) although it is not known whether this part was originally single or two storeys in height. The existing extensions have a wider footprint than the original rear projecting element because the two storey extension is flush with the southern gable and the single storey utility room extension is almost flush with the northern gable. The amount of projection at the rear is about the same.
- 10.10 Officers estimate the volume of the original dwellinghouse to be approximately 390m³ plus whatever the volume of the original rear projecting element was. If the rear projecting element was a single storey structure with a mono-pitch roof the overall volume of the original dwellinghouse is likely to have been around 490m³. If the rear projecting element was two storeys in height with a pitched roof its overall volume would have been in the region of 560m³.

- 10.11 The existing two storey rear extension and single storey utility room extension built since 1948 have a volume of approximately 200m³. These extensions effectively replaced the original rear projecting element and so this volume is offset to a greater or lesser extent depending on whether the rear projecting element was single or two storeys.
- 10.12 In the absence of any information to support the applicant's assertion that the existing garage is original and in light of historic maps from the 1960s which do not indicate its presence, officers consider the existing garage to be an addition to the property. The garage is of a reasonably substantial size (volume approximately 100m³) and is very closely associated with the dwelling with it being less than 1m from the side wall. As a result of the proposed development the garage would also become physically attached to the dwellinghouse and would therefore become an extension in its own right. The volume of the garage therefore needs to be taken into account when assessing the extent of additions to the original building.
- 10.13 Officers accept that two small outbuildings that existed to the rear of the dwelling can be taken into account when considering the original building. One of these was demolished less than fifteen years ago and the other was demolished in 2013. These outbuildings were nevertheless small in scale and the agent has estimated their combined volume at 23m³.
- 10.14 The agent has advised that the combined volume of the proposed extensions is 178.5m³.
- 10.13 Officers provide the following calculation for the purposes of assessing the volume increase to the original building. In the absence of any specific information to indicate whether the original rear projecting element was single or two storeys in height officers have accepted an upper volume for the original dwellinghouse (i.e. the original rear projecting element being two storeys in height with a pitched roof).

Volume of original building = 583m³

Volume of existing extensions/additions to original building (garage plus single storey rear utility extension) = 118m³

Volume of proposed extensions = 178.5m³

Combined volume of existing and proposed extensions = 296.5m³

% volume increase provided by existing and proposed extensions = 51%

- 10.14 It is concluded that the proposed extensions amount to disproportionate additions to the original building when combined with the extensions and additions to the property. Whilst the proposed extensions are only single storey they give the dwelling a sprawling form and the juxtaposition of the differently designed additions to the original building exacerbates this sense of sprawl. For example, the existing garage - which would become attached to the dwelling - and the new sun room mean that the width of the original dwelling would be more than doubled. The sun room extension in particular would be a prominent addition and would be located in an area that was not historically part of the property's residential curtilage. A previous owner (not

the applicant) expanded the defined curtilage into the adjoining field at some point between 2006 and 2009 without planning permission. This change of use would be lawful if it was carried out over ten years ago however the extension nevertheless accentuates the encroachment into the Green Belt that has previously occurred.

- 10.15 In summary it is considered that the proposed extensions would harm the openness of the Green Belt and would be contrary to Policy D11 of the UDP, Policy PLP 57 of the emerging Local Plan and guidance in chapter 9 of the NPPF.

Machinery store:

- 10.16 Supporting information indicates that the machinery store is required in connection with the applicant's plans to create a small holding growing fruit and vegetables. The machinery store is proposed adjacent to an existing stable block which was approved under application 2005/93898.
- 10.17 New buildings within the Green Belt are classed as inappropriate development. The building does not meet the criteria for exceptions for new buildings within the Green Belt and no very special circumstances have been put forward that would outweigh the harm to the Green Belt by reason of inappropriateness. The applicant has however indicated that they would demolish the existing stable block, which is of a comparable size to the machinery store. It is therefore considered that the machinery store would have a neutral impact on the openness of the Green Belt and in the circumstances can be accepted.

Engineering operations:

- 10.18 The engineering works include the opening up of an existing stone culvert within the field that surrounds the dwelling and former reservoir. The culvert runs to the north of the reservoir and dissects the field from east to west. A section drawing has been submitted showing what these works involve which the agent has advised will be representative of the nature of the works along the entire length. Based on this information the extent of the proposed works is relatively limited. The NPPF allows for engineering works in the Green Belt and officers consider that the visual impact of these works would not be significant and are therefore acceptable.
- 10.19 The engineering operations also include the creation of an access track using grass pavers that would extend from the existing stable access and link to a proposed ground water tank in the north east corner of the field. The grass pavers form a plastic grid that allows grass to grow through. The first 12m of this access will serve as the established easement that exists for Yorkshire Water. The applicant then wishes to extend this up to the proposed ground water tank to prevent rutting of the field by small vehicles and machinery used in connection with the growing of plants.
- 10.20 If grass successfully grows through the plastic pavers then the visual impact should be quite limited and on balance officers consider this aspect of the scheme to be acceptable.

10.21 The proposed ground water tank involves digging out a relatively shallow area of ground and installing a pond liner. This would be used for watering plants/crops. The works would not have any significant impact on the openness or visual amenity of the Green Belt.

10.22 The formation of a path and steps are very minor works and are acceptable. It is noted however that the path links to an area of land that was formerly part of the field and which has been enclosed by fencing and is currently used for growing plants as well as an area of decking for sitting out. The fencing and use of the land for growing plants would not require planning permission but its use as residential garden would result in a material change of use of the land.

Residential Amenity

10.23 The property forms a fairly isolated dwelling with no immediate neighbouring properties and as such there would be no significant impact on residential amenity.

Highway issues

10.24 The proposals do not give rise to any significant highway safety issues.

Drainage issues

10.25 The works to open up the culvert are relatively minor and there are unlikely to be any significant drainage issues associated with this.

Representations

10.26 One representation has been received raising concerns with the visual impact of the two polytunnels. The polytunnels have been removed from the application because the applicant intends to rely on the fact that the nature of the polytunnels is such that they do not constitute development and therefore planning permission is not required. The polytunnels are not therefore being considered as part of the scheme.

11.0 CONCLUSION

11.1 The proposed extensions to the dwelling would result in disproportionate additions to the original building when the existing extensions/additions to the property are taken into account. The extensions are therefore inappropriate development which would by definition be harmful to the Green Belt. The extensions result in a sprawling form of development which would harm the openness of the Green Belt. The application is therefore contrary to Policy D11 of the UDP and emerging local plan policy PLP 57 and NPPF chapter 9.

12.0 REFUSE

1. The site lies within an area of designated Green Belt. The proposed side and rear extensions to the dwellinghouse would result in disproportionate additions over and above the size of the original building. The extensions therefore constitute inappropriate development that would be harmful to the openness of the Green Belt. The application is contrary to Policy D11 of the Unitary Development Plan, PLP 57 of the emerging Local Plan and paragraph 89 of the National Planning Policy Framework.

Background Papers:

Application and history files.

Website link:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92422>

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