
Report of the Head of Development and Master Planning

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 18-Jul-2019

**Subject: Planning Application 2018/94120 Erection of single storey outbuilding
Blackberry Farm, 27, Crosland Edge, Meltham, Holmfirth, HD9 5RS**

APPLICANT

Mr & Mrs Broad

DATE VALID

21-Dec-2018

TARGET DATE

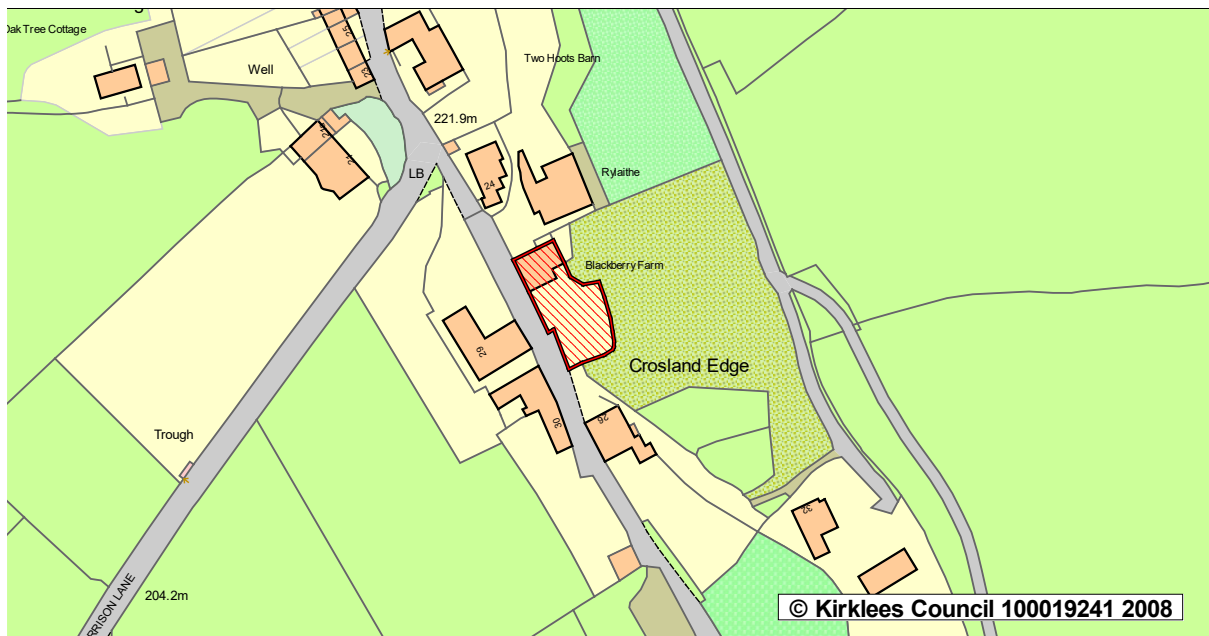
15-Feb-2019

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: Holme Valley North

No

Ward Members consulted

RECOMMENDATION: REFUSE

1) The proposed garage, when considered cumulatively with the previous extensions to the host property, combined with its overall scale, siting and design, would result in disproportionate additions to the original dwelling and a detrimental reduction in the openness of the Green Belt and harm to visual amenity. The proposed development would therefore represent inappropriate development within the Green Belt and no very special circumstances have been submitted to clearly outweigh the harm caused by reason of inappropriateness or other harm. The proposal would therefore fail to accord with the requirements of Policies LP24 (a) and LP57(a) of the Kirklees Local Plan and policies within the National Planning Policy Framework.

1.0 INTRODUCTION:

- 1.1 The application seeks permission for the erection of a detached single storey outbuilding.
- 1.2 The application is brought to Huddersfield Planning Committee for determination in accordance with the Council's Scheme of Delegation at the request of Councillor Lyons, for the reason outlined below:

“That the applicant is tidying up the garden area and would be using the store/garage for garden equipment, it would also be a repeat of the next door neighbour's garage, there will be a green roof, that would make it more sympathetic, adding to the surrounding green area and finally it would be a more secure place for their garden equipment, to deter any future thefts, as there has been recently, due to its location.”

- 1.3 As Cllr Lyons is Chair of the Sub-Committee it is accepted that the reason for making this request is valid having regard to the Councillors' Protocol for Planning Sub-Committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site includes a detached two storey stone dwelling which has been extended to the side and rear. It is perpendicular to the access and in a prominent position elevated from the highway. It benefits from garden to the front and which is also at a higher level retained by a boundary wall.

3.0 PROPOSAL:

- 3.1 Erection of single storey outbuilding to provide log store, bike shed and garden store.
- 3.2 The materials proposed are natural stone to match the host property and the agent has confirmed that the development will incorporate a green roof.
- 3.3 An area of hardstanding is created adjacent to the building in addition to landscape works that includes planting around the building and between the highway and the building proposed.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2008/92090 – Erection of first floor extension – approved
- 91/03306 - Variation of condition 4 relating to roofing materials on previous permission (90/62/02580) for conversion of barn to dwelling with integral garage – approved
- 90/02580 – Conversion of barn to dwelling with integral garage - approved

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 Amended plans received after discussion regarding scale, a 600mm decrease in depth is achieved however it cannot be reduced in height due to the size of the bikes.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Kirklees Local Plan (2019):

- 6.2 The site is allocated as Green Belt on the Local Plan
- 6.3 Relevant policies are:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP21** – Highway safety and access
- **LP24** – Design
- **LP57** – The extension, alteration or replacement of existing buildings.

National Planning Guidance:

- 6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS)

first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land

7.0 PUBLIC/LOCAL RESPONSE:

7.1 None received.

7.2 Meltham Town Council: Object to the application on the grounds that the construction of new buildings in the Green Belt is generally inappropriate unless one of the exceptions listed in the NPPF apply, which does not appear to the Council to be the case with regard to this application.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways: No objections in principle (informative regarding stability of the retaining wall)

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Representations

10.0 APPRAISAL

Principle of development

10.1 The site is located within the Green Belt and therefore the principle of erecting a building within the Green Belt is to be considered. Chapter 13 of the NPPF states that the government considers the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the core characteristics of the Green Belt being its openness and permanence. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in paragraph 145 or 146 of the NPPF.

10.2 The erection of an outbuilding to a dwelling can be considered as an “extension” to the host building if it is closely associated with that building and as such may be acceptable in accordance with paragraph 145 of the NPPF and Policy LP57 of the Local Plan. This is provided it does not result in disproportionate additions over and above the size of the original building. This takes into account the cumulative impact of the proposed development and previous extensions to the original building. Furthermore, in the event that the development is deemed inappropriate, consideration is given to other harm the development would have on the character and openness of the Green Belt.

- 10.3. The original building was a converted barn which has been extended significantly to the side and rear. When considered in isolation to these extensions the proposed building is small. When considered cumulatively with the previous extensions to the original building however, the building would be a disproportionate addition which, by definition, is inappropriate development in the Green Belt.
- 10.4 The scale and positioning of the outbuilding, being disconnected from the host dwelling, would have a detrimental impact on the openness and character of the Green Belt. The building would be in an elevated, open position close to the highway placed where there is currently no development. It would decrease the open space interspersed between developments along Crosland Edge which would have an urbanising effect on the sporadic development along the road. As a consequence of its detachment, scale and placement, it is considered that the resultant outbuilding would be an obtrusive structure to causing harm to the openness of the Green Belt.
- 10.5 The reasons the application has been brought to Sub-Committee for determination, set out in paragraph 1.2, are considered to be the special circumstances justify the erection of the building. Although these are noted they are not considered to be exceptional or very special. They are not considered to clearly outweigh the harm caused by reason of inappropriateness or other harm. As such the development is contrary to Policy LP57 of the Local Plan and Chapter 13 of the NPPF.

Urban Design issues

- 10.6. Policy LP24 of the Local Plan and guidance contained within Chapter 12 of the NPPF requires design to be taken into account in the assessment of development. The outbuilding proposed is set within the existing garden being separated from the host building in an open location and in an elevated position. Whilst the design is reasonably sympathetic, appearing quite simplistic and utilising materials akin to the host building, the scale and height would appear obtrusive in its rural setting. The stone walling would increase the visual intrusion within the street scene which is currently a balanced mix of open spaces with built form. Whilst the introduction of a green roof may assist in reducing the impact the development it is not considered significant enough to overcome concerns regarding the ensuing built form. Furthermore, the additional hardstanding works and retaining wall structure would exaggerate concerns. The proposed planting would not be sufficient to address concerns. Additionally the section accompanying the application shows the building relative to the access set at a significant height appearing dominant where currently there is open space.
- 10.7 Notwithstanding the above it is considered that the materials proposed would be generally acceptable for this type of building as is the design but for the reasons provided the building cannot be supported in this instance. The development would be contrary to Policy LP24 of the Local Plan.

Residential Amenity

- 10.8 The outbuilding is shown to be located within the existing garden area of number 27. It is shown to be in an elevated position opposite the boundary wall to number 29. There are no windows proposed in the elevation facing the property opposite and as such there would be no loss to privacy. Whilst the section submitted does not extend to include land within the ownership of 29 it is considered to be a sufficient distance so as to avoid any concerns regarding appearing overbearing or overshadowing.

Highway issues

- 10.9 The application does not include any alterations to access or the highway and as such it is not considered there will be any detriment to highway safety.

Retaining Structure

- 10.10 Based on the cross-sectional details provided, it would appear that the existing retaining wall adjacent the highway is outside the influence zone of loading from the new building and as such there are no objections to the proposals as shown. The only concern regarding the impact of this proposal is during its construction when an excavator may be located at the top of the wall to excavate the footing for the new building. This could cause damage to the adjoining retaining wall and as such should be pointed out to the developer's designers to ensure that such occurrence (i.e. placing a plant above the wall) is prevented. A footnote could be imposed on any decision notice.

Representations

- 10.11 None received. The comments of Meltham Town Council are noted and have been assessed in the principle of development above.

11.0 CONCLUSION

- 11.1 It is considered that the development is inappropriate within the Green Belt. When considered cumulatively with the previous extensions to the original property, combined with its overall scale it would result in disproportionate additions over and above the original building.
- 11.2 Furthermore it is considered that the scale and location of the development would be harmful to the openness of the area introducing development where there currently is open space. This harm is exaggerated further by the prominent elevated position.
- 11.3 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.

11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development proposals do not accord with the development plan and that the application of policies in the NPPF that protect land designated as Green Belt provides a clear reason for refusing the development proposed.

Background Papers:

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f94120>

Certificate of Ownership –Certificate A signed by the agent.