
Report of the Head of Planning and Development

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 16-Mar-2023

Subject: Planning Application 2023/90203 Erection of two storey rear extension Salt Pie Farm, Penistone Road, Birds Edge, Huddersfield, HD8 8XP

APPLICANT

Mr & Mrs M Watson

DATE VALID

23-Jan-2023

TARGET DATE

20-Mar-2023

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.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Denby Dale

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Heavy Woollen Planning Sub-Committee in accordance with the Council's Scheme of Delegation Agreement set out in the Constitution as the applicant is Councillor M Watson.
- 1.2 The Chair of the Sub-Committee has confirmed that reason for the referral to the committee is valid having regard to the Councillor's Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 Salt Pie Farm is a stone built detached property with access from Penistone Road via a sloped driveway. The roof includes a short pitch to the front elevation and a long cat slide pitch to the rear appearing two storey at the front and single to the rear.
- 2.2 The property is located in an isolated site, with a short ribbon of residential properties to the east. Otherwise, the property is surrounded by open fields and in a raised position from Penistone Road. The curtilage includes an outbuilding which is currently attached via a small link extension. Other than a small conservatory to the south elevation and link extension, the property has not been extended from its original size.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for a two storey rear extension.
- 3.2 The rear extension would project 3m from the original rear wall of the property and would extend across the width of the original dwelling with a height of 6.4m to the eaves. The proposed extension would have a perpendicular pitched roof design.
- 3.3 The walls would be constructed using stone with stone slate for the roof covering.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 2021/93398 - Certificate of lawful development for rear extension - agreed

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

5.1 None

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).

6.2 The application site is located within the allocated Green Belt on the Kirklees Local Plan.

6.3 Kirklees Local Plan (2019):

- **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

6.4 Supplementary Planning Guidance / Documents:

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.

6.5 National Planning Guidance:

- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised in accordance the Kirklees Development Management Charter, with the publicity end date being 13/03/2023. At the time of writing this report, no representations been received. However, should any representations be received, these shall be reported in the committee update.

7.2 Denby Dale Parish Council – No objections

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

None

8.2 Non-statutory:

None

9.0 MAIN ISSUES

- Principle of development
- Green Belt
- Visual Amenity
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The site is within the allocated Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. Furthermore, as this is an application for works within the curtilage of a dwellinghouse, the House Extension & Alterations SPD is relevant. In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and any representations received.

Green Belt

- 10.2 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 147 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances.
- 10.3 Paragraphs 149 and 150 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. Paragraph 149 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.

- 10.4 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.
- 10.5 The host property is an older stone-built dwelling with a two storey appearance from the front and single storey to the rear with the lower element to the rear having been added to the property prior to 1948 and therefore constituting as "original".
- 10.6 The increase in the footprint of the dwelling, over and above the existing house, is limited to 3m. The bulk of the increase is from the extensions proposed over the existing catslide to incorporate a full first floor, which would clearly increase the massing of the property and have the potential to result in disproportionate additions and impact on the openness and character of the greenbelt. However, much of the extension has already been agreed via a certificate of lawful development. The current application seeks to include a pitched roof form as opposed to the agreed flat roof form. The increase in massing is limited to this element over and above the permitted development rights.
- 10.7 On balance, given the lawful fall back position agreed together with the limited scale of the alteration to the roof form, the works proposed are not considered to result in any significant harm in terms of the green belt and can be considered to comply with green belt policy.

Visual Amenity

- 10.8 Key Design Principle 1 of the House Extension & Alteration 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 Extension & Alteration 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.
- 10.9 Paragraphs 5.1 and 5.2 go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.
- 10.10 The extension to the rear would be constructed using materials to match the main house with stone for the walling and stone slates for the roof covering. Although there would be some increase in the footprint of the dwelling, the main increase in massing would be from the increase in first floor accommodation by building over the existing cat slide roof to the rear. The scale is fairly significant. However, the applicant has a certificate of lawful development agreed for a flat roofed extension. The current scheme would include a perpendicular pitch which would result in a more satisfactory appearance, avoiding a flat roof design.

10.11 Having taken the above into account, the proposed extension would not cause any harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extension and Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Residential Amenity

10.12 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 Extension & 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.

10.13 There are no neighbours to the rear or to the south east side which could be affected by the works proposed. Furthermore, the angled relationship together with the separation between the host property and the neighbouring Dale View to the west is such that the proposed extensions to the rear would result in no overlooking, overshadowing or overbearing impact.

10.14 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 Extension SPD and Paragraph 130 (f) of the National Planning Policy Framework.

Highway issues

10.15 The proposals will result in some intensification of the domestic use. However, the parking area to the side of the property would not be affected by the proposed extension and 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 Extension SPD.

Representations

10.16 No representations have been received at the time of completing this report. Should any representations be received, these shall be reported in the committee update.

10.17 Denby Dale Parish Council has raised 'no objection' to the proposals.

Other Matters

- 10.18 *Biodiversity*: 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 is recommended to be added setting out that if bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought. This is considered to comply with the aims of chapter 15 of the NPPF.
- 10.19 *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.
- 10.20 There are no other matters for consideration.

11.0 CONCLUSION

- 11.1 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.
- 11.2 As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. The development to commence within 3 years from the date of the permission
2. The development to be completed in accordance with the approved plans
3. Facing and roofing materials to match the original building (natural stone facing and stone slate roofing)

Background Papers:

Application and history files.

Current application:

[Planning application details | Kirklees Council](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f90203>

Certificate of Ownership –Certificate A signed and dated.

Approved Certificate of lawful development:

[Planning application details | Kirklees Council](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f93398>