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**Report of the Head of Strategic Investment**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 21-Jun-2018**

**Subject: Planning Application 2018/90021 Erection of studio/store for domestic use 4 Delves Cottage, The White House, Delves Gate, Slaithwaite, Huddersfield, HD7 5FA**

**APPLICANT**

Helen Berry

**DATE VALID**

08-Jan-2018

**TARGET DATE**

05-Mar-2018

**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected: Colne Valley**

No

Ward Members consulted

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**RECOMMENDATION: REFUSE**

Refuse planning permission for the following reasons:

1. The site lies within an area of designated Green Belt. The proposed studio/store by virtue of its scale and massing when viewed cumulatively with the other extension to Delves Cottage, and within the context of its limited curtilage would constitute a disproportionate addition to the original building and would have a harmful impact on the character and openness of the Green Belt. The extension therefore constitutes inappropriate development that would be harmful to the Green Belt. No very special circumstances exist to outweigh the harm caused by reason of inappropriate or other harm. The application is contrary to Policy D11 of the Kirklees Unitary Development Plan, Policy PLP57 of the Publication Draft Local Plan and paragraph 89 of the National Planning Policy Framework.

2. The proposed extension by virtue of its scale and massing will constitute overdevelopment of the site which benefits from limited amenity space. The application is contrary to Policy BE1 and D2 of the Kirklees Unitary Development Plan, Policy PLP24 of the Publication Draft Local Plan and guidance set out within the National Planning Policy Framework.

**1.0 INTRODUCTION:**

1.1 This application is brought to Committee at the request of Cllr Donna Bellamy for the following reason:

*‘So that Members of the Planning sub-committee can consider whether the proposal will lead to over-development of the site and have an adverse impact on the character and openness of the Green Belt.’*

1.2 The Chair of Committee has confirmed that Cllr Bellamy’s reason for making this request is valid having regard to the Councillors’ Protocol for Planning Committees.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 4 Delves Cottage is a two storey end terrace dwelling in Slaithwaite. It is constructed in stone which is finished in render and is designed with gable roof forms. The property, which previously served as part of The White House Public House, benefits from a first floor side extension and entrance porch which is located to the front of the property. The rear of the dwelling is located along the access road with a large driveway and small garden area to the front. Boundary treatment comprises fencing which runs along the north western and northern boundaries of the site. A stone wall forms the boundary between the site and the adjoining property.
- 2.2 The site is located in the Green Belt and therefore there are few properties within the vicinity. However, the majority of the properties within the local area appear to be residential. The row of terrace properties on which the application site is located are of a similar character, style and design to the application site and are constructed in a mix of stone and render.

## **3.0 PROPOSAL:**

- 3.1 The application is seeking planning permission for the erection of a studio/store for domestic use.
- 3.2 The proposed studio/store will project 3.10 metres from the rear elevation of the existing garage which is located at Whitehouse Cottage, The White House, Chain Road. The studio/store will have a length of 5.45 metres and will be set in from the north western side elevation of the garage by 0.30 metres and the south eastern side elevation by 0.40 metres.
- 3.3 The extension will be constructed in painted rendered walls to match the existing garage and will include Ashlar stone surround on the front and south eastern side elevations and Ashlar quoins on the north western side elevation. It will be designed with a gable roof form which will be finished in imitation stone slates to match the existing garage. The building will have an overall height of 3.8 metres to sit 0.15 metres below the ridge height of the garage.
- 3.4 A vertical panelled door which will serve the proposed store will be located on the front elevation of the extension along with powder coated aluminium doors with timber truss and powder coated windows above which will serve the proposed studio. Powder coated aluminium doors with ashlar stone surrounds are proposed for the south eastern elevation of the extension. No openings are proposed for the north western side elevation of the extension.
- 3.5 The studio and store will provide additional storage for the dwelling and will accommodate equipment such as road bikes, gym and garden equipment which cannot be stored within the dwelling.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 **2011/92727:** Conversion/extension and alteration of the White House Pub to four residential properties, erection of a detached garage and extension and refurbishment of detailed outbuildings, revised access to Wood Lane and Delves Gate. Conditional Full Permission.
- 4.2 **86/03653:** Erection and alterations to form bed and breakfast accommodation. Granted Conditionally.
- 4.3 **86/00936:** Erection of two storey extension to form bed and breakfast accommodation. Refused.

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

- 5.1 Amended plans were sought from the applicant to reduce the scale of the proposed studio/store to reduce the impact that the development was deemed to have on the character and openness of the Green Belt. The amendments were also requested as it was considered that the proposed extension would amount to overdevelopment of the site which benefits from limited amenity space. A statement of support was submitted on behalf of the applicant to address the concerns raised. As the information provided did not alleviate the concerns regarding the impact that the development would have on the surrounding area, amended plans were again requested. A lean-to roof form was suggested in place of the proposed gable roof form to remove some of the bulk of the proposed extension and to reduce its visibility from the street scene and subsequently reduce the harm it was considered that the development could have on the character and openness of the surrounding Green Belt. The applicant did not consider the changes to be appropriate and requested the application to be determined based on the original plans.

#### **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 located within the Green Belt in the Kirklees Unitary Development Plan and the emerging Local Plan.

6.3 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- **D11** – Extensions in the Green Belt
- **D2** – land without notation
- **BE1** – Design principles
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **T10** – Highway Safety
- **T19** – Parking

6.4 Supplementary Planning Guidance / Documents:

None relevant.

6.5 National Planning Guidance:

- **PLP1** – Achieving sustainable development
- **PLP2** – Place shaping
- **PLP21** – Highway safety
- **PLP22** - Parking
- **PLP24** – Design
- **PLP57** – Extensions within the Green Belt

6.6 National Planning Policy Framework (NPPF):

- **Chapter 7** – Requiring good design
- **Chapter 9** – Protecting Green Belt Land

**7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application was publicised by letters and site notice. No representations have been received as a result of the statutory publicity.

**8.0 CONSULTATION RESPONSES:**

8.1 None.

**9.0 MAIN ISSUES**

- Principle of development
- Impact on the Green Belt and visual amenity
- Residential amenity
- Highway issues
- Representations
- Other matters
- Conclusion

## 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 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.

10.4 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 (amongst other things):

- 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;
- The design and materials used should be sensitive to the character of the green belt setting.

- 10.5 The principle of the development is accepted subject to an assessment of the above policies.

Impact on the Green Belt and visual amenity

- 10.6 The proposal seeks planning permission for the erection of a studio/store for domestic use. The studio/store will form an extension of an existing garage which is located at the neighbouring property Whitehouse Cottage and will be constructed in materials to match existing which are considered sensitive to its green belt setting.
- 10.7 In the case of this application, Delves Cottage is taken to be the original building, despite this originally forming part of the larger White House public house. Delves Cottage has been previously extended. Although the proposed studio/store is not physically attached to Delves Cottage it is close to the host building and is considered to constitute an extension to it. As an extension, when this is considered cumulatively with the existing extension, it is considered to form a disproportionate addition to the original building. This is inappropriate development in the Green Belt.
- 10.8 The outbuilding would introduce additional built footprint and volume onto land that is currently open. The gable roof form adds a significant amount of bulk to the structure and would be particularly visible from the surrounding area due to its open and rural nature. It is noted that the site is visible from a distance along Chain Road which will further increase the harm to the openness of the surrounding Green Belt. The NPPF at para. 79 advises that openness is an essential characteristic of Green Belts and the proposal would therefore cause harm in this regard. Furthermore, given the limited amenity space which is located at the site and the massing of the proposed studio/store, it is considered that the proposed studio/store would result in overdevelopment of the site. This would cause further harm to the visual amenity of the area.
- 10.9 The applicant has provided some details regarding the proposed studio/store and states that it will be used to store road bikes, gym and garden equipment which cannot be stored in the host dwelling. The applicant has also stated that the extension has been designed to be similar in design and appearance to existing garage. It is considered that the need for the extension for these purposes does not constitute a very special circumstance which would mitigate the impact that the development could have on the surrounding area. It is considered that the extension, by virtue of its design would clearly outweigh the harm to the Green Belt.
- 10.10 The proposal would constitute inappropriate development in the Green Belt and would reduce openness in this location. Whilst the materials of construction of the proposed extension would correspond well with those of the existing garage, it is considered that the proposal, by virtue of its scale and massing could have a significant impact on the surrounding area which is located within the Green Belt. Whilst the applicant has provided some

information regarding the need for the proposed studio/store, these considerations in this case do not clearly outweigh the harm to the Green Belt. The development is contrary to Policy D11 of the UDP, Policy PLP 57 of the emerging Local Plan and guidance in chapter 9 of the NPPF. Furthermore the design and bulk of the structure would constitute an overdevelopment of the site which would cause visual harm and would be contrary to Policies D2 and BE1 of the UDP and PLP24 of the PDLP.

### Residential Amenity

#### 10.11 *Impact on Dyers Cottage*

The proposed studio/store will not project any closer to the property than the garage which is located at Whitehouse Cottage and will not project beyond the side elevation of the property. Taking this into consideration along with the fact that the extension will be located to the north west of the property, it is not considered that the development will have a significant impact on the residential amenity of the occupiers of the property. Given the fact that the extension will serve a studio and taking into account that the extension will not extend beyond the side elevation of the dwelling, it is not considered that the extension will offer a significant amount of overlooking into the property.

#### 10.12 *Impact on Whitehouse Cottage*

The proposed development will project from the rear elevation of the garage which is located at the property. Due to the location of the extension to the rear of the existing outbuilding, it is unlikely that the development will have a significant impact on the residential amenity of the occupiers of the property.

### *Overall*

- 10.13 Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policies D2 and BE1 of the UDP as well as Policy PLP24 of the PDLP.

### Highway issues

- 10.14 The proposed studio/store will be located in part of the amenity space which located to the front of the property and will not significantly impact on the existing driveway. The proposed extension does not give rise to the requirement for additional parking and would not affect the existing parking and access arrangements on site. Accordingly, it would not raise any highway safety issues and thus complies with Policies D2 and T10 of the UDP and Policy PLP21 of the PDLP.

## Representations

- 10.15 No representations have been received as a result of the statutory publicity. The reasons Cllr Bellamy requested the application be determined by sub-committee have been addressed in the appraisal.

## Other Matters

- 10.16 There are no other material considerations relevant to the determination of this application.

## **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 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development proposal does not accord with the development plan and that there are specific policies in the NPPF that indicate development should be restricted. It is therefore recommended that the application be refused.

## **Background Papers:**

Application web page:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018/90021>

Certificate of Ownership – Certificate B signed and dated 08 January 2018.  
Notice served on J Booth, Whitehouse Cottage, Chain Road.