



Appeal Decision

Site visit made on 14 January 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th February 2025

Appeal Ref: APP/Z4718/D/24/3352384

Wood Crest, Stalley Royd Lane, Jackson Bridge, Holmfirth, Kirklees HD9 7HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Graham Haig against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2024/62/90538/W.
 - The development proposed is construction of a two storey side extension and the creation of a room in the roof space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant states that the planning officer's report refers to the original description of the development and includes a reference to the creation of an upper floor and balcony, which were removed from the amended plans. The drawings listed on the Council's Decision Notice are the same as those submitted as part of this appeal and these are the basis on which I have determined the appeal.
3. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have sought comments from both parties in this regard and this has informed my decision.

Main Issues

4. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the development on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Site context

5. The appeal site comprises a detached bungalow with hipped roof and two centrally positioned tall chimneys. The front elevation of the dwelling has two square bay windows which sit either side of a recessed arched doorway, which provides symmetry to its appearance. The dwelling is perpendicular with South View, the road to the front, with the driveway running to its rear. To the front and sides there are garden areas. The width and height of the property, arrangement of the roofline, chimneys and fenestration detailing gives the dwelling a well-balanced proportionate appearance.
6. The land drops gently to the side of the bungalow down to a water course and then rises upwards to a wooded area. Due to the open nature of the immediate area the bungalow is prominent from South View. To the opposite side of South View there are detached bungalows which face onto the road. The appeal site adjoins another bungalow of similar style, which also sits perpendicular to the road. Together the traditional appearance of these properties contributes positively to the character of the area.

Whether inappropriate development

7. Policy LP57 of the Kirklees Local Plan (2019) (LP) states that extensions to buildings in the Green Belt will normally be acceptable provided they meet certain criteria. Of particular relevance, part (a) requires that the original building remains the dominant element both in terms of size and overall appearance. Therefore, the policy is broadly consistent with the Framework.
8. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
9. The Framework establishes that development within the Green Belt is inappropriate with the exceptions of the types of development listed in paragraph 154. One such example c), is 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. The Framework does not define a figure which represents disproportionate additions.
10. The bungalow has not been previously extended and therefore, as existing is considered to be the original building. The Council states that the volume of the proposed extensions would equate to a percentage increase of approximately 58%, which broadly aligns with the figures shown in the submitted Design and Access Statement. The proposed extension therefore amounts to a substantial addition, and one I find to be disproportionate over and above the size of the original bungalow.
11. Consequently, the proposal comprises inappropriate development within the Green Belt, contrary to the aims of the above-mentioned policies.

Openness

12. A fundamental aim of Green Belt policy, as set out in paragraph 142 of the Framework, is to prevent urban sprawl by keeping land permanently open. The openness of the Green Belt has a spatial aspect as well as a visual aspect.
13. The appeal property is prominent from public views as you progress up South View. Notwithstanding the proximity of properties within the vicinity of the appeal site, it is bounded on two sides by rough grassland and therefore the openness of the Green Belt is clearly evident. The proposal would extend the built form into an area where there is presently none. Therefore, the footprint and height of the proposed extension would lead to a loss of openness both visually and spatially. Accordingly, the proposal would cause moderate harm to the visual and spatial openness of the Green Belt.
14. The appellant has put forward that as the area around the property will remain open with no loss of agricultural land that it does not contradict with the objectives of Green Belt designation. I recognise that no agricultural land would be lost as a result of the extension, however it would harm the visual and spatial openness of the Green Belt for the reasons I have outlined above.
15. Consequently, although small in extent the proposal would fail to preserve the openness of the Green Belt, contrary to the aims of the Green Belt policies set out in LP Policy LP57 and the Framework.

Character and appearance

16. Although the proposed extension would be the same height as the existing bungalow, because of the topography it would appear as a two-storey addition. As a result of the elongated roof line, the chimneys would appear off centre, breaking its symmetrical appearance. The full height glazing and balcony arrangement and cladding would appear as incongruous additions which would be at odds with the simple, traditional appearance of the host property. Together, the extension of the ridge line and two-storey appearance of the extension would remove its balanced appearance. Despite the use of different facing materials, the overall height and bulk of the proposed extension would visually dominate the host property.
17. As the extension would be to the side of the bungalow it would not be visible in views from some of the properties on South View. Nevertheless, due to the open nature of the site and the topography it would be prominent when progressing up South View. The bulk and proposed materials would be at odds with the traditional character of surrounding properties thereby harming the character and appearance of the area.
18. The appellant has referred me to an extension at Park Mount, located a short distance from the appeal site. However, I have not been provided with the details of this case and therefore cannot be sure that it is directly comparable to this proposal. In any case, I have determined the appeal on the basis of its own merits, based on the evidence before me.
19. I conclude that the proposal would have a harmful effect on the character and appearance of the area. It would thereby conflict with Policy LP24 of the LP and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan (2021) (NP). These policies amongst other things seek to ensure proposals promote good

design which respects and enhances the character of the townscape and use materials and detailing which add to the quality or character of the surrounding environment.

Other considerations

20. The proposal would provide additional living accommodation for the appellant which provides a minor benefit in favour of the proposal.
21. The proposal would not cause harm to the amenity of neighbouring residents and no objections have been raised by neighbouring residents. However, these are neutral matters which neither weigh in favour nor against the development

Very special circumstances

22. The proposal would be inappropriate development within the Green Belt. In addition, there would be moderate harm to openness. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. There would also be harm to the character and appearance of the area which carries significant weight. The other considerations put forward provide minor support for the proposal. Therefore, the harms to the Green Belt and the character and appearance of the area would not be clearly outweighed by the other considerations so as to amount to the very special circumstances necessary to justify the proposal. The proposal conflicts with Policies, LP24 and LP57 of the LP and Policies 1 and 2 of the NP and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it.

Conclusion

23. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR