

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2017/62/90951/W

Site Address: Longdenholme, 34, Greenhead Road, Huddersfield,
HD1 4EZ

Description: Conversion of existing coach house to form 2
dwellings, erection of one dwelling, new vehicular
access and parking/turning (within a Conservation
Area)

Recommending Officer: Nick Hirst

DECISION – conditional full permission

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Teresa Harlow

AUTHORISED OFFICER

Date: 28-Feb-2018

Application: 2017/62/90951/W

Site: Longdenholme, 34, Greenhead Road, Huddersfield, HD1 4EZ

Proposal: Conversion of existing coach house to form 2 dwellings, erection of one dwelling, new vehicular access and parking/turning (within a Conservation Area)

Site Description

Longdenholme is a large Victorian Mansion, currently vacant but previously used as a Nursing Home. There are elongated brick faced single storey extensions to the rear. To the site's rear is Park Drive South, separated from the site by a stone built wall with feature pedestrian access, boarded up. Detached, to the rear of the site, is a stone built coach/house stable, which is derelict. To the front of the site is the main access onto Greenhead Road and garden space.

Longdenholme is not listed.

The site is within, on the edge, of the Greenhead Park/New North Road Conservation Area. Beyond Park Drive South is Greenhead Park which is a Grade II listed registered park and garden. Dwellings in the area vary between similar large Victorian era properties, to more modern, mainly infill, development. Within the Conservation area are various listed buildings, with the closest being no.30 Greenhead Road.

Description of Proposal

Demolition works include all of the early 20c brick faced extensions to Longdenholme's rear and other small outbuildings. The rear section of the coach house, and attached boiler room, are to be demolished. The coach house wall which forms the boundary with no.1 Park Drive South is to be retained at its current height.

The remaining coach house is to be sub-divided into 2no. four bed dwellings. External alterations include a first floor extension to the existing hipped roof single storey side section, Rooflights and a feature window on the rear elevation where demolition ended. New openings are limited, with the proposal making use of the existing openings.

A new two-storey four bedroom dwelling, with habitable roof space, is to be erected west of the coach house. It has a footprint of 79.1sqm. It is to be orientated with its principal elevation facing north, aligned with the coach house. It is to be faced in stone with natural stone slate roofing, with architectural detailing to mimic that of the coach house and Longdenholme. Features include front dormers and rooflights. The coach house's chimney, to be removed as part of the demolition, is to be re-built on the new dwelling.

The dwellings are referred to as House 1(coach house), House 2 (coach house) and House 3 (new detached) and will be referred to as such in this report.

Each dwelling is to have a front and rear garden space. Boundary walls are to subdivide the curtilages of each dwelling, and vehicular access is to be via Park Drive South through a newly formed access which is to be 4.8m wide, with wrought iron gates. The existing pedestrian access is to be retained and reopened. Nine parking spaces, three per dwelling, are to be laid out within the paved space to the site's rear.

Relevant Planning History

Application Site

2015/90547: Erection of 3no detached dwellings, demolition of existing coach house/stable block and alterations to boundary wall (within a Conservation Area) – Ongoing

Surrounding Area

No.32 Greenhead Road

2015/91499: Change of use from C3 (dwellinghouse) to C2 (Residential institution) (within a Conservation Area) – Conditional Full Permission (Implemented)

History of Negotiations

A bat report was requested and provided.

Planning and Conservation and Design officers have worked proactively with the applicant to amend various aspects of the proposal to ensure the development does not cause significant harm to the Greenhead conservation area and the setting of Greenhead park. Examples of such amendments include the removal of a front balcony for the new dwelling, retention of a feature chimney, retention of the front boundary wall pedestrian access and change to a cast iron gate amongst others.

It is noted that the applicant has also taken into account comments made from local residents, and while not complying with all suggestions, has made effort to accommodate points made in representations to the LPA.

The applicant disputed the need for further Coal Mining Investigation and wrote to the CA to attempt to alleviate their concerns. The CA dismissed the comments and confirmed their comments, and need for condition, stand.

Representations

Final publicity date expired: 10.11.2017

17 representations have been received in regards to the proposal. The following is a summary of the comments made;

- Support the retention of the Coach House, as opposed to it being demolished as per 2015/90547.
- Object to the demolition of the rear portion of the Coach House, including the boiler room and architecturally significant chimney, due to loss of historic fabric.
- Demolition to rear of Coach House may impact on integrity of party wall and shared gutter system between application site and no.1 Park Drive South.
- Object to skylights within the coach house, as concerns of overlooking and loss of original Green Westmoorland roof slates.
- Objection to loss of pedestrian access, and potentially capping stones, onto Park Drive South and formation of new vehicle access onto this road. This is because these changes would harm the setting of the listed Greenhead Park, particularly the War Memorial (grade 2*). Access should be via Greenhead Road.
- Object to increase in traffic using Park Drive South.
- The new dwelling fails to respect the context of the historic built environment.
- Concerns that this development would prejudice the future development of Longdenholme, preventing it being brought into a new use.
- The coach house first floor extension will obscure the original chimney.
- Object to plans to demolish all/part of the party wall between the coach house and Gledholt, 32, Greenhead Road as it would impact upon the vulnerable people who use the site.
- Concerns as to how construction traffic would access the site, given the nature of Park Drive South.
- Concerns that the two side windows on the new dwelling would cause a loss of privacy for neighbouring residents.
- The vehicular access is too large and is 'beyond normal domestic requirements by a significant amount'. The result is a loss of a substantial part of the feature front wall.

Consultation Responses

K.C. Conservation and Design: Worked with officer and the applicant to amend the design. Support final plans, subject to condition.

K.C. Ecology: No objection subject to condition

K.C. Highways: An informal discussion was held. No objection.

The Coal Authority: No objection subject to condition.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

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.

The site is Unallocated, within the Greenhead Park/New North Road Conservation Area, on the UDP Proposals Map.

The site is Unallocated, within the Greenhead Park/New North Road Conservation Area, on the PLP Policies Map.

Kirklees Unitary Development Plan

- **G6** – Contaminated Land
- **D2** – Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE5** – Conservation Areas
- **BE6** – Infill plots within a Conservation Area
- **BE11** – Materials of construction
- **BE12** – Space about dwellings
- **T10** – Highways accessibility considerations in new development
- **T19** – Parking standards
- **H1** – Housing; strategy

Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP 1** – Presumption in favour of sustainable development
- **PLP 2** – Place shaping
- **PLP 3** – Location of new development

- **PLP 21** – Highway safety and access
- **PLP 24** – Design
- **PLP 30** – Biodiversity and geodiversity
- **PLP 35** – Historic environment
- **PLP 51** – Protection and improvement of local air quality
- **PLP 53** – Contaminated and unstable land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

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

- **Paragraph 17** – Core planning principles
- **Chapter 6** – Delivering a wide choice of high quality homes
- **Chapter 7** – Requiring good design
- **Chapter 11** – Conserving and enhancing the natural environment
- **Chapter 12** – Conserving and enhancing the historic environment

Other

- **DCLG:** Technical Housing Standards

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity, including the Greenhead Park/New North Road Conservation Area and the setting of Greenhead Park.
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development

1.1 – Sustainable Development

NPPF Paragraph 14 and PLP1 outline a presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation (Para.8).

The dimensions of sustainable development will be considered throughout the proposal.

Further to the above the Council are unable to demonstrate a 5 year supply of housing land. Therefore relevant policies for the supply of housing should not be considered up to date. Notwithstanding this the site is not subject to policies which restrict the supply of housing.

Conversely Paragraph 14 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

‘Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]’

All these considerations are addressed later in this assessment.

Consideration must also be given to the emerging local plan. The site is without notation on the PDLP Policies Map. PLP2 states that;

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. The listed qualities will be considered where relevant later in this assessment.

1.3 – Residential development

Chapters 1 and 6 of the NPPF, PLP1 and PLP11 of the PDLP and Policy H1 of the UDP establish a general principle in favour of residential development. The provision of housing at the time of general shortage contributed to social development, a factor of sustainable development. This includes the fact that Kirklees Council cannot presently demonstrate a 5-year supply of housing land.

2 – Impact on visual amenity, including the Greenhead Park/New North Road Conservation Area and Greenhead park

The site is located within the Greenhead Park/New North Road Conservation Area. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Additionally, Policy BE5, PLP35 and NPPF Chapter 12 outline the principle of development and restrictions for development in Conservation Areas. When considering Conservation Areas, paragraph 138 of the NPPF states;

Not all elements of a ... Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area ... should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

The Greenhead Park/New North Road Conservation Area does not benefit from an area appraisal, however the UDP character assessment states;

Victorian terraces and villas surrounding a large contemporary public park with an impressive war memorial. Trinity Street and New North Road are important radial routes into Huddersfield, lined by mainly ashlar stone faces terraces and detached dwellings, and public buildings including the prominent Holy Trinity Church. Also includes Highfields, an earlier area of mainly nineteenth century or older housing of considerable charm.

In summary, the Conservation Area's heritage value is deemed to come from its period architecture, character, setting and relationship with Greenhead Park. Greenhead Park itself is a Grade II listed Park and Garden. This is a public park dating from 1883 and comprises 13.5ha of land. Park Drive South forms the southern boundary to the park and the application site addresses the park. Furthermore, around 90m from the application site and on significantly higher ground, is the Grade II* listed War memorial erected 1922 - 24.

Consideration has been given as to whether consultation was required with Historic England and The Gardens Trust, who are statutory consultees when development would impact on a Grade 2* listed building and registered parks of special historic interest respectively. Officers conclude that it was not necessary.

The application site is outside the boundary of the park, within brownfield land associated with Longdenholme. The site is in excess of 90.0m of the grade 2* listed monument. The dwellings around the park contribute to the setting of the park and listed structure through their respective layout around the park's perimeter, which is typical for a Victorian park. As is to be gone into more detail below, the proposed alterations to the coach house's front are minimal,

with the works to the rear not being seen within the context of either the park or listed building. In regards to the new dwelling, also to be examined below, it has an appropriate design that is in line with neighbouring dwellings. It will be no closer than existing dwellings to the park/listed structure. Given the appropriate design, in addition to the layout which reflects that of the other dwelling which front onto the park, results in the new dwelling retaining the character of the area. The boundary wall, the closest aspect to the park/listed structure, and one that forms an important characteristic with the park, is not to materially change, with the opening to form an access being deemed acceptable (this is gone into detail further below).

Given the above it is concluded that the proposal would have no impact on the setting of either the Grade 2* listed memorial or Greenhead Park as a registered park.

2.1 – Alterations and extensions to the coach house

Alterations to the coach house's frontage include converting two windows into doors. This change is deemed to have a limited impact on the building's visual amenity and the character of the Conservation Area. Rooflights are proposed, to which there is no objection in principle. The number proposed and layout are deemed acceptable, however if minded to approve a condition is to be imposed requiring them to be conservation style so that they lie flush with the roof. This is to ensure they reflect the traditional design of the host building and do not become overly prominent in the roofscape.

Currently on the side elevation of the coach house is a single storey section with the proposal seeking to add a first floor. The extension is modest in scale with a harmonious yet subservient design. Subject to the extension being faced in matching materials, to be secured via condition, it is considered to have a neutral impact on the building's overall visual amenity and heritage importance within the Conservation Area.

Significant works are proposed to the rear, including the demolition of the boiler room and a notable portion of the coach house's rear section. From a general built environment perspective the works to the rear are deemed appropriate and would not cause the proposal to be in breach with Policies BE1, BE2 or PLP24. However consideration must be given to the historic environment impact.

Discussions took place in regards to the demolition to the rear of the Coach House. The agent stated this was necessary to ensure House 1 has some curtilage and was not impractically large internally to form a single dwelling. Officers accept that the original layout of the coach house does not lend itself to conversion, and that officers would oppose the coach house being split into four dwellings or a dwelling without a garden. In mitigation the ornate chimney stack removed from the Boiler House is to be reconstructed as part of the proposed chimney stack on the new dwelling. This can be secured via condition. Furthermore the section to be lost is to the building's rear, and is

not a prominent feature within the Conservation Area, limiting the harm of its loss.

Neither the coach house nor Longdenholme are listed. Furthermore the site is not seen within the setting of a neighbouring listed building, no.30 Greenhead Road, which fronts onto a different road and is over 50.0m away, preventing the listed building seen within the context of the proposed development. The Coach House and Longdenholme contribute to the character of the Conservation Area through their historic setting and architecture, contributing to these aspects of the wider area. However the coach house's rear is not visible from public viewpoints within the Conservation Area, limiting its overall influence and impact. As noted above the changes to the side and front elevation are deemed appropriate, therefore the works to the coach house as a whole are considered to have a neutral impact upon the building's contribution within the Conservation Area.

2.2 – New dwelling

The dwelling is to be constructed in matching stone and slate to Longdenholme and coach house. The agent has stated that this will include samples taken from the rear section of the coach house to be demolished, however this is unlikely to provide sufficient amount for the entire build. These materials are acceptable in principle however to ensure the building as completed is of an acceptable appearance it is appropriate that a condition can be imposed requiring samples be submitted for review.

In terms of form, layout and scale the properties fronting onto Park Drive South each vary. The older Victorian properties, notably Longdenholme, nos.1 and 4 Park Drive South, are large, tall structures with decorative architecture. These are seen alongside no.3 Park Drive South, a circa 1940s/50s bungalow and nos.5 and 6 Park Drive South a circa 1940s/50s semi-detached pair which are smaller with more vernacular designs. While smaller than the neighbouring Victorian buildings, the proposed building's form, layout and scale is considered acceptable in the site's context and will not cause the dwelling to appear out of keeping. It is noted that the roof height and pitch of the coach house and the new dwelling vary. Nonetheless varied roof height/pitch is a characteristic of dwellings fronting onto Park Drive South, each of which has a unique design. The variation also negates concerns of the two storey dwelling being adjacent to nos.3, a bungalow; the proposed dwelling is notably smaller than others in the area, and while the new dwelling would be closer to the bungalow it's not considered the difference in height would appear incongruous within the setting.

Regarding architectural form and fenestration, the dwelling suitably mimics features of neighbouring dwellings while having its own identity; as noted each dwelling has a unique identity, which forms a key character of the streetscene. Given that the new dwelling is to be more closely associated with the historic Victorian dwellings, its closer visual association with these dwellings is considered appropriate.

2.3 – Other works on site

The demolition of the predominantly brick built single storey rear extension to Longdenholme is considered to be beneficial to visual amenity and the character of the Conservation Area. While it was built pre 1955, thus being in place at the time of designation, it is not considered to contribute to the identified heritage value of the Conservation Area.

The proposed subdivision of the plots is considered acceptable and not out of keeping with the layout of the area. Each property is to have a boundary wall to be circa 1.8m / 2.0m. This is considered acceptable in principle, however if minded to approve a condition is to be imposed requiring details of the boundary treatments be provided, and then implemented and retained in accordance with the approved details. This is to ensure an appropriate design and materials are used.

Part of the boundary wall along Park Drive South is to be demolished to permit vehicular access. Historic maps indicate that the wall is an original feature of Longdenholme; furthermore its design is characteristic of the area and deemed of importance in regards to the relationship with Greenhead Park. Conversely the amount to be demolished, 4.8m wide, is necessary to reach the modern standard for a shared residential access. During negotiations the original pedestrian access has been confirmed to be retained, as are the wall's coping stones. Furthermore negotiations resulted in an iron gate, as opposed to timber, which is considered to mimic the design of the wall's era. To fully assess the impact officers requested a streetscene with the above displayed. It is clear that the majority of the wall is to remain unaltered. It is considered the amended design mitigates the harm caused through the loss of the portion of the wall.

2.4 – Weighing the impact upon visual amenity/the Conservation Area against the public benefit

The proposal will result in the loss of historic fabric and introduce new development within the historic environment. Considering the above assessment against the identified heritage value of the Conservation Area it is concluded that the development will cause less than substantial harm to the Conservation Area. Thus, in accordance with 134, the less than substantial harm identified must be weighed against the public benefit of the proposal. This includes securing its optimum viable use (Paragraph 134).

The following is a summary of the proposal's public benefit;

- Provision of three dwellings at a time of general shortage.
- Removing the unsightly rear single storey extensions, replacing it with a well-designed dwelling which will preserve the character of the Conservation Area.
- Limited economic benefit, through the sale of labour and materials and sale of the end product.

- Bringing the coach house back into use which has been vacant for some time. An alternative use study has not been undertaken by the applicant, however officers are satisfied that it could not be brought back into use as a coach house associated with Longdenholme, which is itself vacant. Other potential uses, including office or retail, would require a sequential test and would initially be opposed by officers. As such officers are satisfied that residential is the optimum use.

Weighing the less than substantial harm caused via the proposal, as has been identified within the above assessment, it is concluded that, in this situation, the listed public benefits outweigh the harm caused to the Conservation Area.

The proposal is considered to be good design that is visually attractive and would harmonise with the surrounding area, while overall preserving the heritage value of the Conservation Area. The development is deemed to comply with policies D2, BE1, BE2, BE5, BE11, BE12, PLP24, PLP35 and Chapters 7 and 12 of the NPPF.

3 – Impact on residential amenity

To the east of the site is no.1 Park Drive South, a detached two storey dwelling. To the west is no.3 Park Drive South, a detached bungalow. To the rear (south) of the site is Longdenholme, which is unoccupied but previously used as a care home.

Adjacent to no.1, the coach house's scale is to be reduced by demolition. It is not considered that the development would cause harmful overbearing or overshadowing upon no.1's residents. It is noted that the resident of no.1 has raised concerns over the shared boundary wall, which is a portion of the side elevation of the coach house to be demolished. The agent has confirmed that the height of the side elevation of the coach house to be partly demolished will remain as a boundary wall between the new dwelling and no.1.

The new dwelling is to be built approximately in line with no.3 and will not be prominently visible from the habitable room windows on the front and rear elevations. Officers were unable to identify any side windows on no.3 facing the side. However the side elevation is immediately adjacent to the circa 2.0m boundary wall, with thick vegetation. Given this outlook, and the low depth of the bungalow, on the balance of probability it is concluded unlikely that this elevation hosts primary habitable room windows. Regardless, given their current outlook, the proposal would not cause additional harm to residents of no.3 through overbearing or overshadowing.

Longdenholme's last use was partly residential (care home). However it is now vacant. House 2 would have two primary habitable room windows, at ground and first floor level, facing Longdenholme's rear at a distance 16.6m. Policy BE12 requires a separation distance of 21.0m between habitable room windows. However BE12 does include some flexibility when considering infill development. Given the size of Longdenholme officers are satisfied that the

above relationship would not unduly restrict, or prohibit, the potential future residential, or other, development of Longdenholme.

Regarding overlooking officers raise no concerns to any of the front and rear windows. All non-habitable room windows on side elevations are to be obscurely glazed via condition in the interest of privacy of neighbours and future residents. House 1's side patio window faces house 2's garden, however as the boundary wall is to be 2.0m in height, securable via condition (of boundary wall details) it will not lead to a loss of privacy between residents.

Consideration must also be given to the amenity of future occupiers. Each dwelling is in excess of the minimum size guidelines of the Technical Housing Standards. The sole windows of the living rooms of both house 1 and 2 face the site's boundary wall, which is in excess of 2.0m in height, at a minimum distance of 5.0m. This does not comply with the required distance of BE12, which states 12.0m should be achieved between a habitable room window and a blank wall. In mitigation the windows face north, therefore overshadowing is not a consideration. Additionally, at approx. 2.0m, the wall will not create a full screening effect to resident's outlook. Considering these factors, along with the suitable size of the dwellings and general pleasant environment of the Conservation Area, it is not considered that the limited outlook from one room per dwelling would result in residents having an unacceptable level of amenity. All other habitable rooms are served by windows which will provide acceptable outlook and natural light and each dwelling benefits from a well sized external amenity space to the rear (along with being adjacent to Greenhead Park).

Subject to the above detailed conditions, officers are satisfied that the proposal would not cause harm to the amenity of neighbouring residents and future occupiers. The development is deemed to comply with D2, PLP24 and Paragraph 17 of the NPPF in regards to residential amenity.

4 – Impact on highway safety

A new access is to be formed onto Park Drive South. Park Drive South is a non-classified road, with numerous pre-existing residential driveways connecting onto it. K.C. Highways have raised no objection to the proposed new access.

Three parking spaces are proposed per dwelling, which is appropriate for the four-bed Houses 1 and 2. House 3 is a three bed, therefore three parking spaces is an overprovision from T19. Nonetheless the development is making use of an existing surfaced area and, considering the plans, the site lends itself to the proposed layout. The overprovision of one parking space, on this small site, is not deemed harmful.

For the clarity of future users, if minded to approve, a condition is to be imposed requiring the parking areas to be clearly marked out. Bin storage points shown, with adequate screening, and bin collection point shown 7.5m

from the access, which is acceptable. The provision of these can be secured via condition.

The proposal is not considered detrimental to the safe and efficient operation of the Highway and complies with Policies T10 and PLP21.

5 – Other matters

5.1 – Air quality

In accordance with government guidance on air quality mitigation, outlined within Policies PLP21, PLP24 and PLP51 of the PDLP along with the NPPG and Chapter 10 of the NPPF, it is considered reasonable and necessary to seek air quality enhancement as part of the application. If minded to approve a condition is to be imposed, requiring a charging point per dwelling to be provided and retained.

5.2 – Coal mining legacy

The application site is in an area where there is a high risk of historic mining activity. A Coal Mining Risk Assessment (CMRA) was submitted with the application, which indicated a potential risk for development of the site and thus made recommendations for safe development. The report was submitted for consideration by the Coal Authority, who concurs with the conclusion and recommendations of the CMRA.

The recommendations include investigatory works, prior to development commencing, and appropriate remediation if necessary. Subject to conditioning these works, if minded to approve, the Coal Authority has no objection to the proposal. These conditions are deemed to comply with the NPPF's six tests, so as to accord with Policy G6 and BE1 of the UDP, PLP53 of the PDLP and Paragraphs 120 and 121 of the NPPF. Given the importance of ensuring a safe development, and the potential impact of coal legacy, pre-commencement conditions are deemed justifiable.

5.3 – Local ecology

The site is within the council's bat alert layer and adjacent to Greenhead Park, along with there being woodland in the vicinity. This, along with the nature of the proposal, means the application could impact on local ecology. The application has been supported by a bat survey which has been assessed and acceptable by K.C. Ecology. K.C. Ecology requests two conditions, one limiting the time of clearance of vegetation and the provision of bat boxes. This is in the interest of ecological mitigation and enhancement, in accordance with PLP30 and Chapter 11 of the NPPF.

6 – Representations

The following are officer responses to public comments made that have not been directly addressed within the above assessment.

- Support the retention of the Coach House, as opposed to it being demolished as per 2015/90547.

Response: Comments in support are noted.

- Demolition to rear of Coach House may impact on integrity of party wall and shared gutter system between application site and no.1 Park Drive South.

Response: Discussion has taken place between officers, the applicant and the neighbour who raised this comment. The wall is to be retained at its current height. The integrity of the wall is the responsibility of building control/the developer. The gutter system does not form a material planning consideration, however it is noted that the applicant and neighbour have reached an informal agreement.

- Object to the demolition of the rear portion of the Coach House, including the boiler room and architecturally significant chimney, due to loss of historic fabric.
- Object to skylights within the coach house, as concerns of overlooking and loss of original Green Westmoorland roof slates.
- Objection to loss of pedestrian access, and potentially capping stones, onto Park Drive South and formation of new vehicle access onto this road. This is because these changes would harm the setting of the listed Greenhead Park, particularly the War Memorial (grade 2*). Access should be via Greenhead Road.
- The new dwelling fails to respect the context of the historic built environment.
- The coach house first floor extension will obscure the original chimney.

Response: Officers worked proactively with the applicant and local residents to attempt to overcome local concerns. It is concluded, for the reasons outlined within section 2 of this report, that the proposal as amended will not cause harm to the heritage value of the conservation area.

- Object to plans to demolish all/part of the party wall between the coach house and Gledholt, 32, Greenhead Road as it would impact upon the vulnerable people who use the site.

Response: No specific demolition of walls between these properties is proposed. A condition is to be imposed requiring details on new boundary walls. For clarity as to what is being approved, this will be expanded to demolition of existing boundary walls.

- Concerns as to how construction traffic would access the site, given the nature of Park Drive South.

Response: This is noted. While not typically a consideration for development of the proposal's scale, given the nature of Park Drive South officers consider

it reasonable to impose a condition requiring details of construction traffic. Given the nature of the condition it is a pre-commencement condition, which has been agreed with the agent.

7 – Conclusion

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.

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.

Recommendation: Approve

Application Number: 2017/90951

Decision Authorisation: Delegated Powers

Officer Recommendation: Grant Condition Permission

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Chapters 7 and 12 of the National Planning Policy Framework.

3. Prior to development commencing a scheme detailing the arrangements for construction traffic access, parking, routing, timing and road sweeping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained throughout the construction time of the development.

Reason: In the interests of the free and safe use of the highway, given the scale and nature of Park Drive South, so as to accord with Policy T10 of the Kirklees Unitary Development Plan and PLP21 of the Kirklees Publication Draft Local Plan. This is a pre-commencement condition, given the need to ensure appropriate management of the highway.

4. Prior to development commencing a scheme of intrusive site investigations shall be submitted to, and approved in writing by, the Local Planning Authority. Site investigation shall thereafter be undertaken in accordance with the approved details.

Reason: The submitted Coal Mining Risk Assessment makes appropriate recommendations for the carrying out of intrusive ground investigations in order to investigate ground conditions, the depth and condition of any coal seams, and to inform any necessary remedial measures required. However insufficient detail has been provided in relation to the potential risk posed by mine gas to the proposed development. This condition is to comply with Policy G6 of the Kirklees Unitary Development Plan and Policy PLP53 of the Kirklees Publication Draft Local Plan. This is a pre-commencement condition so as to ensure that appropriate measures are incorporated into the development at the relevant stage.

5. A report of findings arising from the intrusive site investigation works pursuant to condition 4 shall be submitted to and approved in writing before development commences. The report shall include a scheme of remedial

works for the shallow coal workings together with a timetable for the implementation and completion of the approved remediation measures.

Reason: To identify and remove unacceptable risks to human health and the environment with regard to historic coal mining legacy and in accordance with guidance contained within Policy G6 of the Kirklees Unitary Development Plan and Policy PLP53 of the Kirklees Publication Draft Local Plan. This is a pre-commencement condition so as to ensure that appropriate measures are incorporated into the development at the relevant stage.

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 5. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Coal Mining Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To identify and remove unacceptable risks to human health and the environment with regard to historic coal mining legacy and in accordance with guidance contained within Policy G6 of the Kirklees Unitary Development Plan and Policy PLP53 of the Kirklees Publication Draft Local Plan.

7. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment with regard to historic coal mining legacy and in accordance with guidance contained within Policy G6 of the Kirklees Unitary Development Plan and Policy PLP53 of the Kirklees Publication Draft Local Plan.

8. No removal of hedgerows, trees or shrubs or works to, or demolition of, buildings or structures shall take place between 1st March and 31st August inclusive unless a Site Investigation of Birds report is submitted to, and approved in writing by, the local planning authority. The report shall be undertaken by an appropriately qualified ecologist and include a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared, confirming that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Development shall be undertaken in accordance with the approved recommendations of the report.

Reason: In the interests of preserving and enhancing the biodiversity of the site, in accordance with PLP30 of the Kirklees Publication Draft of the Kirklees

Unitary Development Plan and Chapter 11 of the National Planning Policy Framework.

9. Details of all the external facing and roofing materials shall be left on site for the inspection and approval in writing by the Local Planning Authority before these are used in connection with the development approved. The development shall be completed in accordance with the details of external facing and roofing materials so approved.

Reason: In the interests of the visual amenity and to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset and to accord with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Chapters 7 and 12 of the National Planning Policy Framework.

10. Prior to occupation each new dwelling (either newly constructed or as a result of conversion of existing buildings) shall include a bat roost box (Schwegler 2FR, or similar) installed integral to the southern or western elevations at a height of at least 3 metres and not directly above doors or windows. Thereafter the boxes shall be retained.

Reason: In the interests of enhancing the biodiversity of the site, in accordance with PLP30 of the Kirklees Publication Draft of the Kirklees Unitary Development Plan and Chapter 11 of the National Planning Policy Framework

11. Prior to the hereby approved dwellings being brought into use the bin storage and bin collection areas, as shown on plan ref. 1643 – 02 Rev B, shall be implemented, ready for use and shall be retained as such thereafter.

Reason: In the interest of visual amenity and appropriate waste management, in accordance with Policies D2, BE1 and T10 of the Kirklees Unitary Development Plan, PLP21 and PLP24 of the Kirklees Publication Draft Local Plan and Chapter 7 of the National Planning Policy Framework.

12. Prior to occupation of the hereby approved dwellings 1no. electric vehicle recharging point shall be installed per dwelling. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle recharging points shall thereafter be retained.

Reason: In the interest of promoting sustainable transport and to accord with Policy PLP21(g) and PLP51 of the Kirklees Publication Draft Local Plan and Chapters 4 and 11 of the National Planning Policy Framework.

13. The hereby approved dwellings shall not be occupied until all side facing windows, with the exception of the patio windows of 'House1', in the dwellings hereby approved have been obscure glazed (minimum grade 4). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) the obscure glazing shall thereafter be retained.

Reason: So as not to detract from the amenities of adjoining property and that of future residents due to a loss of privacy from overlooking, so as to accord

with Policy D2 of the Kirklees Unitary Development Plan, PLP24 of the Kirklees Publication Draft Local Plan and Paragraph 17 of the National Planning Policy Framework.

14. Notwithstanding the details indicated on drawing no 1643 – 03B, which are not approved, prior to the hereby approved dwellings being occupied details of the proposed boundary treatment and the gates serving the new access onto Park Drive South including, location, materials, height, elevational design of gates and extent of demolition shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details before the development is first occupied and thereafter retained as such.

Reason: In the interest of visual amenity, to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset and residential amenity, so as to comply with Policies D2, BE1, BE2 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Paragraph 17 and Chapters 7 and 12 of the National Planning Policy Framework.

15. Prior to House 3 being brought into use the chimney as shown on plan ref. 1643 – 02 Rev B shall be completed in complete accordance with the approved plans. The chimney shall thereafter be retained.

Reason: In the interest of conserving the site's heritage value within the Greenhead Park Conservation Area, in accordance with Policy BE5 of the Kirklees Unitary Development Plan, PLP35 of the Kirklees Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

16. The development shall not be brought into use until all areas indicated to be used for parking on the submitted plans have been marked out, and laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the uses specified on the submitted plans.

Reason: In the interests of amenity and traffic safety, so as to ensure adequate space within the site for vehicle movements and parking and in accordance with Policy T10 of the Kirklees Unitary Development Plan and Policy PLP21 of the Kirklees Publication Draft Local Plan.

17. Rooflights shall be of a 'conservation' style and shall be mounted flush with the roofline.

Reason: In the interest of visual amenity, to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset to comply with Policies BE1 and BE5 of the Kirklees Unitary Development Plan, PLP24 and 35 of the Kirklees Publication Draft Local Plan and Chapters 7 and 12 of the National Planning Policy Framework.

18. All new windows frames shall be of timber construction with a painted finish. Mouldings, timber sections and glazing shall be of a traditional design, details of which (to be shown at a scale of 1:20) shall be submitted to and approved in writing by the Local Planning Authority before any new windows frames are installed. The works shall be completed in accordance with the approved details before the development is first occupied and thereafter retained as such.

Reason: In the interest of visual amenity and so as to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset and to comply with Policies BE1 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Chapters 7 and 12 of the National Planning Policy Framework.

19. All new/replacement windows and doors shall be recessed by a minimum distance of 75mm from the face of the building. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the doors and windows shall thereafter be retained as such.

Reason: In the interest of visual amenity and so as to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset to comply with Policies BE1 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Chapters 7 and 12 of the National Planning Policy Framework.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A or B of Part 1 of Schedule 2 to that Order shall be carried out to any of the hereby approved dwellings without the prior written consent of the Local Planning Authority.

Reason: So as to prevent an overdevelopment of the application site, in the interest of visual amenity, to retain the significance of the Greenhead Park Conservation Area as a designated heritage asset, and the residential amenity of future occupiers due to the loss of garden space, in accordance with Policies D2 and BE5 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and Paragraph 17 and Chapters 7 and 12 of the National Planning Policy Framework.

Note from the Coal Authority: Pursuant to condition 4 the applicant should ensure that the exact form of any intrusive site investigation, including the number, location and depth of boreholes, is designed by a competent person and is agreed with The Coal Authority's Permitting Team as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures, such as grouting stabilisation works, foundation solutions and gas protection measures, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

For further details please see the formal consultation response from the Coal Authority, accessible at the following web-link:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017/90951>

Note: Pursuant to conditions 13 and 15 the referenced house numbers are as defined on plan ref. 1643 – 02 Rev B.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Elevations	1643 – 01		31.08.2017
Proposed Grouped Plans and Elevations	1643 – 02	Rev.B	23.10.2017
Proposed Elevation (3D Visuals)	1643 – 03	Rev.B	23.10.2017
Proposed Elevation	Street Scene		31.08.2017
Supporting Information	Bat Survey		25.07.2017
Supporting Information	Design and Access Statement		20.07.2017
Supporting Information	Coal Mining Risk Assessment		19.04.2017
Supporting Information	Statement of Coal Mining Risk Assessment		27.01.2018

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Initial concerns included the impact on the Greenhead Park Conservation Area and local ecology. Following negotiations between officers and the applicant various amendments and supporting information have been received. Based on the details contained with the above plans table, officers resolved to support the proposal.

Report Dated: 21.02.2018

