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:	2017/62/93179/W
Site Address:	The Stables, 7 , Halifax Road, Edgerton, Huddersfield, HD3 3AN
Description:	Erection of single storey extension (within a Conservation Area)
Recommending Officer:	Oliver Corbett

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: 20-Nov-2017

Officer Report

Reference- 2017/**93179**

Applicant- J Roberts
Cote Royd Dental Practice
The Stables
7 Halifax Road
Huddersfield
HD3 3AN

Location – The Stables, 7 Halifax Road, Huddersfield, HD3 3AN

Proposal – Erection of single storey extension (within a Conservation Area) (Listed Building)

Site Description

The application relates to a site off Halifax Road in Huddersfield, within the Edgerton Conservation Area. The property is a two storey, stone-built building that currently hosts a dentist's surgery. The original building was a stable block, the remains of which being relatively square in shape, with an extension having been erected to the side including a small porch area. Historic maps show that the building was originally of a much larger scale than it is currently. The site has a good level of parking available, with at least 10 or more spaces provided. The building is situated within the vicinity of a Grade II Listed building, Cote Royd, for which the Listed description is as follows;

Built for Wright Mellor, 1st Mayor of Huddersfield, and then 1st Alderman. Rock-faced stone. Ashlar dressings. Pitched fishscale slate roof. Coped gables on cut kneelers. Ball finials. 2 storeys and attics. Front has 3 ranges of chamfered mullioned sashes with hoodmoulds (2-light on 1st floor, 3-light on ground floor), of which south one is gabled and has 2-light pointed arched window with bar tracery and hoodmould in gable end. Ground floor at north end breaks forward and is crowned by foliate frieze and parapet, both of which are continued round porch. Moulded 2-centred arch to porch with hoodmould and figurative label stops. 2 steps up, with pointed arched parapet, ending in octagonal piers with shallow caps. Garden front has 2 large gables, each with 2-light window with bar tracery and hoodmoulds, and one small one between. East bay has one storey semi-circular bay with foliage cornice and parapet ornamented with blind quatrefoils. Centre bay has canted 1st floor window with hipped stone roof. West bay has 2-storey canted bay with crenellated parapet, and some of blind tracery between storeys. Another 1st floor oriel to rear, with crenellated parapet.

Description of Proposal

The application proposes the erection of a single storey extension to the west side of the building, attached to the previous two storey side extension. The extension would measure 7 metres in projection from the south-west elevation, with a width of 5 metres. It would incorporate the existing porch internally within the resultant building. It would have a height of 4.5 metres and an eaves height of 2.5 metres. The extension would be faced in natural stone and a blue slate tile roof to match the host building, and would feature white timber sash windows to the front and side elevations. It would also feature 4no rooflights, 2no on each roof plane, matching those of the host building. A first floor window in the gable to f the existing extension would be infilled to accommodate the roof of the new structure.

The development would result in the loss of 2no. parking spaces to the west of the building. These would be replaced by 2 no.cycle/motocycle spaces. Bin storage would also be relocated from the side of the building to a fenced enclosure to the north west of the site.

The application is also subject to a Listed Building Consent application, which is being assessed concurrently with this application.

History of negotiations/amendments received

No negotiations or amendments requested.

Relevant Planning History

2017/93180 - **Listed Building Consent for erection of single storey extension (within a Conservation Area)**
Being determined concurrently with this application

2015/91156 - **Erection of two storey extension to form waiting room and office to dental surgery (within the curtilage of a Listed Building) (within a Conservation Area)**
Conditional Full Permission and implemented

2015/91157 - **Listed Building Consent for erection of two storey extension to form waiting room and office to dental surgery (within a Conservation Area)**
Consent Granted and implemented.

Representations

Final publicity date expires: 25th October 2017.

No representations were received.

Consultation Responses

KC Highways – Proposals are considered acceptable and no conditions are necessary.

KC Conservation and Design – no concerns with proposed works

KC Trees – (verbal) an Arboricultural method statement is to be requested by condition before development commences

Policy

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

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).
The Council is currently in the process of reviewing its development plan through the production of a Local Plan. 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 on the UDP and the PDLP Proposals Map, but it is located within the Edgerton Conservation Area.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land
- **B5** – Extensions to business premises
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE5** – Conservation Areas
- **T10** – Highways
- **T19** – Parking
- **EP4** – Noise sensitive development
- **NE9** - Trees

Kirklees Publication Draft Local Plan: Submitted for examination April 2017:

- **PLP 1** – Achieving sustainable development

- **PLP 2** – Place shaping
- **PLP 21** – Parking
- **PLP 22** – Highway safety
- **PLP 24** – Design
- **PLP 33** - Trees
- **PLP 35** – Historic Environment

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.

- Chapter 7 – Requiring good design
- Chapter 12 – Conserving and enhancing the historic environment

Assessment
The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1 – Principle of development:

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]".

The Publication Draft Local Plan (PDLP) states that:

"Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise."

The proposal is for an extension to form additional space for the existing use (D1) dental clinic. The site lies within a predominantly residential area although there are other B1 and D1 uses within the immediate vicinity.

Dental clinics can be classed as a local service and paragraph 70 of the NPPF states that planning decisions should plan positively for the provision of community facilities.

The current use of the stable block is as a business and therefore Policy B5 of the UDP would be relevant. This states that proposals for the extension of business premises will be permitted provided the amenity of occupiers of neighbouring properties, visual amenity and highway safety are safeguarded. These considerations are dealt with later in this assessment.

The general principle of the development is considered to be acceptable.

2 –Impact on visual amenity, including upon Edgerton Conservation Area and the associated Listed Building:

There will be some impact on visual amenity. The extension is to the side of the building, attached to an extension which was previously granted permission and Listed Building Consent in 2015. The extension will be subservient to this element, being single storey, and will be constructed in natural stone to match. It will not dominate the extended stable block, the current extension to which has been carried out sentively.

In order to address concerns raised by its status as a curtilage Listed building, and within the setting of the principal listed building to the north and the Edgerton Conservation Area, the proposal makes use of natural stone, blue slate roof tiles and windows and Conservation-specification rooflights all to match those used in the host building. The size, scale, design and material palette of the proposed extension is considered to be both proportionate and in keeping with the host building. The proposed development would not therefore cause any significant harm to the significance of the Listed building or the character or appearance of the Conservation Area. The impact on the Listed building is also to be considered under a Listed Building Consent application 2017/93180, being assessed concurrently with this application.

It is therefore considered that the proposed development adheres to the guidelines set by Policies B5, BE1, BE2, and BE5 of the UDP, and Policies PLP 1, 2, 24 and 35 of the PDLP and the duties set out in sections 66 and 72 of the Listed Building and Conservation Areas Act 1990.

3 – Impact on residential amenity:

The closest residential property is ‘the bungalow’ which lies to the north-west and is set up from the site. Planning permission for 7 apartments has been approved within Cote Royd House and there is already some existing residential accommodation within this building. To the south of the site are a school/day nursery and a hostel/care home.

The stable block is largely self-contained within the Cote Royd House grounds and is reasonably well separated from Cote Royd House and 'the bungalow'. The stable block has its own parking area. Although the premises would be expanding in size, it is not considered that there would be a significant increase in usage of the clinic or intensification of the site. The scale of the proposed dental use is such that the activity associated with the use of the stable block would be relatively low level.

A condition on the previous permission limit was imposed. It is considered that hours of 8am to 7pm Monday to Friday and 9am to 1pm on Saturdays with no working on Sundays and Bank Holidays would be reasonable. It is noted that Cote Royd House Dental Practice is open Monday-Friday only, opening at 9am with the latest finish being 7pm on Monday and Tuesday. Given that this condition remains valid it will be reiterated in this permission. This gives flexibility to the business to expand.

The newly proposed windows are not likely to present any impact of overlooking on the nearby bungalow or proposed apartments, being single storey and simply serving a waiting room and office.

It is therefore considered that the proposed development adheres to the guidelines set by Policies B5, BE1, BE2, and BE5 of the UDP, and Policies PLP 1, 2 and 24 of the PDLP.

4 – Impact on highway safety:

Highways DM submitted comments on the application as follows.

The development consists of an extension to an existing dentist surgery. The building will be made up of two surgeries, along with staff facilities and a waiting room. Parking standards set out in the UDP require four spaces per surgery plus additional staff parking.

Ten off-street parking spaces are retained, along with motorcycle parking, cycle parking and bin storage, as shown on drawing no. AL0001. Given the existing practice already has two surgeries, this proposal is unlikely to intensify the use of the access or the off-street parking area.

These proposals are considered acceptable from a highways point of view and Highways DM has no wish to resist the granting of planning permission. No specific conditions are deemed necessary.

As such the proposal is considered to adhere to the guidelines of Policies T10 and T19 of the UDP and PLP 21 and 22 of the PDLP.

5 – Other matters:

Trees – The trees officer confirmed that an Arboricultural method statement would need to be submitted and approved by the local authority before

development commences. This will be secured by condition. The reason for this is that the extension would be close to trees protected by tree preservation order to the south west and south of the site (mixed groups of deciduous trees). Subject to this condition the development would accord with Policy NE9 of the UDP and PLP33 of the PDLP.

Ecology – The site is located within the Bat Alert layer where there is a 'reasonable likelihood' that bats could be present on site. The existing building is well sealed, with the section of building to be extended from being very recently constructed. The new extension would not affect the principal roof and is at a low height. For these reasons I have not sought a bat report to accompany the application. However, it is prudent to attach an advisory note in respect of bats to the decision notice.

6 – Representations:

No representations were received.

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**

Decision Authorisation - Delegated Powers
Application Number: 2017/93179
Officer Recommendation: Approve
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, B5, BE1, BE5 and BE2 of the Kirklees Unitary Development Plan, and Policies PLP 1, 2 24, 33 and 35 of the Publication Draft Local Plan.

3. The premises shall not be open to customers outside the hours of 0800 to 1900 Monday to Friday and from 0900 to 1300 on Saturdays with no working on Sundays and Bank Holidays.
Reason: In the interests of residential amenity and to accord with Policies BE1 and EP4 of the Kirklees Unitary Development Plan, Policies PLP 1, 2 and 24 of the Publication Draft Local Plan, and guidance in the National Planning Policy Framework.

4. All new window frames and doors shall be constructed of timber with a painted white finish when first installed and thereafter retained as such.
Reason: In the interests of visual amenity and to preserve the significance of the designated heritage assets and to accord with Policies BE1, BE2, BE5 and B5 of the Kirklees Unitary Development Plan, Policies PLP 1, 2, 24 and 35 of the Publication Draft Local Plan, and guidance in the National Planning Policy Framework.

5. Notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.
Reason: So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy NE9 of the Unitary Development Plan, and Policy PLP 33 of the Publication Draft Local Plan. This is a pre-commencement condition as the impact of the proposed foundations on the root systems of trees will need to be agreed before works to begin the construction commences.

Note: There is potential for a bat roost to be present on site. Bats are a European protected species under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Grouped Plans and Elevations	EX0001	-	14/09/2017
Proposed Grouped Plans and Elevations	AL0001	-	14/09/2017
Heritage Assessment	170903	-	14/09/2017
Design and Access Statement	170904	-	14/09/2017

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 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.

The application as submitted was considered to be acceptable to Planning Officers, no negotiations or amendments were therefore required for this application.

Report Dated: 16/11/2017