Originator: Francis Davies

Tel: 01484 221000

Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 22-Feb-2018

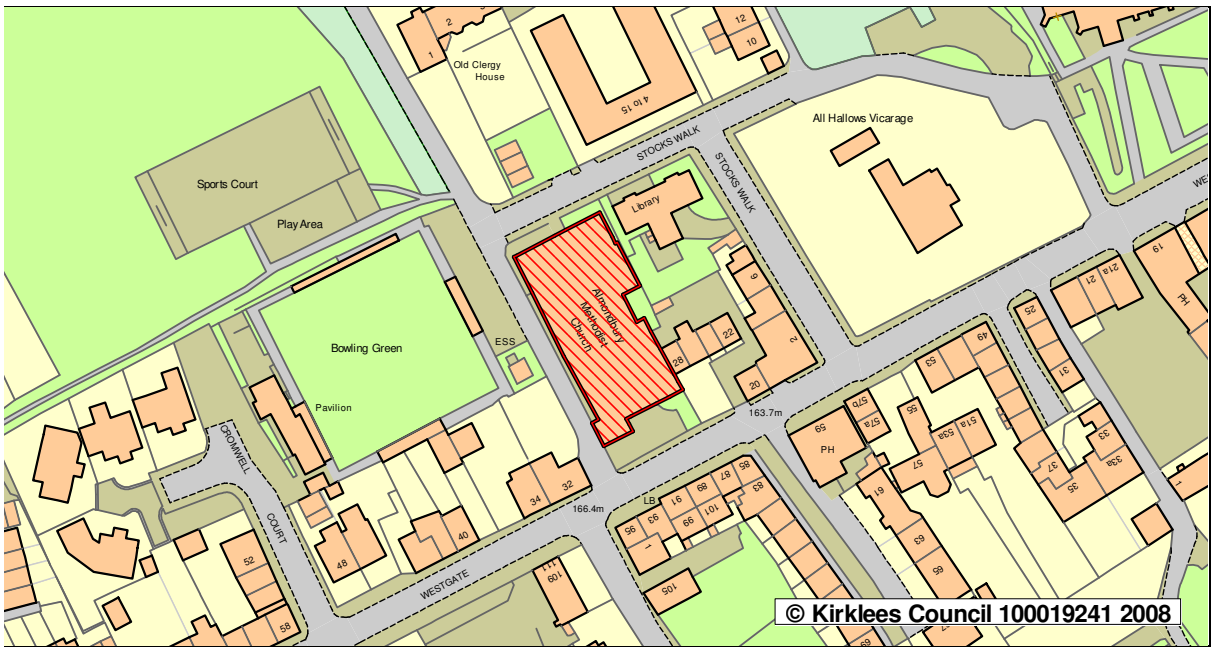
Subject: Planning Application 2017/93444 Replacement roof (within a Conservation Area) Almondbury Methodist Church, Westgate, Almondbury, Huddersfield, HD5 8XJ

APPLICANT
T Francis

DATE VALID	TARGET DATE	EXTENSION EXPIRY DATE
13-Oct-2017	08-Dec-2017	

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

Electoral Wards Affected:	Almondbury
N	Ward Members consulted

RECOMMENDATION: REFUSE

The proposed replacement roof covering, by reason of its design and appearance, would represent an incongruous feature on a prominent building within the Almondbury Conservation Area which would not respect the architectural qualities of the host building or the materials of construction. The proposal would therefore fail preserve the appearance of the Conservation Area and would cause less than substantial harm to this designated heritage asset. The considerations put forward by the applicant do not equate to a public benefit sufficient to outweigh the harm caused. The development would be contrary to Policies D2 (Criteria vi), BE1 (ii) and BE5 of the Unitary Development Plan, Policies PLP24(a) and PLP35 3 (e) of the publication draft Local Plan and guidance contained in Chapter 7 and Chapter 12 of the National Planning Policy Framework.

1.0 INTRODUCTION:

1.1 This application is brought to sub-committee at the request of Cllr Bernard McGuin for the following reason:

'…An assessment of the materials and appearance by members would assist in the decision on whether the proposal would be in keeping with the area'

1.2 The chair of the sub-committee has confirmed that Cllr McGuin's reason for making this request is valid, having regard to the Councillors' Protocol for planning committees.

2.0 SITE AND SURROUNDINGS:

2.1 Almondbury Methodist church is a large building occupying a prominent location on Westgate. Architecturally, the church building has a number of prominent features including large, floor to ceiling stained glass windows, a cross gable roof, finished in copper with a verdigris patina and high elevations which give the building a dominating appearance. Consequently, views of the church building can be taken at vantage points up and down Westgate.

2.2 It is noted that a number of other buildings adjoin the main church building although these appear as subservient, void of any significant architectural features so as to distinguish them individually. Boundary features which delineate the church grounds, located to the front (southwest), consist of a low rise natural stone wall approximately 1m at the highest point.

2.3 The church is surrounded by other, unrelated buildings of a commercial, residential and community use of varying architectural styles. It is noted however, that the area is designated as part of the Almondbury conservation area and as such building within the vicinity are constructed predominately from natural stone and slate roof tiles.

3.0 PROPOSAL:

3.1 The proposal relates to the replacement of the existing copper roof with a black Firestone rubber covering. No other works are proposed as part of this application. A planning application is required as this would materially change the external appearance of the building.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 2004/92333 – Conservation area consent for demolition of entrance building (Conservation Area Consent Granted)

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

5.1 Detailed negotiations have been held between the applicant and planning officer regarding the appearance of the proposed roof upon completion. Planning officers recommended a textured finish to the Firestone rubber covering so as to soften the appearance of the roof upon completion. The applicants wished the application to be determined in its submitted form.

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 unallocated on the UDP proposals map. It is noted however, that the site is designated within the Almondbury conservation area. The site is also designated within Almondbury conservation area within the Publication Draft Local Plan.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- D2 – Unallocated Land
- BE1 – Design Principles
- BE2 – Quality of Design
- BE5 – Conservation Areas

Kirklees Publication Draft Local Plan (submitted for examination April 2017):

- PLP1 – Achieving Sustainable Development
- PLP24 – Design
- PLP35 – Historic Environment

National Planning Guidance:

- Paragraph 17 – Core Planning Principles
- Chapter 7 – Requiring Good Design
- Chapter 12 – Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised via site notice, press notice and through neighbour letters to addresses bordering the site. This is in line with the Councils adopted Statement of Community Involvement. The end date for publicity was the 17th of November, 2017, no public representations were received.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:**

KC Conservation and Design – On-balance the Firestone rubber covering is acceptable providing that a textured finish could be achieved to resemble the existing roof.

8.2 **Non-statutory:** None

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The site is without notation in 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 latter in this assessment.*

10.2 The site is however located within the Almondbury Conservation Area, therefore section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the conservation area.

10.3 The general principle of making alterations to a property are in this instance assessed against policies BE1, BE2 and BE5 of the Unitary Development Plan and advice within Chapters 7 and 12 of the National Planning Policy Framework (NPPF) regarding design. These policies require in general a balanced consideration of visual and residential amenity, the impact on the Conservation Area, highway safety and other relevant material considerations.

10.4 In addition Policies PLP24 and PLP35 of the publication draft Local Plan set out a variety of 'design' considerations to take into account in the assessment of a planning application.

Urban Design and Heritage Issues

10.5 Almondbury Methodist church is located in the Almondbury conservation area, occupying a prominent position adjacent to Westgate. As such particular attention should be given to the design of any proposal and its impact on the surrounding area. Paragraph 131 of the NPPF sets out criteria that should be taken into account including, the desirability of sustaining and enhancing the significance of the heritage asset and putting them into viable uses consistent with their conservation, the positive contribution that conservation of heritage assets make, and the desirability of new development making a positive contribution to a local area. When there is harm to the heritage asset it needs to be determined if the harm is substantial or less than substantial and whether there would be any public benefit brought about by the development that would clearly outweigh the harm caused.

10.6 In terms of guidance set out in the NPPF the harm caused by the development be would be less than substantial. As such consideration needs to be given to paragraphs 138 & 134 of the NPPF. Paragraphs 134 of the NPPF cites "that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal".

10.7 Owing to incidences of vandalism and processes of weathering the application seeks to replace the existing copper roof, with a black rubber roof. As stated within the submitted heritage statement, this material has been favoured over a like-for-like replacement on the basis of an anticipated life expectancy of approximately 50 years (although the manufacturers only guarantees the roof for 20 years), reduction in the attractiveness to vandals or thieves and assessed low environmental impact.

10.8 Notwithstanding the reasoning in para 10.7, upon completion the proposed rubber roofing would appear as a continuous smooth black mass. Given that the Methodist church occupies a prominent position within the conservation area and that views of the church, in particular its roof, are accessible from the surrounding area it is considered that the proposed would fail to preserve or enhance the character or appearance of the area. The existing roof in comparison is an attractive prominent feature of the building and surrounding area.

10.9 Supporting information submitted alongside this application and subsequent negotiations have failed to satisfy officers that due consideration have been given to alternative roofing materials. Furthermore, no information has been provided specifying why other considered materials, including the use of the same material but with a textured finish or ribbing to match that in the existing roof, are not suitable. It is noted that the building provides a public benefit to the local community by the work of the church and it is reiterated that there are no objections to a replacement roof to the building. Indeed this would secure the optimum viable use of the building into the future. The point of contention is the specific finished appearance of the rubber roofing material proposed. The replacement roof material, without any texture, is considered unacceptable and detrimental to the Conservation Area.

10.10 Given the above it is considered that the appearance of the rubber covering would cause less than substantial harm to the appearance of the Almondbury conservation area and that there is no public benefit that would clearly outweigh the harm caused. As such the development is contrary to Policies D2 (Criteria vi), BE1 (ii) and BE5 of the Unitary Development Plan, Policies PLP24(a) and PLP35 3 (e) of the publication draft Local Plan and guidance contained in Chapter 7 and Chapter 12 of the National Planning Policy Framework.

<u>Residential Amenity</u>

10.11 The impact of the proposed development on residential amenity has been assessed and is considered acceptable. The proposal relates to the replacement of an existing roof and does not propose any other alterations or extension to the existing building. As such the proposal is not anticipated to have an impact on the residential amenity currently enjoyed by the residents of neighbouring properties.

10.12 Consequently, given the above the proposal is considered to comply with Policies D2 (Criteria v) of the Unitary Development Plan, Policies PLP1 and PLP24 of the publication draft Local Plan (PDLP) and guidance contained within the NPPF.

Highways Issues

10.13 The considered application does not propose any alteration to the existing access or parking arrangement of the building. As such it is not anticipated that the development would give rise to any highway safety concerns thereby complying in policy T10 of the UDP.

Other Matters

10.14 Cllr McGuin requested the application be determined by sub-committee for the following reasons:

'*… an assessment of the materials and appearance by members would assist in this decision on whether the proposal would be in keeping with the area'*.

Response: Planning officers do not object to the principle of development nor do they object to the proposed material and its impact on the wider conservation area. Rather planning officers and the conservation and design officer object to the appearance of the roof upon completion which would be un-textured, appearing as a large black mass. Consequently, this application is recommended for refusal for reasons set out in the appraisal above.

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.

11.1 The design of the proposed replacement roof is considered to represent an incongruous feature on a prominent building within the Almondbury Conservation Area which does not respect the architectural qualities of the host building and the materials of construction. The proposal would therefore not preserve or enhance the appearance of the Conservation Area.

11.2 As a result, the application of paragraph 14 of the Framework does not indicate that permission should be granted and the proposal would not represent sustainable development. In the circumstance of this application, the material considerations considered above do not justify making a decisions other than in accordance with the development plan which require the application to be refused.

Background Papers:

Application and history files can be assessed at:

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f93444

Certificate B completed. Notice served on The Methodist Church of Great Britain 3rd August 2017.