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:	2018/62/90283/W
Site Address:	1, Mount Pleasant, Stanley Lane, Golcar, Huddersfield, HD7 4AG
Description:	Erection of single storey side and rear extensions and demolition of existing single storey extension (within a Conservation Area)
Recommending Officer:	Aimee Procter

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 21-Mar-2018

Officer Report

Application: 2018/90283
Site: 1 Mount Pleasant, Stanley Lane, Golcar, Huddersfield HD7 4AG
Proposal: Erection of single storey side and rear extensions and demolition of existing single storey extension (within a Conservation area)

Site Description
The application relates to an end terraced cottage dwelling in Golcar, Huddersfield. The dwelling is constructed in natural stone with a pitched roof covered in stone slate roof tiles. The dwelling has its front elevations and a good sized garden amenity facing south. Adjoining the dwelling to the east is no.s 3 and 4 Mount Pleasant, both grade-II Listed buildings (English heritage ref. 1275174). The site is situated within the Golcar Conservation Area.

Description of Proposal
The application proposes the erection of a single storey rear extension to the dwelling. Given the typography of the site, this extension will be to the first floor of the dwelling, but single storey to the highway. The extension will project approx. 2.7m up to the rear boundary wall, and extending in width approx. 10m. This extension will be a family bathroom and garage/store.

The side extension will be built following the demolition of the existing single storey extension. The side extension will project a maximum of 6.7m from the side elevation of the dwelling, and have a depth of extend in length approx. 5.4m. This extension will be a large kitchen/diner with additional 'boot/dog' room.

The extensions will have flat roofs consisting of single ply membrane flat roof behind stone parapet walls. The walls will be constructed using natural stone and art stone details around the windows to match the existing dwelling.

Relevant Planning History
None

Consultation Responses
KC Highways – No objection to amended plans subject to appropriate notes and conditions.

KC PROW – No objection subject to a note regarding the PROW

Representations
The final publicity date expires on **26th February 2018.**
No public representations have been received.

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 Kirklees Unitary Development Plan and draft Local Plan, but the site is designated as being within the Golcar Conservation Area on both plans.

Kirklees Unitary Development Plan:

- **D2** - Unallocated land
- **BE1** – Design principles
- **BE2** – Quality of design
- **BE5** – Development within a Conservation Area
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)
- **R13** – Public Rights of Way
- **T19** – Parking standards

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP21** – Highway safety and access
- **PLP22** - Parking
- **PLP 24** – Design
- **PLP35** – 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 and heritage
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1 – Principle of development:
The site is on unallaocted land on the UDP and draft Local Plan, but is designated as being within the Golcar Conservation Area. The site is also attached to the Grade II listed buildings of 3 and 4 Mount Pleasant and the impact of the development on the setting of these listed buildings and the conservation area needs to be considered in detail.

A conservation area is an *'area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'* (Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990). Therefore Policy BE5 of the Kirklees Unitary Development Plan is appropriate. Policy BE5 sets out that development is acceptable providing it respects the architectural qualities of surrounding buildings and their materials of construction, and contributes to the preservation or enhancement of the character or appearance of the area. Policy PLP35 of the Kirklees Publication Draft Local Plan is also appropriate. Policy PLP35 sets out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The assessment below takes into account the aims of these policies. Chapter 12 of the NPPF is also relevant which reflects the above.

2 –Impact on visual amenity and heritage:
The proposal seeks planning permission for the erection of a single storey side and rear extension, following the demolition of the existing single storey extension. The proposal includes the addition of new habitable accommodation for the occupiers by providing a family bathroom and garage/store to the first floor, and a kitchen/diner and 'boot room' to the ground floor. The extensions will be constructed in natural stone with art stone detailing to the windows to match the existing dwelling, which is acceptable in appearance terms.

In the context of the site and its surrounding area, the proposed works would not create a visually intrusive feature in the local area in terms of its size and

design. This is due to the works to the dwelling being constructed from materials which would match the host property and given the extensions have been designed to be visually subservient to the existing dwelling. Whilst it is noted that the side extension is reasonably significant in terms of its scale being more than half the width of the original building, the extension is single in storey scale with a slight set back which ensures that the extension is read separately to the host building. Furthermore the side extension is set at a lower level when viewed to the north reducing its prominence further. The rear extension is in a more secluded position reducing wider views.

The use of a flat roof on both extensions whilst not idea in design terms is considered to represent the only practical options for the scheme. For the side extension there is an existing window in the western side elevation which serves a bathroom and therefore prevents the use of a pitched roofs. For the rear extension, given the level difference at the site a turned gable roof design would be more prominent than the flat roof which is considered to be more appropriate for the site within the Conservation Area. The use of a parapet wall for both extensions helps to disguise the flat roof design and it is considered to be an acceptable design solution.

In terms of the adjacent listed building, the dwelling is adjoined to no.s 3 and 4 Mount Pleasant, both of which are Grade-II Listed buildings (English heritage ref. 1275174). It is considered that given the considerable difference in levels between the applicant dwelling and these neighbouring dwellings, and given the extensions are single storey with flat roofs to remain subservient but also constructed in matching materials, the proposal will have no detrimental impact on the setting of these Listed Buildings. The extensions have been designed to seamlessly blend with the design and style of the terraced cottages using the same art stone detailing.

Given the above, it is considered that the proposal would have no unacceptable impact on the visual amenity of the surrounding area, nor would it have any undue effect on the setting of the Golcar Conservation Area or the adjacent listed buildings. The proposal therefore complies with policies D2, BE1, BE2 and BE5 of the Unitary Development Plan, Policies PLP24 and PLP35 of the Publication Draft Local Plan and Chapters 7 and 12 of the NPPF.

3 – Impact on residential amenity:
A core principle of the National Planning Policy Framework is to seek high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. The impact of the development on residential amenity also needs to be considered in relation to policies D2 and BE14 of the Unitary Development Plan.

The closest residential properties to the site are 3 and 4 Mount Pleasant to the east and no.s 90, 90A and 88 Handel Street to the south. With regards to no.3 and 4 the proposed rear extension would be set lower than the entrance to no.3 and the impact on the amenity of this property would be limited, the side extension is set away from these properties which would ensure that

there is no adverse impact. Turning to the properties on Handel Street, these properties are set at a lower level and are split level properties but include some windows which face the application site. The separation between the properties would remain the same as existing at 18 metres and given the extension is to the north at a higher level would not lead to any additional overshadowing or overbearing impact. Given that there is an established relationship between the properties it is not considered that it would lead to any detrimental overlooking.

It is considered that given the positioning of the extensions, no overbearing, overlooking or loss of outlook would occur on any neighbouring residential occupiers. As such, the proposal complies with the requirements of policies D2 and BE5 of the Unitary Development Plan, policies PLP1, PLP2, PLP24 and PLP35 of the Publication Draft Local Plan, and core planning principles of the NPPF.

4 – Impact on highway safety:
The proposal changes the parking arrangements for this site, the proposal will remove the existing driveway/parking area to the north of the site, and will relocate parking spaces to the south of the site within the garden amenity space, incorporating adequate off-road parking space for three vehicles. The rear extension will also build up part of the boundary wall adjacent to the highway. It is noted that the garage store to the rear of the site is of insufficient dimensions to store a vehicle, and it is not proposed that this would provide vehicular parking for the development.

The Highways officer was initially unsupportive of the proposal and required further information relating to visibility splays, access layout, parking standards and waste bin collection. Following negotiation with the applicant, amended plans and additional information was received in the form of swept path analysis, details of achievable site lines, and an annotated site layout plan to detail that the sections of wall adjacent the entrance would be reduced to 900mm in height above the road.

The Highways Officer considers that these plans and information allayed the initial concerns. Whilst ideal slight lines to the right cannot be achieved, given the nature of the local highway network it is considered that vehicles would travel cautiously and at low speed. The lack of ideal sightlines to the right is therefore considered to be acceptable. It is noted that the site layout plan now details that the wall adjacent to the highway is to be reduced in height to 900mm to allow appropriate site lines out of the new entrance which is considered appropriate to achieve the necessary sight lines. The provision of the sight lines can be secured by planning condition.

The layout plan also details that gates are proposed for the entrance and whilst these would ideally be set back within the site, given the low speed nature of the road, the use of gates is on balance considered to be acceptable. This subject to limiting the height of the gates to no more than 900mm to maintain sightlines and to ensure that they open inwards only, this can be conditioned.

A condition is recommended that states the requirements for the surface and drainage of the parking areas. Based on the amended plans received, and subject to the condition aforementioned, the Highways Officer considered the application to be acceptable.

A footnote will be added to the decision notice that states the changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act.

Turning to the public right of way (PROW), the application has been assessed by the PROW Officer who raises no objection subject to a note regarding the footpath. They have highlighted that the gates to the new access are to open inwards and this can be secured by condition to protect the operation of the highway and also the prow.

In conclusion the proposal is considered to have an acceptable impact on highway safety and PROW and would accord with Policy T10, T19 and R13 of the UDP.

5 – Other matters:
Bats

The Council's GIS system indicates that the property is within a Bat Alert Area. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is considered that, given the extensions are single storey and will not impact upon the existing roof of the original dwelling, there is no reasonable likelihood that this is a bat roost. However, as a precaution an advisory note will be added to the decision notice to the effect that is bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

6 – Representations:
The final publicity date expires on **26th February 2018.**
No public representations have been 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: 2018/90283
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, in the interests of the protection of the character and appearance of the Golcar Conservation Area, and to accord with Policies D2, BE5, BE13 and BE14 of the Kirklees Unitary Development Plan, policies PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and advice in Chapter 7 and 12 of the National Planning Policy Framework.

3. The external walling materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and the protection of the character and appearance of the Golcar Conservation Area and to accord with Policies BE5 and BE13 of the Kirklees Unitary Development Plan and Policies PLP24 and 35 of the Kirklees Publication Draft Local Plan.

4. Prior to the development being brought into use, the vehicle parking areas as shown on the hereby approved Dwg. No. 1MP/P02 Rev A, shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained.
Reason: To ensure that the development achieves an acceptable highway layout in the interests of highway safety and to comply with Policy T10 of the Kirklees Unitary Development Plan and Policies PLP21 of the Kirklees Publication Draft Local Plan.

5. The development shall not be brought into use until the sight lines as indicated on the hereby approved plan Dwg. No. 1MP/P03 Rev A have been completed and retained thereafter.
Reason: In the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10 and Policy PLP21 of the Kirklees Publication Draft Local Plan.

6. The gates shown on the hereby approved plan Dwg. No. 1MP/P02 Rev A shall be no higher than 900mm above road level and shall be hung to only open inwards.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the free and safe operation of the adjacent public highway and public right of way Colne Valley 52 and in the interests of highway safety, and to accord with the requirements of Policies T10 and R13 of the Kirklees Unitary Development Plan and Policy PLP21 of the Kirklees Publication Draft Local Plan.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Public footpath Colne Valley 52 is adjacent to the development site and must not be interfered with or obstructed, prior to, during and after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. Please contact public rights of way at publicrightsofway@kirklees.gov.uk if you have any further questions.

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
Highways Plan	1MP/P03	Rev A	07/03/2018
Proposed plans and elevations	1MP/P02	Rev A	07/03/2018
Existing plans and elevations	1MP/P01		31/01/2018
Conservation/Heritage assessment			31/01/2018

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 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 Case Officer secured amended plans to

address highway concerns which were provided and considered to be acceptable.

Report Dated:	13/03/2018