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:	2018/62/92670/E
Site Address:	132, Lane Head Road, Shepley, Huddersfield, HD8 8DB
Description:	Erection of rear extension, replacement windows and alterations (within a Conservation Area)
Recommending Officer:	Jason Hammond

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Oct-2018

Officer Report.

Reference: 2018/92670

Location: 132 Lane Head Road, Shepley, Huddersfield, HD8 8DB

Proposal: Erection of rear extension, replacement windows and alterations (within a Conservation Area)

Site Description.

132 Lane Head Road is a large two-storey detached dwelling located in Shepley, Huddersfield. The property is constructed in regular coursed natural stone with a hipped and gabled roof that is covered in grey stone slate roofing tiles. The front of the property benefits from a modest driveway, with the side and rear consisting of a large garden.

The site is located in a partially residential area, with properties fairly sparsely located with houses only in close proximity to the west. Other properties are located to the north west and to the north east across the highway. 132 Lane Head Road was built in the latter half of the 19th century, with neighbouring properties built at the end of the 19th century and the dwellings to the north west built in the 1980s. Properties in the area have various designs and styles, although they predominantly share a traditional material palette of natural stone and slate roofing tiles.

Description of Proposal.

The application is for the erection of a rear extension to allow for a new garden room, and replacing the windows in the property. The extension is to project 3.75 metres from the rear of the property, with a width of 7.25 metres and a maximum height of 4.40 metres and eaves of 2.30 metres. The garden room is to be constructed predominantly with glass panes and French doors with wooden oak posts and stone to the base. The roof is to be gabled, constructed in grey stone slate to imitate and match that of existing. A new levelled decked patio will be formed around the garden room, projecting to a maximum of 5.25 metres from the rear of the property. All of the windows of the existing property are to be replaced from white timber to an off white wood grain uPVC.

History of Negotiations.

Side elevations for the proposal were missing and so these were received on 09/10/2018.

Relevant Planning History.

A previous Planning Application (2005/91458) was submitted for this property for the erection of a garage extension. This was granted in 2005.

Representations.

The application was advertised by a site notice, newspaper advertisement, and neighbour letters which expired on 27/09/2018. No representations were received from this publicity. Kirkburton Parish Council gave no comment to the application.

Consultation Responses.

K.C. Conservation and Design were consulted to fully assess the impact that this development would have on the setting of the Shepley Conservation Area. It was deemed that although the extension would be prominent and visible from the highway, the impact would be less than substantial and is justified with the use of traditional materials and modern development being located within the area. The windows are also considered to be of little impact considering the visual resemblance to the existing frames. Therefore, this complies with BE5 of the Kirklees UDP, Policies PLP 24 and PLP 35 of the Kirklees Draft Local Plan and Chapter 16 of the NPPF.

Policy/Legislation.

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 48 of the National Planning Policy Framework (2018). 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 (2018), 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 Proposals Map and on the Kirklees Publication Draft Local Plan. It is designated as part of the Shepley Conservation Area in the Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated Land
- **BE1** – Design Principles
- **BE2** – Quality of Design
- **BE5** – New Development in Conservation Areas
- **BE11** – Building Materials
- **BE13** – Extensions to dwellings (design principles)
- **BE14** – Extensions to dwellings (scale)

Kirklees Publication Draft Local Plan:

- **PLP 1** – Achieving Sustainable Development
- **PLP 2** – Place Shaping
- **PLP 24** – Design
- **PLP 35** – Heritage

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 24th July 2018, 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 12** – Achieving well-designed places
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

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

Principle of development:

The site is unallocated within the Kirklees Unitary Development Plan but is set within the Shepley Conservation Area. Section 72 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area. This relates to Policy BE5 of the UDP, Policy PLP35 of the PDLP and Chapter 16 of the National Planning Policy Framework regarding the historic environment. There is no Conservation Area Appraisal for the Shepley area, but there is a Character Assessment in Appendix I of the Kirklees Unitary Development Plan, as follows:

"Large dispersed village with shopping and commercial facilities. Retains attractive groups of cottages, but interspersed with modern development. Trees and boundary walls important, particularly around St. Paul's Church and Cliffe House. Victorian and later terraces and school to east of main Penistone Road (A629) which bisects the village."

In terms of extending and making alterations to a property, Policies BE1, BE2, BE13 and BE14 of the UDP will be used to assess, in conjunction with Chapter 12 of the NPPF regarding design. The site is adjacent to the Green Belt as allocated in the Kirklees UDP and could potentially impact upon the setting and openness of the countryside and adjacent Green Belt.

As such, new development on this site will be assessed alongside these matters, as well as other material considerations. These include ensuring the proposal does not prejudice the avoidance of overdevelopment, highway safety, residential amenity, visual amenity and the character of the surrounding area. These considerations will be discussed below.

Impact on visual amenity including designated heritage assets:

The proposal is located on Lane Head Road, within a partially residential area with a variation of design and style in the properties although they share a traditional aesthetic with similar materials of natural aged stone. The extension is to the rear of the property and is to be predominantly constructed in glass with timber posts and stone to finish at the base with roofing tiles to imitate the existing slate on the gabled roof. The glass and timber posts are to be newly introduced to the building, but they are not considered to be of significant harm to the area as they are visually complementary to the existing materials and the nature of the garden room is to be of a different style of the host dwelling. The Character Assessment statement on the Shepley Conservation Area in Appendix I of the UDP describes the area as being "interspersed with modern development" demonstrating that the introduction of these materials would be appropriate. The use of stone at the base and oak posts will also still provide a traditional aesthetic, alongside the extensive glass panelling and doors.

The garden room is to be situated within a newly levelled decked patio, which would be raised with the level of the ground floor of the building and stepped access given to the rear garden. This would be visible from the highway of Lane Head Road and therefore would be significant to the setting of the building and local area. It is considered to be a visual improvement of the garden as it would level the steeped rear garden and improve the state of the current garden alongside the proposed garden room. The patio is to be decked with several flower boxes that would complement the materials of the garden room.

All of the windows in the property are to be replaced from white painted timber to wood grain uPVC of an off white colour. This is considered to not significantly harm the character of the building or the local area as the colour will be matching, as well as imitating the material of the existing timber with the wood grain. The off white colour is deemed to be in fact more complementary to the palette of the stone of the host dwelling and as such be in more matching and more visually pleasing.

The site is located within the Shepley Conservation Area, although there is no appraisal that would provide further detailed guidance on the setting of the area. However, a Character Assessment has been given for the area in the Appendix of the UDP, noting the importance of trees and boundary walls where the site is located and of which the proposal does not affect. Modern development is located in the Shepley area alongside traditional buildings, which would allow for the introduction of extensive use of glass in the garden room and the replacement of the wooden framed windows. Therefore, the development would preserve the significance of the asset having a neutral impact on its significance, in accordance with Policy BE5 of the UDP, PLP 35 of the PDLP and the NPPF.
The proposal is therefore deemed to be acceptable in terms of visual amenity and its impact upon the setting of the Shepley Conservation Area, complying with relevant policies and other material considerations.

Impact on residential amenity:

The dwellings in this area are fairly sparsely located, but even so development on this site could still impact upon the residential amenity on neighbouring properties. The site shares its boundary to properties to the west, with properties from the north and east from across the highway having a clear view of the rear of the site. The potential impacts upon these neighbours are discussed below:

- *2-8 Cliffe Road terraces* – These four properties are situated to the west of the property, with a potential of view from the rear of their properties. It is considered for this impact to be minimal as there is a

considerable distance, no direct view from the dwellings and any view from the garden is adequately screened.

- *9-12 Cliffe Park* – These four properties are located to the north west of the site, with a potential of view of the proposed extension from the rear or side of these properties. This impact is considered again to be minimal as there is adequate screening and a distance of over 30.00 metres, with any view not being significantly impacting as the visual amenity impact is considered to be low.
- *131 Lane Head Road & Shepley Methodist Church* – These two properties are located to the east of the property on Lane Head Road, with the front of these properties having a view of the proposed extension. There is extensive screening (trees and walls) so the view may be obscured and the impact will be minimal considering the distance of over 50.00 metres.

Therefore having considered the above factors affecting neighbouring properties and relevant policies, the proposed rear extension at 106 Boothroyd Lane is not deemed to result in any significant harm upon the residential amenity.

Impact on highway safety:

The proposed rear extension would result in a new garden room, which would not result in the need of an increase of car usage or reduce the capacity of car parking spaces. Therefore, the proposal is considered to have no impact on highway safety and as such complies with policies D2, T10 and T19 of the UDP and Policy PLP22 of the Draft Local Plan.

Other matters:

There are no other matters for consideration.

Representations:

No public representations were received for this proposal.

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: 2018/92670

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, BE13 and BE14 of the Kirklees Unitary Development Plan and Policy PLP24 of the Kirklees Publication Draft Local Plan.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 - 18.30 hours (Mondays to Fridays), 08.00 - 13.00 hours (Saturdays) with no work carried out on Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	155/00-01	B	20/08/2018
Proposed Scheme Plans and Elevations	155/00-02	E	09/10/2018
Design and Heritage Statement			17/08/2018

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.

Side elevations were initially missing from the submitted plans, and as such these were sought and were received on the 09/10/2018.

Report Dated: 10/10/2018