

**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: 2018/62/93475/W

Site Address: 1, Wessenden Head Road, Meltham, Holmfirth, HD9 4ET

Description: Erection of first floor extension and front stairs enclosure (within a Conservation Area)

Recommending Officer: Francis Davies

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: 23-Jan-2019

Officer Report

Reference: 2018/93475

Proposal: Erection of first floor extension and front stairs enclosure (within a Conservation Area)

Location: 1 Wessenden Head Road, Meltham, Holmfirth, HD9 4ET

Site Description

The application relates to a commercial, single storey building constructed from artificial stone and designed with a flat roof finished in asphalt. The property is located on the junction between Wessenden Head Road and Holmfirth Road and is neighboured by a restaurant to the southeast which although larger is of a similar architectural style. It is noted that prevailing land use is commercial although residential dwellings are located in close proximity to the site.

Description of Proposal

The application seeks planning permission for the formation of a first floor and a two storey extension to the principal elevation (northeast). Similarly to the existing building and indeed the neighbouring commercial property the first floor extension has been designed with a flat roof and as such would, on completion offer a revised total height of approximately 5.6m.

In terms of access, the application proposes a two storey extension to the principal elevation (northeast) hosting an enclosed staircase and access door. The extension would project from the principal elevation by approximately 1.6m and would span the front elevation by approximately 5.2m. Appropriate to the existing building the first floor of this extension would be constructed from artificial stone. So as to disguise the stair well and preserve the amenity of Meltham conservation area it is proposed that the windows of the extension would be dark tinted.

In respect of construction materials it is noted that the first floor extension would be faced in cedar cladding spaced by large glazed sections. Alternatively and distinct from the type and style of roofs within the Meltham conservation area the first floor extension would be finished in a green sedum roof.

History of negotiations

To preserve the character of the conservation area it was requested that glazed sections at the ground floor level looking onto the stair were dark tinted so as not to introduce an incongruous feature. Accordingly the agent submitted revised plans.

Relevant Planning History

2016/90553 – Erection of first floor office extension, new shop front and external alterations (within a conservation area) (Conditional Full Permission)

2007/92456 – Erection of 2no. Illuminated fascia signs and 2 no. projecting signs (within a conservation area) (Advertisement Consent Granted)

2006/94469 – Erection of 2no. Illuminated fascia signed and no. projecting signs (within a conservation area) (Advertisement Consent Refused)

Representations

Final publicity date Expires: 21st November 2018

No public representations were received regarding this application.

Meltham Town Council – Support the application.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- KC Conservation and Design – no objection

Policy

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 remains unallocated on Kirklees Publication Draft Local Plan. The application property is located in Meltham conservation area.

- Access considerations - None

Kirklees Unitary Development Plan:

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

Kirklees Publication Draft Local Plan (PDLP):

- PLP1 – Achieving Sustainable Development
- PLP2 – Place Shaping
- PLP14 – Town centre uses
- PLP20 – Sustainable Travel
- PLP21 – Highway safety and access
- PLP24 – 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 24th July 2018, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- Chapter 2 – Achieving Sustainable Development
- Chapter 7 – Ensuring the vitality of Town centres
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the determination of this application:

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

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]'

All these considerations are addressed later in this assessment.

In addition to the above it is advised that on completion the extension would host an estate agent: CPS Estate Agents, a B1(a) use class. Office B1 uses are identified as a main town centre use. The application site is located in Meltham Town centre and as such is acceptable in principal, subject to satisfactorily addressing other material planning considerations.

Impact on Visual Amenity and Meltham Conservation Area

The site is located in Meltham conservation area. Section 72 of the Planning (Listed Buildings & Conservation Area) Act 1990 introduces a general duty in respect of conservation areas. It states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Additionally, Policy BE5 of the Unitary Development Plan, Policy PLP35 of the publication draft Local Plan and guidance contained within Chapter 16 of the National Planning Policy Framework (NPPF) outlines the principle of development and restriction for development in Conservation Areas.

Paragraph 200 of the NPPF requires that LPAs should seek opportunities for new development in conservation areas to enhance or better reveal their significance. The Meltham conservation area does not have a formal appraisal, although its heritage value is deemed to stem from the traditional form of development in the area, leading to a definitive characteristic of the settlement.

Owing to the location of the property, adjacent to Market Place and on the corner between Wessenden Head Road and Holmfirth Road it is considered to be a prominent building. Consequently any changes to the exterior of the building has the potential to materially harm the character and appearance of the Meltham Conservation Area. As such it was deemed necessary to consult with KC conservation and design. Conservation and design officers considered the application property along with the much larger neighbouring property (no.4) to be incongruous with the character of the conservation area. As such neither building offers a positive contribution in terms of heritage.

The proposed development would introduce a two storey extension to the principal elevation which would be constructed from large glazed sections to the ground floor and artstone. This addition is considered to be small in scale projecting by no more than 1.6m, drawing level with the large commercial property (no.4 Holmfirth Road). As such it would not break the existing building line thereby being acceptable. In terms of the first floor extension, this would be finished in much more contemporary materials including cedar cladding and large glazed sections. Such materials are believed to offer a sensitive lightweight addition providing a refreshed appearance while the

vertical emphasis on the façade and buff finished goes some way to reflect the design of nearby traditional frontages.

Notwithstanding the above it is noted that the new frontage would consist of circulation space, hosting a stairs to the first floor. Given the location of the property it would be preferable that this frontage was given over to a live shop front. To this end the agent has sought to dark tint the windows so as to reduce the visibility of the stairs and has advised that the applicant (estate agent) may use the frontage to post advertisements. As such it is anticipated that the stair well will be screened from view to an acceptable degree. In respect of the green sedum roof this aspect of the development is not anticipated to be visible from the streetscene and as such would not have a material impact on the urban grain or character of the conservation area.

In light of the above the proposed development is not considered to harm the visual amenity of the host building or indeed Meltham conservation area. Rather the proposal is considered to offer a refreshed appearance and go some way to improving the setting of the building within the area. In addition it will allow the building to remain in optimum use and generate further activity within Meltham town centre helping to retain its vibrancy and viability. The application is therefore considered to comply with Policies D2, BE1, BE2 and BE5 of the Unitary Development Plan, Policies PLP1, PLP24 and PLP35 of the publication draft Local Plan and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework (NPPF).

Impact on Residential Amenity

Policy D2 of the Unitary Development Plan requires development to protect the residential amenity of neighbouring residential properties. The application property is located within Meltham town centre and as such does not directly neighbour any residential dwelling. The nearest residential dwelling to the application site includes no.6 Wessenden Head Road located approximately 14m to the northwest and no.5 Holmfirth Road approximately 19m to the northeast.

In light of such separating distances, the proposed use and light weight design it is not anticipated that the proposed development would overbear, overshadow or overlook these dwellings to any material degree. Consequently, the proposed development is not believed to materially harm the residential amenity enjoyed by the occupiers of surrounding residential dwellings. In all other respects the application is considered to be acceptable complying with Policies D2 and BE1 of the UDP, Policy PLP24 of the PDLP and guidance contained within the NPPF.

Impact on Highway Safety

The proposed development does not afford any off-road parking for future occupiers. However, it is advised that the existing office building is not supported by off-road parking provision. In addition to the above it is advised that Policy PLP20 of the PDLP 'Sustainable Travel' advises that new

development should be located in accordance with the spatial development strategy to ensure the need to travel is reduced and where travel is necessary it can be met by forms of sustainable transport other than the car.

The proposed office (estate agents) would be located in Meltham town centre and as such is within easy reach of a regular bus service. As such the application site is considered to be a sustainable location in terms of transport and the omission of parking is considered acceptable in this specific instance. In terms of refuse storage although this is not explicitly stated on the submitted plans, it is advised by the agent that the proposed first floor extension would make use of the existing arrangement. To this end it is advised that bins are stored on an area of hard standing located to the rear (southwest).

Given the above, such a location and omission of vehicle parking is anticipated to encourage sustainable forms of transport other than private vehicle. As such the scheme is not considered to give rise to any highway safety concerns. The application therefore accords with Policy T10 of the UDP, Policy PLP21 of the PDLP and guidance contained within the NPPF.

Other Matters

No other matters for consideration.

Representations

No public representations were received regarding this application. Meltham town council support the application.

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: 2018/93475

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 list 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, to retain the significance of Meltham Conservation Area and to accord with Policies D2, BE1, BE5 and BE2 of the Unitary Development Plan, Policies PLP1 and PLP24, PLP35 of the Kirklees publication draft Local Plan and guidance contained within Chapters 12 and 16 of the National Planning Policy Framework.

3. The development hereby approved shall not be occupied until the ground floor windows in the northeast elevation of the extension have been dark tinted. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) the tinted glazing shall be retained thereafter.

Reason: So as not to detract or harm the character of the Meltham Conservation area and to accord with Policies D2, BE1 and BE5 of the Unitary Development Plan, Policies PLP24 and PLP35 of the publication draft Local Plan and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework (NPPF).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Design and Access Statement	HD9 4ET	-	24th October 2018
Plans, Elevations and Views as Existing and Proposed	1809-01	-	27th November 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.

Negotiations were held between the planning officer and applicant in respect of the visibility of the proposed staircase and its impact on Meltham Conservation area. As such revised plans were received detailing dark-tinted windows to the ground floor extension.

Report Dated: 22/01/2019