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:	2019/62/90799/W
Site Address:	Royd Street Mills, Royd Street, Milnsbridge, Huddersfield, HD3 4QY
Description:	Erection of single storey extension (within a Conservation Area)
Recommending Officer:	Nick Hirst

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-May-2019

Application: 2019/62/90799/W

Site: Royd Street Mills, Royd Street, Milnsbridge, Huddersfield, HD3 4QY

Proposal: Erection of single storey extension (within a Conservation Area)

Site Description

The site consist of several mill buildings with modern extensions. These are a mixture between one and two storeys, with stone, brick and cladding as facing materials. The building takes/receives deliveries to the north, where there is an external lift and platform up to the business ground floor.

The site sits between Dale Street to the north and Royd Street to the south. There are residential dwellings in each direction.

Description of Proposal

The extension is to project 1.8m from the north elevation. It is to be 11.3m wide, the width of the host building. It is to 'infill' an existing external platform used for deliveries.

The roof is to be a very gentle mono-pitch, practically flat, to mimic the host building's roof. Atop the existing platform, the extension would have a maximum height of 2.1m. From ground level the maximum height would be 3.5m.

The extension is to be faced/roofed in metal cladding. The roof is to be standing seam metal roof covering. A shutter door is to be located on the north elevation. The elevations show a white block, which has been stated to be the re-positioned advert currently on the north elevation.

Relevant Planning History

Application Site

89/01459: Erection of single storey extension to existing building to form storage shed – Granted Conditionally

2013/91289: Installation of new roof and repair works (within a Conservation Area) – Conditional Full Permission

2014/90069: Non material amendment to previous permission 2013/91289 for installation of new roof and repair works (within a Conservation Area) – NMA Approved

Surrounding Area

The neighbouring business have various planning permissions. None are deemed relevant to the current proposal.

History of Negotiations

None undertaken.

Representations

Final publicity date expired: 07.05.2019

No public representations were received.

Consultation Responses

K.C. Conservation and Design: No response received.

K.C. Environmental Health: No objection, subject to conditions. Originally included a request for a noise survey condition. This was discussed further with officers and, based on the small scale of the proposal, determined not to be necessary.

Planning Policy

Kirklees Local Plan (KLP)

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is Unallocated on the PLP Policies Map.

The site is within the Milnsbridge Conservation Area.

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP35** – Historic environment
- **PLP52** – Protection and improvement of local environmental quality
- **PLP53** – Contaminated and unstable land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), published 19th February 2019, and 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 4** – Decision-making
- **Chapter 6** – Building a strong, competitive economy
- **Chapter 11** – Making effective use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 15** – Conserving and enhancing the natural environment
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development

1.1 – Sustainable Development

NPPF Paragraph 11 and PLP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation

The site is without notation on the KLP Policies Map. PLP2 states that;

> *All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the*

character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. The listed qualities will be considered where relevant later in this assessment.

1.3 – Commercial development

Chapters 6 and 11 of the NPPF and PLP1 and PLP7 of the KLP establish a general principle in favour of supporting commercial development that enhances the viability of business. This weighs in favour of the proposal and would be considered within the planning balance.

2 – Impact on visual amenity, including the Milnsbridge Conservation Area

The site is located within the Milnsbridge Conservation Area. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Additionally, Policy PLP35 and Chapter 16 outline the principle of development and restrictions for development in Conservation Areas.

The design of the extension is functional, in keeping with the established character of the commercial zone. The scale is modest and it is considered logical and visually appropriate to infill the rear raised platform.

The existing north elevation is principally brick; the extension is to be metal clad. Metal cladding is prominent on the other elevations and neighbouring buildings and, as the under-build would remain stone, the use of metal cladding is not opposed.

The site is on the very edge of the Milnsbridge Conservation Area. The CA is characterised by historic mills and commercial areas, alongside workers housing. This would not be materially changed upon by the development, which would have a neutral impact.

Officers are satisfied that the extension would neither harm the building's visual amenity nor its setting within the area. This is giving weight to the wider area as a Conservation Area. The proposal is deemed to comply with PLP21, PLP24 and PLP35 of the KLP and Chapters 12 and 16 of the NPPF.

3 – Impact on residential amenity

The extension is to be built along the shared boundary with no.9 Royd Street Avenue. While not directly within the line of sight of no.9's windows, the extension would be evident from the dwelling's rear habitable room windows and garden space. However, projecting a modest 1.8m and having a height of 1.9m on the shared boundary (rising 1.1m over the existing boundary wall), the impact is not considered significant and would not amount to harmful overbearing. This is further mitigated by no.9's own shed being positioned

alongside the boundary where the extension is to be. Being to the north-east overshadowing is not a concern and no windows are proposed that could lead to overlooking.

A further consideration is that this development would bring the business' deliveries inside, instead of taking place on the raised platform. This would limit noise pollution and general disruption during deliveries.

Environmental Health initially sought a condition for a noise survey and mitigation measures. As the proposal is to add a small extension to an existing business, to provide more internal storage and enhanced delivery arrangement capabilities, officers questioned the need for this. Environmental Health concurred that such a condition was not required and noise pollution is not anticipated to be caused by the proposed development.

Accordingly, the proposal is not considered harmful to residential amenity, in accordance with PLP24, PLP52, Chapter 12 or Chapter 15.

4 – Impact on highway safety

The development will not impact on existing parking arrangements on site nor conflict with established sightlines. The increase in floor area is not considered sufficient to increase demand for car parking attributed to the business.

The development's purpose is to improve loading and unloading efficiency for the business. Being built on an existing platform, there are no concerns regarding turning of vehicles within the service yard.

Officers do not consider the development harmful to Highway safety or efficiency, in accordance with PLP21.

5 – Other matters

5.1 – Contamination

This site has been identified on K.C. Environmental Health's mapping system as potentially contaminated land due to its previous use as a mill. Therefore, they advise a condition that requires the reporting of unexpected contamination. These is deemed reasonable, in accordance with the objectives of PLP53.

6 – Representations

No public 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

Application Number: 2019/90799
Decision Authorisation: Delegated Powers
Officer Recommendation: Grant Conditional Permission

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 PLP24 and PLP35 of the Kirklees Local Plan (as modified) and Chapters 12 and 16 of the National Planning Policy Framework.

3. The external walls and roofing 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 to accord with Policy PLP24 of the Kirklees Local Plan (as modified) and Chapter 12 of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority.
Reason: To identify and remove unacceptable risks to human health and the environment, in accordance with Policy PLP53 of the Kirklees Local Plan and guidance contained within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	01	Rev. B	27.03.2019
Existing Grouped Plans and Elevations	02	Rev. B	27.03.2019
Proposed Grouped Plans and Elevations	03	Rev. B	27.03.2019
Proposed Block Plan	04		27.03.2019
Supporting Information	Heritage Statement		27.03.2019

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 Planning 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.

No negotiations were required because the plans as submitted were considered acceptable.

Report Dated: 20.05.2019