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:	2020/62/90437/W
Site Address:	12, Parkwood Road, Longwood, Huddersfield, HD3 4TT
Description:	Demolition of existing rear extension and erection of single storey rear extension (Within a Conservation Area)
Recommending Officer:	Sam Jackman

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.

Emma Thompson

AUTHORISED OFFICER

Date: 13-Jul-2020

SITE DESCRIPTION – 2020/90437 Planning

12 Parkwood Road, Longwood is a Grade II listed building located on the edge of Longwood conservation area. The property is an end terrace of 6, a 2-storey cottage faced in stone, with a concreted tiled roof. The property benefits from an existing 2-storey rear extension and single storey timber conservatory together with off-street parking to the side and garden to the rear.

The following is the listing description.

> *Early to mid C19. Terrace. Hammer dressed stone. Pitched stone slate roof. Coped gables. Stone brackets on string course. 2 storeys. 6 identical dwellings in terrace, stepped into 2 groups of three. Each dwelling has: South elevation: Ground floor: entrance with stone surround and tie-stones. One 3-light stone mullioned window. First floor: two 3-light stone mullioned windows; continuous sill band to each group of 3 dwellings. North west elevation: First floor: six 3-light stone mullioned windows. To south east each dwelling has stone gate posts with rounded tops and coursed dry rubble garden wall with rounded copings.*

DESCRIPTION OF PROPOSAL

The proposal as amended is for a replacement single storey rear extension. The extension would follow the existing footprint and be built from an aluminium frame with floor to ceiling glazing and have a zinc panelled roof. It would project 2.7m by 4.7m with a shallow pitched roof and would be set in from the attached neighbours boundary by 0.8m.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f90437

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

The original plans showed a larger stone single storey extension with a stone tiled lean-to roof. This was considered to have an impact on the neighbours property with regards overshadowing. Due to the scale and materials the extension proposed was also considered to represent an insensitive addition to the host.

The application has now been amended to keep to the existing footprint and replace the structure with floor to ceiling glass and a zinc roof.

RELEVANT HISTORY

89/02213 – erection of conservatory - granted

89/02214 – Listed Building Consent for conservatory - granted

PUBLIC/MEMBERS RESPONSE

The application has been advertised by neighbour notification letter, site notice and press advert which expired on the 3.4.20, whereby no representations have been received.

The amended plans were considered to have a reduced impact on neighbours than the original submission and as such were not publicised

CONSULTATION RESPONSES

K.C. Conservation & Design – support the revised amendments following informal discussion.

POLICY

The statutory development plan comprises:

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 Kirklees Local Plan a grade ll Listed Building within Longwood Edge Conservation Area

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):
LP 1– Achieving sustainable development
LP 2 – Place shaping
LP 22 - Parking
LP 24 – Design
LP 35 – 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 19th February 2019, 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 14** – Meeting the challenge of climate change, flooding & coastal change.
- **Chapter 16** – Conserving and enhancing the historic environment

ASSESSMENT

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is enshrined in policy LP1 of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan will be approved without delay unless material considerations indicate otherwise. Policy LP24 of the LP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development of the surrounding area as well as to preserve the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. Along with this is policy LP35 needs to be considered in relation to historic context of the building.

In terms of national planning Policy Chapter 16 of the NPPF needs to be considered which in paragraph 193 states: "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation…".* Chapter 16 further details that an assessment has to be made in relation to the level of harm and any harm may be outweighed by public benefit.

Sections 66 (listed buildings) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 need to be considered which places a general duty on preserving the listed buildings and their setting and any special architectural features or features of historic interest together with preserving or enhancing the character or appearance of a conservation area.

An allied listed building application has been submitted under application 2020/900438
which specifically assess the impact of the works to the listed building.

2 – Impact on visual amenity:

The impact on visual amenity and the historic environment is the overriding consideration for proposals involving listed buildings and conservation areas, and any harm caused to the significance of heritage assets. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The application has been assessed by the Council's Conservation and Design Officer and to accord with paragraph 190 of the NPPF and Policy LP35 of the Local Plan.

The proposed replacement conservatory would be located to the rear of the property therefore would have little impact on the street scene in this case, it is not considered that the development would create an intrusive feature within the local area. The extension would be constructed from modern materials which would not match existing building and would not reflect the listed building in this case and would introduce a modern contrast to the building. Due to the use of contemporary materials the extension can clearly be read as an addition to the property. Furthermore, it should be noted that the host building already has a a rear 2-storey extension which has covered any historic features located within the rear elevation, therefore the proposal will not create any more harm to the listed building, given the features already lost by the existing extension.

Other considerations are the combination of the proposed extension with the existing 2-storey rear extension, particularly when applying current Policy. The cumulative impact would result in extensions not considered subservient to the host cottage, however as this is a replacement building almost like for like in scale and mass there is no justification for refusing the application on this basis. As such, on balance, the replacement extension would be considered to be acceptable in this case.

Therefore, by virtue of its scale, materials, siting and design, the extension would not detract from the overall character and appearance of the existing dwelling or the street scene. The proposal is in accordance of Policy LP24 of the Kirklees Local Plan that states "extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details". Along with policy LP35 of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework. The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area or the listed building.

3- Impact on residential amenity and historic environment:

The proposal is a single storey extension projecting 2.7m, replacing an existing timber conservatory, which has clear glazing to all sides. The proposed replacement extension would again have glazing to all sides, with the NE side elevation being etched to provide screening for both the applicant and neighbour. Furthermore, there is an existing fence along the boundary providing some additional screening.

With regards being overbearing and/or overshadowing the proposal is small in scale, single storey and with a shallow pitched roof and would be set in from the boundary by 0.8m with the attached neighbour. The neighbours to the west are situated at righting angle and are elevated above the site with over 10m separation distance.

Therefore, it is considered there will be no impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking as the proposal is small in scale and single storey with no overlooking windows other than those that are conditioned to be obscurely glazed.

The proposal therefore accords with policies LP1, LP2 & LP24 of the Kirklees Local Plan which states "extensions…minimise impact on residential amenity of future and neighbouring occupiers." Having considered the above factors affecting neighbouring properties and relevant policies, the proposed rear extension is not deemed to result in any significant harm upon the residential amenity, as well as chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

In terms of highway safety there are no highway issues as the drive is not being affected by the proposal, as such would meet the aims of Policy LP22 of the Kirklees Local Plan with respect to highway safety and advice in Chapter 12 of the National Planning Policy Framework.

5 – Other matters:

Climate Change - On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Due to the size, scale and limited nature of development, it was not considered necessary to request specific measures to address the developments' resilience to climate change. However, the extension would be constructed from glass which would provide better insulation than the existing conservatory.

K.C. Conservation & Design – support the revised amendments following informal discussion.

6 – Representations:

It should be noted that no representations have been received as a result of site publicity.

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.

Decision Authorisation - Delegated Powers

Application Number: 2020/90437

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 51 of the Planning and Compulsory Purchase Act 2004.

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 LP01, LP02, LP24 & LP35 of the Kirklees Local Plan and advice in the National Planning Policy Framework.

3. The north east side elevation, shall be obscurely glazed (minimum grade 4), before the extension is first brought into use. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) The obscure glazing shall thereafter be retained for the lifetime of the development.
Reason: So as not to detract from the amenities of the adjoining property by reason of loss of privacy and to accord with policies LP01, LP02 & LP24 of the Kirklees Local Plan and advice in the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan 1:1250	2004		24.2.20
Existing layout	01	-	24.2.20
Existing elevations	02		24.2.20
Proposed layout & elevations	04	C	10.7.20

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. The Case Officer requested amended plans during the process of the application to seek an amendment which would to reduce the impact of the development on the amenity of nearby residents and create an extension with a clear distinction from the host building. This decision is based on the amended/additional documents submitted.

Recommendation and Authorisation Box

Report Dated: 10.7.20

Coal – none