

**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: 2020/62/91005/W

Site Address: Chapel Lodge, Cliff Road, Wooldale, Holmfirth, HD9 1QP

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

Recommending Officer: Laura Yeadon

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: 01-Jun-2020

Officer Report

Site Description

Chapel Lodge is a detached, stone constructed building located within the Wooldale Conservation Area. The property has a front elevation facing Cliff Road and a garden area to the rear. The surrounding development consists of mainly residential properties with the cluster of properties to the side of the site being designated Listed Buildings.

Description of Proposal

Permission is sought for a single storey rear extension.

The proposed extension would be located on the rear elevation of the property and would be attached to the existing rear entrance to the property, creating a utility room.

The extension would project a total of 2.2 metres from the rear elevation of the property and would be a total of 2.5 metres in width being a height of 2.9 metres with a roof lantern above resulting in an overall height of 3.3 metres to the top of this glazed feature.

The proposed construction materials would be coursed Yorkshire rubble walling with pointing to match the existing for walls and stone coping with the roof being a lead lined gutter box around a black or anthracite prefabricated boxed glass roof lantern.

Whilst no openings are proposed within the elevations of the extension, a decorate reveal to replicate an opening is proposed within the side elevation.

History of negotiations/amendments received

No negotiations have taken place and no amended plans have been received.

Relevant Planning History

2017/91315	Erection of single storey rear extension <i>Conditional Full Permission</i>
2009/90290	Erection of wooden decking (within a Conservation Area) <i>Refused</i>
2006/90669	Erection of single storey extension (within a Conservation Area) <i>Conditional Full Permission</i>
1986/05373	Erection of garage with new access and external alterations to dwelling (within a Conservation Area) <i>Granted Conditionally</i>
1997/91925	Erection of single storey extension (within a Conservation Area) <i>Conditional Full Permission</i>

Representations

In response to Covid-19 the application was publicised in accordance with the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter.

Final publicity date expired 19th May 2020 – including the newspaper advertisement – no representations received

Holme Valley Parish Council – support the application

Consultation Responses

None required

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

The site is within the Wooldale Conservation Area on the Kirklees Local Plan in addition to being located adjacent to a cluster of listed buildings.

The listed buildings descriptions are as follows:

92,94,96,100 Cliff Road - Grade II

“Back to back group. Early C19. Hammer dressed stone. Stone slate roof. Two ashlar stacks. Three storeys. South-west gable: entrance to left and right and 2 central 3-light stone mullioned windows. Four 2-light stone mullioned

windows to first and second floors. 1982 ground floor extension to north-west elevation with 2-light stone mullioned windows to first floor (mullions removed). North-east gable (No. 100): is part obscured by No 98, but has two 2-light windows to first and second floors. South-east elevation obscured by No. 102.”

102 Cliff Road – Grade II

“Part of group. Early to mid C19. Hammer dressed stone. Stone slate roof. Two storeys. Central door with one 4-light and one 2-light stone mullioned window, the former with one mullion removed. First floor sill band with three 2-light stone mullioned windows. Arched access to cellars.”

98 Cliff Road – Grade II

“Part of group. Mid C19. Hammer dressed stone. Stone slate roof (bitumen covered). Gable copings and stone brackets. Two storeys. Timber porch and one 4-light stone mullioned window to ground floor. Two 2—light stone mullioned windows with raised sill band, to first floor.”

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** – Design
- **LP35** – 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, 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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – 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 the Conservation Area and adjacent Listed Buildings
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is within the Wooldale Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Chapter 16 of the National Planning Policy Framework and also LP35 of the Kirklees Local Plan. In addition, the site is located adjacent to a cluster of Listed Buildings and therefore Section 66 of the above Act, including reference to take into account the setting of listed buildings is also of relevance

Policy LP1 of the Kirklees Local Plan states that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

2 –Impact on visual amenity and the Conservation and adjacent Listed Buildings:

The proposed extension would be located on the rear elevation of the property and would be centrally located, attached to the existing rear entrance to the dwelling. The extension would be single storey in height and would have a height which would match the height of the eaves on the existing building. Due to having a flat roof, albeit with a lantern, the extension would be subservient to the host building by being set down from the roof of the existing dwelling and by being limited in its overall size, scale and massing. Due to the extension being located to the rear of the property, within an existing void, the extension would be barely visible from public vantage points.

The harm to the special interest of the Conservation Area would be neutral and the proposed construction materials for the extension are acceptable and is not anticipated that there would be any harm to setting of the Listed

Buildings to the north-east of the application site. The appearance of the host building and its relationship with the listed buildings would not be materially changed.

Taking into account all the above, it is considered that the proposal is acceptable in terms of visual amenity and the impact on the Conservation Area and Listed Buildings, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

In terms of residential amenity, the proposed extension would be to the rear of the property and, by virtue of being single storey in height and its relationship with surrounding development, would not have any undue harm in term of overshadowing or by being overbearing. There are no openings proposed within the elevations of the extension that would impact on overlooking to neighbouring properties and therefore, there are minimal concerns.

As such, it is considered that the proposal is acceptable in terms of residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4 – Impact on highway safety:

None

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.

It is proposed that Yorkshire rubble stone would be utilised in the construction of the extension which is locally sourced, natural and sustainable material which is considered to mitigate against the harm from climate change.

6 – Representations:

No 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: 2020/91005

Officer Recommendation: Approve

Conditions

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 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 LP1, LP2, LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. The materials use to face the external walls 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, to preserve the appearance of the Wooldale Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	20-02-003		30 th March 2020
Existing elevations and floor plans	20-02-001		30 th March 2020
Proposed elevations	20-02-002		30 th March 2020

Plan Type	Reference	Version	Date Received
and floor plans			
Proposed section	20-02-004		30 th March 2020
Design, Access and Heritage Statement	March 2020		30 th March 2020

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. No amendments were sought as it was considered that the proposal was acceptable in its submitted format.

Report Dated: 26th May 2020

COAL LOW