

**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: 2020/62/91169/E

Site Address: 4, Park Farm Court, Farnley Tyas, Huddersfield, HD4 6EG

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

Recommending Officer: Josh Kwok

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.

Paul Dowd

AUTHORISED OFFICER

Date: 18-Sep-2020

Officer Report

Site Description

4 Park Farm Court comprises a two-storey stone built detached house, a detached double garage to the side and a spacious garden to the rear. The boundary treatments comprise dry-stone walls, timber fences and shrubs. The site and its surroundings are wholly residential, characterised by two-storey stone-built houses of similar size and design.

All houses are set within a spacious plot of land with good sized private gardens. To the southern aspect of the site is an open green field, which falls within the Green Belt in the Kirklees Local Plan. The application property and those surrounding it are within the Farnley Tyas Conservation Area.

Description of Proposal

Planning permission is sought for the erection of a single-storey rear extension. Details of the development proposal are set out in the following.

- 4.5m deep x 6.5m wide x 3.0m high
- Facing materials to be glazed oak framing and coursed natural stone
- Roofing material to be green roof with lantern above

History of negotiations/amendments received

The design of this extension has been amended to reduce its impact on the overall appearance of the main house, especially when looking from Farnley Road. The revised drawing has been received on 02-Sep-2020.

Relevant Planning History

2015/90759 – Erection of 6 dwellings and conversion of barn into dwelling and associated works (Listed Building within a Conservation Area) (18, Manor Road) – Approved

Representations

This application was publicised by site notice, neighbour letter and news advert, which expired on 22-Jun-2020. Following this publicity, one representation has been received from an occupant of a neighbouring residential property, who raised the following issues.

- The extension would encroach into the Green Belt
- Any further extension to the previously approved residential scheme at 18 Manor Road would detract from the historic aspect of the village and the conservation area.

Councillor Bill Armer has also provided the following comments regarding this application.

“I do have fears that the FT Conservation Area is being eroded bit by bit, and I am not personally convinced that any damage done is outweighed by supposed benefits.”

Kirkburton Parish Council – No comment on this application.

Consultation Responses

KC Conservation & Design Team – The proposal is not considered to harm the character of the conservation area.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 Farnley Tyas Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 01** – Achieving sustainable development
- **LP 02** – Place shaping
- **LP 21** – Highway safety and access
- **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, 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 12 – Achieving well-designed places
- 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

- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of 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 KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations, along with others, are addressed in the following sections in this report.

2 – Impact on visual amenity (including impact on historic environment):

The proposal is for a single-storey rear extension. It would be modest in size compared with the main house. As such, it could be considered a subservient addition in respect of policy LP24(c) of the KLP. The scale of development, as proposed, could be supported in visual amenity terms. The extension would be constructed with glazed oak framing and coursed natural stone. Since the selected materials are already used in the construction of the host building, they are considered to not cause a negative impact on visual amenity. The proposed development would be situated at the rear of the main house and, therefore, would have limited effect on the street-scene of Park Farm Court.

The proposed extension would have a flat roof with a roof lantern on top and a chimney to the side. This design would be notably different from that of the existing building and those forming part of the Park Farm Court development. However, it would be single storey in height and constructed in matching materials. These factors would reduce the visual impact associated with the proposed design. Furthermore, the extension would be recessed considerably from the site boundary, with limited exposure to the street scene of Farnley Road. The chimney could be considered an acceptable architectural feature that would mimic those of the existing houses on Park Farm Court. Consequently, the proposal would be appropriate in design.

As noted in the site description section, the application site falls within the Farnley Tyas Conservation Area. Hence, the development proposal must be considered in terms of policy LP35 of the KLP and chapter 16 of the NPPF. In this case, the proposal is for the erection of a modest sized extension to the rear of an existing house, which forms part of a recently built residential scheme. It is considered that all houses on Park Farm Court are of limited contribution to the historic significance of the conservation area, as they are not part of the original fabric of the area. However, given the sensitive location

of the site, being directly adjacent to the conservation area boundary, with a relatively open outlook to the southern aspect, careful consideration must be given to the impact of this development on its setting and townscape.

As concluded above, the proposed extension would be appropriate in terms of its scale, position, design and materials. The application site and its immediate surroundings are domestic in character. To erect a modest sized extension to the existing residential property on this site would not prejudice the significance and setting of the conservation area. The impact on the townscape and on the street-scene of Farnley Road would be negligible. KC Conservation and Design Team has no objection of the current scheme on heritage conservation grounds. With these considerations in mind, officers conclude that the proposal would have no harm to the conservation area. Thus, it is acceptable in respect of policy LP35 of the KLP and chapter 16 of the NPPF.

In all, the development proposal would be of a satisfactory design, which would preserve the overall appearance of the application property and the historic character and townscape of the village of Farnley Tyas. It is considered that no harm would be caused to the significance of the conservation area. The proposal would accord with policies LP24 and LP35 of the KLP and chapters 12 and 16 of the NPPF.

3 – Impact on residential amenity:

The development proposal would not give rise to any residential amenity issues, as it would be single storey in height and recessed from the shared boundary with 3 Park Farm Court considerably. Furthermore, the view of all side-facing windows would be screened by the existing dry-stone walls. Acknowledging these factors, officers are satisfied that the residential amenity impact of this extension could be acceptable. It would conform to policies LP24(c) of the KLP.

4 – Impact on highway safety:

The proposed development would neither intensify the residential use of the application property, nor would it affect the parking arrangement of the site. Hence, there would be no issues in terms of highway safety and parking. The proposal would be in line with policies LP21 and LP22 of the KLP.

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.

The proposal is a small-scale domestic development to an existing dwelling. As such, no specific measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in place in terms of Building Regulations, which will need to be adhered to as part of the construction process and which will require compliance with national standards.

Green Belt setting

The rear extension, as proposed, would be situated outside the Green Belt. There would also be a clear visual separation between the built environment and the Green Belt. Meanwhile, the extension would be set back considerably from the southern boundary of the site. As such, the development concerned would not adversely affect the setting of the Green Belt, complying with chapter 13 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

One written representation has been received from an occupant of a neighbouring residential property following the statutory publicity. The issues below have been raised in this representation.

- The extension would encroach into the Green Belt
Response: The extension would fall outside the Green Belt in the Kirklees Local Plan. As such, the Green Belt policies do not apply in this case.
- Any further extension to the previously approved residential scheme at 18 Manor Road would detract from the historic aspect of the village and the conservation area.
Response: The impact on the Farnley Tyas Conservation Area is considered acceptable in terms of visual amenity and heritage conservation. The conservation officer has no objection with the proposal.

Comments from Councillor Bill Armer

“I do have fears that the FT Conservation Area is being eroded bit by bit, and I am not personally convinced that any damage done is outweighed by supposed benefits.”

Response: The scheme has been revised to reduce the overall impact on the historic character and townscape of the Farnley Tyas Conservation Area. In addition to that, KC Conservation & Design Team consider that the proposal could be supported from a heritage conservation perspective.

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: 2020/91169

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 to ensure the satisfactory appearance of the development on completion, to preserve the significance of the Farnley Tyas Conservation Area in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The external walls of the single-storey rear extension hereby approved shall constructed with coursed natural stone and glazed oak framing to match those used in the construction of the existing building at the application site and the roof shall be covered with a green roof, in accordance with the approved details.

Reason: In the interests of visual amenity, to preserve the significance of the Farnley Tyas Conservation Area, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Proposed site plan	P1047-04		20-Apr-2020
Planning statement			20-Apr-2020
Location plan	P1047-01		20-Apr-2020
Existing plans and elevations	P1047-02		20-Apr-2020
Proposed plans and elevations	P1047-03	03	02-Sep-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 has, 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. In this case, the design of this extension has been amended to reduce its impact on the overall appearance of the main house, especially when looking from Farnley Road. The revised drawing was received on 02-Sep-2020.

Report Dated: 15-Sep-2020