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:	2021/62/90201/W
Site Address:	Stonebow House, 103, Northgate, Almondbury, Huddersfield, HD5 8UU
Description:	Change of use and extension to facilitate the use of the basement as a single dwelling (Listed Building within a Conservation Area)
Recommending Officer:	Lucy Taylor

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: 19-May-2021

Officer Report.

Reference: 2021/90201

Location: Stonebow House, 103, Northgate, Almondbury, Huddersfield, HD5 8UU

Proposal: Change of use and extension to facilitate the use of the basement as a single dwelling.

Site Description.

Stonebow House is a three-storey terrace building, located in Almondbury, Huddersfield. The property has a very traditional appearance, as do the neighbouring buildings and the majority of the other properties located in Almondbury village; with the walls constructed from natural stone and a tiled hipped roof erected above. The building has many use functions, including retail, office spaces, a salon, and several apartments. To the rear, the building benefits from an enclosed parking area.

Given the location of Stonebow House, it is situated within the Almondbury District Centre and within the Almondbury Conservation Area. It is also a Grade II Listed Building, given the following description:
'Early or mid C19. Ashlar. 3 storeys. Moulded eaves cornice and blocking course. Continuous 1st floor sill band. 5 ranges of sashes with glazing (some altered), central range slightly recessed. No 99 has an early C20 shop front.'
The adjoining buildings are also Grade II Listed Buildings.

Description of Proposal.

Permission is sought for a change of use to the basement of the building, from office space and one apartment to one large apartment and an extension to the rear, to facilitate the use of the basement as a single dwelling.

Rear Extension:
The rear extension will be single storey in height, measuring a maximum height of 3.10 metres. It will project 2.85 metres from the existing rear elevation of the building and will have a width of 7.7 metres. The external walls will be constructed from coursed natural stone which will mimic the existing building external walls in style, colour and texture and the extension will have a flat roof constructed from single ply membrane. The extension proposes glazing on the rear elevation, in the form of two regular windows and glazed bi-folding doors, as well as roof lights proposed to be fitted within the flat roof of the extension. The regular windows proposed on the rear, will be sash windows to match the windows on the rear elevation of the main building.

The extension will facilitate the space acquired to convert the existing basement into a single-dwelling, comprising of 2 bedrooms, 2 bathrooms, 2 storage areas and an open-plan living/kitchen and dining area.

On the exterior of the extension, a raised patio is proposed to be constructed, having a height of 1.65 metres, a total projection of 3.5 metres from the rear of the extension and a width of 12.65 metres. The patio will be constructed using stone and to the rear, a wall will be constructed to match the existing car park boundary treatment. Additionally, metal railings will line to parameters of the patio area and a set of steps will be erected to the northern elevation to facilitate access to and from the patio area.

An air source heating external unit is proposed to be mounted to the roof of the extension and two round downpipes will be fitted to the rear external wall, these will be round to match others located on the dominant building.

Change of Use:
A change of use will only take place to the basement floor of the building, replacing what is currently office and one apartment with one large single dwelling. To do this, the extension will be erected to the rear to facilitate additional living space as well as to connect the currently separated sections of use into one liveable space. Additionally, the internal walls will be reconfigured to facilitate the different requirements of the change of use, these walls will be constructed from timber and plasterboard and the new internal doors will also be constructed from timber.

The living space will be accessible from the rear elevation, through the proposed doors on the rear extension. It will have an internal floor space of approximately 110 square metres. The internal amenity space would be made up of two bedrooms, two shower rooms, two storage areas and an open plan living/kitchen and dining area. All habitable rooms would have good access to natural ight.

History of negotiations.

Amended plans were submitted by the applicant, although the principle of development remained the same with regard to both the size/scale of the proposed rear extension and the change of use, the submitted plans showed the proposed position of an external air source heating unit.

In addition, following a consultation with KC Conservation and Design further amendments were sought to the plans previously submitted, these included:

- The proposed windows becoming sash windows to match the existing new windows on the rear of the building, with the same thickness of double-glazing.
- The ogee downpipes should be round, to match existing.
- Clarity regarding the proposed flat roof with regards to material, thickness and height of the parapet.
- The flashings are to be fixed into mortar joints below the string course and not cut into the stone.

- Further clarity regarding the proposed access points both internally and externally.

Following these requests, amended plans were submitted by the applicant, these plans have been used in determining the overall recommendation of the application. The specific details of the building and the internal works to the listed building are assessed within the allied listed building consent ref 2021/90202.

Relevant Planning History.

- **2018/91424** – *Stonebow House, 103, Northgate, Almondbury* – Listed Building Consent for replacement of windows and doors and internal alterations. *Consent granted 2018.*
- **2019/91857** - *Stonebow House, 103, Northgate, Almondbury* – Listed Building Consent for upper floor modifications. *Consent granted 2019.*
- **2021/90202** - *Stonebow House, 103, Northgate, Almondbury* – Listed Building Consent for erection of single storey rear extension to basement flat with internal and external works. *Decision outstanding.*

Representations.

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters, a site notice and publicly within the newspaper, collectively expiring on 30th March 2021 – no representations were received.

Consultations

KC Conservation and Design – concluded that, as the proposed works are to the rear of the building at low level, the proposal is not considered to harm the character of the Almondbury Conservation Area.

KC Highways Development Management – consider the application to be acceptable on highways grounds.

Environmental Health – no comments were made.

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

The site is within the Almondbury District Centre and it is also located within the Almondbury Conservation Area. The building itself, as well as those adjoining, are Garde II Listed Buildings.

Kirklees Local Plan (LP):

- LP13 – Town Centre uses
- LP21 – Highway safety and access
- LP24 – Design
- LP35 – Historic environment

Kirklees Council is currently in the process of producing its supplementary planning guidance on House extensions. Although this is at the draft stage, it does need to be considered in the assessment of planning applications with some weight attached. The general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character the host property and the wider street scene.

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 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 assessment below-

1) Principle of development
1) Impact on local economy and vitality and viability of the Almondbury District Centre
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other Matters
6) Representations
7) Conclusion

1. <u>Principle of Development:</u>

The site is located within the Almondbury District Centre therefore, the proposal will be assessed with regard to Chapter 7 in the NPPF and LP13 in the Kirklees Local Plan, concerning the vitality and viability of local centres with regard to shopping frontages and commercial use mixes. Therefore, given that the proposed developments will not alter the existing use of the building within the local centre or disrupt the existing shop frontage, the

principle of development is appropriate as long as determined acceptable with regard to setting of heritage assets, wider visual amenities and the amenities of nearby and future residents.

In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be taken into consideration, requiring Local Authorities to pay special attention to the desirability of preserving/enhancing the character or appearance of Conservation Area. When making decisions on planning applications for development that would affect a Listed Building or its setting, there is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the buildings and its setting. In this context, preservation means not harming the interest of the building itself, Grade II Listed and the neighbouring Listed buildings. Any impact on heritage assets (including Listed Buildings and the Almondbury Conservation Area) will be given consideration having regard to Policy LP35 and Chapter 16 of the NPPF.

1. **Impact on local economy and vitality and viability of Almondbury District Centre:**

The proposed works to Stonebow House will not alter the existing commercial use of the building, with the change of use proposed to the floor below that of the immediate shopping frontage within the Almondbury District Centre. Therefore, the change of use will not affect the current high street setting or disrupt the existing mix of commercial uses present in turn, maintaining an appropriate balance between use classes and continuing to fulfil the requirements of a local centre.

The proposed rear extension will not impact upon the vitality and viability of Almondbury District Centre, having no impact upon the commercial use of the building and set back form the immediate shopping frontage.

In conclusion, it is therefore considered that the proposed development of Stonebow House and the proposed change of use, will not detract from the vitality or viability of the local centre. Therefore, subject to an assessment of amenity and other issues below, it would accord with the aims of LP13 and 16(a), and with Chapter 7 of the NPPF.

2. **Impact on visual amenity and heritage considerations:**

The proposal does not involve any external changes to the existing shop frontage of Stonebow House, the only alterations will be to the rear in the form of a single storey extension and internally within the building to facilitate the change of use to the basement. Therefore, the proposed changes will have no impact upon the visual amenity of the Listed Building, or the neighbouring Listed Buildings from the front elevation visible within the Almondbury District Centre or the wider Almondbury Conservation Area.

The proposed rear extension is deemed appropriate visually, located away from the immediate streetscene of Almondbury's District Centre and of a

subservient size, scale and single-storey height. Furthermore, the proposed extension is to be constructed from materials that match the existing appearance of the dominant building, including the more minor fenestration details, which as closely as possible, also mimic those of the host building. The proposed glazed bi-folding doors are a new feature to the rear however, they are considered to be an appropriate modern intervention, minimal in comparison to the extent of glazing to the front of the building.

It should also be noted that upon consultation, KC Conservation and Design concluded that the proposed development would not harm the character of the wider Almondbury Conservation Area.

There are listed building surrounding the application property and the proposed extension and air source heat pump will result in some minor changes between them. However, the extension is single storey, partly below ground level with a simple parapet roof. The air source heat pump is discreetly sited in a U-shaped section of the rear elevation which will largely obscure it from view. In these circumstances it is concluded that no harm will ensue to the setting of listed buildings.

Finally, a condition has been added to ensure that the proposed flashings be fixed into mortar joints below the string course and are not cut into the stonework, this ensures that the original features of the building are preserved as much as possible.

The development proposed to change of use and the erection of the proposed rear extension therefore comply with the aims of Policy LP24(a) and LP35 within the Kirklees Local Plan and with Chapter 16 of the NPPF.

3. **Impact on Residential Amenity:**

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”

It should first be acknowledged that the principle of the change of use, to increase the size of the living accommodation to the basement, has previously been established within the building. With residential use already established within the building to the basement, first and second floor. Therefore, the increased size to the apartment in the basement is unlikely to result in an increased impact on residential amenity or create new impacts upon residential amenity. However, any potential impacts of the development will be assessed in detail below:

93-95 Northgate Almondbury adjoins Stonebow House and functions with the primary use as a restaurant. Therefore, it is unlikely that the proposed developments to Stonebow House will impact upon the residential amenity of this neighbouring building, with the activities related to the running of a

business likely to produce more noise than that of a residential dwelling. It should also be acknowledged that the extension proposed to Stonebow House poses no detriment to the visual amenity of this business, located to the rear of the buildings and away from the streetscene of Almondbury's high street. Likewise, the proposed developments and extension pose no detriment to the significance of this neighbouring Grade II Listed Building, for similar reasons to those assessed in the visual amenity section. As the building is registered with a primary classification to be commercial, a secondary classification of retail and a tertiary classification of been a restaurant/cafeteria the developments pose no detriment to residential amenity now and into the future.

To the rear of Stonebow House is Croft Mills, this functions with a primary classification of been commercial, a secondary classification of been industrial and a tertiary classification of been a workshop/light industrial. Therefore, the developments to Stonebow House pose no detriment to the residential amenity of this building with no residential use now or likely into the future. The physical alterations to the building will cause no negative impacts to this building due to a substantial extent of separation distance and the single storey nature of the proposed extension. With regard to noise, the building itself is unlikely to see a detrimental increase in noise as residential use has previously been established and utilised and the activities associated with the use classes of Croft Mills are likely to exceed any residential related noise production from Stonebow House.

Residential properties are located to the south west of Stonebow House, 7-13 Watercroft. As stated above, as residential use of the Stonebow House is previously established it is unlikely that the change of use will generate detrimental increased noise levels and the properties are located just as close to a much busier C road through Almondbury's high street, mitigating any potential noise pollution from Stonebow. With regard to the proposed physical developments, the principle of the extension and the separation distance present work to ensure that no undue overbearing or overshadowing will be caused for the occupiers of these neighbouring properties and due to the location of the extension, at basement level, as well as the placement of glazing only to the rear, there will be no detriment to neighbouring privacy in terms of overlooking. Furthermore, boundary treatment is in place between the rear of Stonebow House and these neighbouring properties, further mitigating any potential impact. The air source heat pump will generate a degree of noise and is located close to other apartments on the upper floor. However, it is principally located adjacent blank wall with the only openings serving a hallway and kitchen. In these circumstances the relationship between this feature and other apartments is considered acceptable.

In terms of the amenities of future occupiers, the apartment well exceeds the minimum space standards set out in the Nationally Described Space Standards (70 sq m). All rooms exceed the minimum sizes set out in this document and habitable rooms would have good access to natural light. In these circumstances it is concluded that future residents would have a high standard of amenity.

In summary, the application is considered to have an acceptable impact on residential amenity and therefore complies with Policy LP24 and the KP from this perspective.

4. Impact on Highway Safety:

A formal consultation with KC Highways Development Management concluded that the proposed change of use is acceptable on highways grounds for the following reasons:

- The loss of office space would be expected to cause a reduction in trips to the premises, even with the increase in size of the flat from 1 to 2 bedrooms.
- The removal of the office space would be expected to reduce parking demand and the increase in size of the apartment does not require additional parking spaces based on local guidance. Due to this the loss of parking is not a concern.
- Waste storage and collection is expected to be as existing and therefore, should have no impact on highways.

Therefore, for these reasons, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

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 predates 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. In this case, due to the nature of the proposal it is not considered reasonable to require the applicant to put forward any specific resilience measures.

In addition, it has been acknowledged that the proposed extension to the rear of Stonebow House will be constructed from stone. Stone is considered to be a natural construction material. The proposal also includes the additional of an air source heat pump which will reduce the carbon footprint of the building.

Bats

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential.

In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Additionally, the proposed developments at Stonebow House pose no alterations or works to

the existing roof above the host building. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

6. Representations:

No representations were received.

7. Conclusions:

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: **2021/90201**
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 so as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the Almondbury Conservation Area and to accord to Policies LP24 and LP35 of the Kirklees Local Plan.

3. The flashing will be fixed into mortar joints below the string course and not cut into the stonework.
Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

Note: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Note: The application site is located in a low coal risk area.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Dat Rec**
Plans – Existing Elevations	PYNO-MWA-XX-XX-DR-A-0005	-	20.1
Plans – Existing Floor Plans	PYNO-MWA-XX-XX-DR-A-0004_First and Second Floors	-	20.1
Plans – Existing Floor Plans	PYNO-MWA-XX-XX-DR-A-0003_ Basement and Ground Floors	-	20.1
Plans – Existing Site / Block Layout	PYNO-MWA-XX-XX-DR-A-0002	-	20.1
Plans – Location Plan	PYNO-MWA-XX-XX-DR-A-0001	-	20.1
Plans – Proposed Elevations	PYNO-MWA-XX-XX-DR-A-0008_Proposed Elevations_S2_P4	-	6.4.
Plans – Proposed	Stonebow House 2	-	1.4.

Plan Type	Reference	Version	Dat Rec
Elevations			
Plans – Proposed Floor Plans	PYNO-MWA-XX-B1-DR-A-0007_Basement	-	20.1
Plans – Proposed Site / Block Layout	Stonebow House	-	1.4.
Supp Info – Conservation/Heritage Assessment	PYNO-MWA-XX-XX-RP-A-0002_HERITAGE_STATEMENT_S2_P3	-	6.4.
Supp Info – Design and Access Statement	PYNO-MWA-XX-XX-RP-A-0001_DESIGN_AND_ACCESS_STATEMENT_S2_P3	-	6.4.

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. Amended plans were submitted to show the proposed position of an external air source heating unit and to accord with the consultation response of KC Conservation and Design. These plans were used in making the overall determination of the application.

Report Dated: 18.5.21