

**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: 2021/62/90941/W

Site Address: 164A, Bradley Road, Huddersfield, HD2 1QT

Description: Erection of single storey extension and associated alterations

Recommending Officer: Tom Hunt

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 24-May-2021

Officer Report

Site Description

2021/90941 – 164A, Bradley Road, Huddersfield, HD2 1QT

No. 164A is part of a converted c18 barn with hard surfaced courtyard accessed off Bradley Road, which is Listed Building Grade II. It is constructed of hammer dressed stone, pitched stone slate roof and stone mullioned windows with glazing bars. It has been joined to the north building which is of a similar construction but not Listed. To the north building's west elevation, it benefits from a small mostly glazed extension linking it to the west building. To its rear, north of the courtyard is a large garden which is raised in position to the host dwelling.

It sits on Bradley Road which is surrounded by residential dwellings of varied architecture.

Description of Proposal

It is proposed to demolish a pre-existing sunroom and erect a single storey extension in its place. It would project 3040mm from the annexe and set at a similar angle to the host dwelling's north elevation to be 4435mm width and set back 684mm. Its roof ridge height is to be flush with the host dwelling at 3303mm height and eaves at 2190mm from ground level. To this roof two conservation skylights would be inserted. This would include installing new valley guttering between the annex and the extension. The proposed materials would be Yorkshire stone tiles for the roof, coursed finished stonework and glazing/doors to match the existing dwelling. Openings would be two French doors with vertical windows on either side of the north elevation and the west elevation would have no openings. The area indicated as block-set paving would be removed and re-laid approximately 150mm lower than existing to ensure adequate head clearance when entering the proposed extension. The existing steps would similarly be altered to better suit the proposed reduction in ground levels. This is to serve as a sunroom.

Officer Note: This has been clarified to not require a LBC after the agent had taken advice from the Conservation and Design Officer.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

Relevant Planning History

89/01250 – Proposal: Change of use of barn, outbuildings and garaging (Listed Building) into a detached house with garaging. Decision: GC - GRANTED CONDITIONALLY. Decision date: 05/05/1989.

94/91464 – Proposal: LISTED BUILDING CONSENT FOR RE-USE AND ADAPTATION OF EXISTING BARN AND OUTBUILDINGS TO DWELLING AND GRANNY FLAT. Decision: CG - CONSENT GRANTED. Decision date: 12/08/1994.

94/91463 – Proposal: RE-USE AND ADAPTATION OF EXISTING BARN AND OUTBUILDING TO FORM DWELLING AND GRANNY FLAT AND ERECTION OF DETACHED DOUBLE GARAGE TO SERVE EXISTING DWELLING (LISTED BUILDING). Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 02/09/1994.

2002/92567 – Proposal: RE-USE OF EXISTING BARN AND OUTBUILDING AND NEW EXTENSION TO FORM DWELLING AND GRANNY ANNEXE AND ERECTION OF DETACHED DOUBLE GARAGE (LISTED BUILDING). Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 14/10/2002.

2002/92568 – Proposal: LISTED BUILDING CONSENT FOR RE-USE OF EXISTING BARN AND OUTBUILDING AND NEW EXTENSION TO FORM DWELLING AND GRANNY ANNEXE AND DEMOLITION OF LEAN-TO AND CANOPY. Decision: CG - CONSENT GRANTED. Decision date: 14/10/2002.

2003/94178 – Proposal: LISTED BUILDING CONSENT FOR RE-USE OF EXISTING BARN AND OUTBUILDING, EXTENSIONS AND ALTERATIONS TO FORM DWELLING WITH GRANNY ANNEXE AND ERECTION OF DETACHED DOUBLE GARAGE TO SERVE NO. 164. Decision: CG - CONSENT GRANTED. Decision date: 28/11/2003.

2003/94177 – Proposal: RE-USE OF EXISTING BARN AND OUTBUILDING EXTENSION AND ALTERATIONS TO FORM DWELLING WITH GRANNY ANNEXE AND ERECTION OF DETACHED DOUBLE GARAGE TO SERVE NO. 164 (LISTED BUILDING). Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 28/11/2003.

2007/94248 – Proposal: ERECTION OF DORMER WINDOWS, FIRST FLOOR EXTENSION AND ALTERATIONS. Decision: FC - CONDITIONAL FULL PERMISSION. Decision date: 29/11/2007.

2012/93195 – Proposal: Listed Building Consent for internal alterations and installation of roof lights. Decision: CG - CONSENT GRANTED. Decision date: 27/12/2012.

Officer Note: PD rights removed within 2003/94177:

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no buildings, extensions or

other structures shall be erected in the area edged red on the approved plan without the prior written approval of the Local Planning Authority.

(6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no new door or window openings shall be formed in the external walls of the building without the prior written approval of the Local Planning Authority

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 which expired on: 30/04/2021

Site Notice Expired: 04/05/2021

Publicity expired: 23/04/2021

One representation have been received; a summary of the comments received is set out below:

- The single storey extension would be higher than the present and would overshadow the neighbouring garden and reduce natural light being an eyesore.

Officer Note: This will be carefully assessed within the Assessment

- Would have negative impact on property value of area

Officer Note: Impact on property values is not a material planning consideration.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- Conservation & Design – no comments received.

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 unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP21 – Highways and access**
- **LP 22 – Parking**
- **LP 24 – Design**
- **LP 35 – 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 of 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 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 (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The part of the host property is a Grade II Listed Building so, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy LP1 of the KLP is also relevant which states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The principle of developing the site is considered to be acceptable subject to an assessment of visual amenity and heritage, residential amenity, highway safety and all other material planning considerations.

2 –Impact on visual amenity and Heritage:

In terms of visual amenity, general design considerations are set out in Policy LP24 of the Local Plan and Chapter 12 of the NPPF, which seeks to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity. It also requires extensions to be “subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”.

With respect to heritage Policy LP35 of the Local Plan and Chapter 16 of the NPPF are relevant. Policy LP35 states “development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”. Chapter 16 of the NPPF is also relevant which seeks to protect heritage assets including their setting and when any harm is caused, this must be outweighed by public benefits.

The listed description of part of the host property is set out below:

“BRADLEY ROAD 1. 5113 (North Side) Barn to No 164 (Bradley Grange) SE 1620 12/235 II 2. C18. Hammer-dressed stone. Pitched stone slate roof. Various stone mullioned windows with glazing bars.

Firstly it is important to determine whether the part of the building where the works are taking place are listed. The Conservation and Design Officer provided advice before submissions, advising:

The existing glazed link structure wouldn't be considered part of the listed building as it is new. Planning permission would be needed to replace or enlarge it, but listed building consent would not be needed. Providing the new extension doesn't block historic openings, is of a good design and wasn't much larger, I'd be content on heritage grounds.

It is therefore concluded that listed building consent is not required for the works, but the impact of development on the setting of the listed building is a key consideration.

The single storey rear extension would be stepped back from the north elevation by 684mm and flush with its roof. The impact would be reduced by the sunken nature of the immediate garden section. The rear extension would be constructed from materials which match the host dwelling and would have little visual impact on the wider streetscene of Bradley Road. Given the above it is considered to be a subservient addition to the host property.

The existing historic window to the annexe (west building) would be retained and no new openings would be made to the historic buildings.

The existing steps to the rest of the garden and the patio will be adjusted to be re-laid to falls away from the building and create sufficient head space

when entering the extension; currently surface run off water falls towards the existing link extension and the timbers are rotting at base. New valley guttering is to be laid between the existing and proposed buildings to improve the rain water flow.

The proposal would also retain sufficient garden space to ensure that the scheme does not represent an overdevelopment of the site.

In terms of the impact on the setting of the listed building, whilst larger than the existing structure the proposed design and scale is considered to harmonise with the building and would not be overly prominent in the context of the listed building. Any harm to the listed building is considered minimal and would be less than substantial and public benefits of providing an appropriate extension for the occupiers of the dwelling is considered to outweigh this minimal harm.

The proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area and be acceptable and accord with Policies LP24 and LP35 of the Local Plan, Policies in Chapter 12 and 16 of the NPPF and the House Extensions and Alterations draft SPD.

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.*”

The proposed extension and alterations are assessed upon whether they would have a detrimental effect on residential amenity, adjoining dwellings or any occupier of adjacent land by way of overshadowing, overbearing or overlooking. The closest properties to be affected by the development are No. 166 (west) and No. 164 (east).

The rear extension would be blocked off from No. 164 being screened by the host dwelling's north building, set back from the north elevation and to the west of the property and set down within a recessed area within the lower end of the garden and therefore would not contribute to detrimental overbearing, overshadowing or overlooking impact.

Considering impact to No. 166, the rear extension would be to the east of the property with no facing windows, slender and set back profile, set away from the shared garden boundary by 2620mm. Whilst moving closer to no.166 a site visit has noted that the garden boundary is fully screened with high stone walls and fencing. The impact would be limited by the north building being set lower than the west building and in turn the new proposed roof line would be set down and be effectively screened by the host building with no detrimental

loss of light which would on balance be a scheme that would ensure that there be no additional detrimental overbearing, overshadowing or overlooking impact.

In light of the above assessment the proposal would have an acceptable impact on residential amenity and would accord with Policy LP24 of the Local Plan.

4 – Impact on highway safety:

Turning to highway safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The proposed development would not adversely affect the existing parking spaces within the site, intensify use and therefore would not cause additional harm to highway safety.

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 limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

6 – Representations:

One representation had 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: 2021/90941

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 visual amenity and to protect the historic character and importance of the host listed building, and accord with Policies LP24 and LP35 of the Kirklees Local Plan 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 protect the historic character and importance of the host listed building, and accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

4. All pointing on the hereby approved extension shall be carried out within the confines of the joint and shall be (recessed) (bucket handle finished).

Reason: In the interests of visual amenity and to protect the historic character and importance of the host listed building, and accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

NOTE: Weatherstruck, strap or ribbon pointing is not permitted.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Proposed Elevations	Proposed Gr. Floor Plan, Elevations Roof-Scape [Partial]. Drawing No. EI/20/002. Dated: 10/02/21		05 th March 2021
Plans - Grouped Plans and Elevations	Existing Gr. Floor Plan, Elevations & Roof Plan [Partial]. Drawing No. EI/20/001. Dated: 10/02/2021		05 th March 2021
Plans – Block Plan	Block Plan		17 th March 2021
Plans – Location Plan	Location Plan		17 th March 2021

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. The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity.

Report Dated: 21/05/2021