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:	**2021/62/91798/W**
Site Address:	14, Parkwood Road, Longwood, Huddersfield, HD3 4TT
Description:	Demolition of existing porch and erection of a detached garage with associated external alterations (Listed Building)
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.

John Holmes

AUTHORISED OFFICER

Date: 24-Nov-2022

Officer Report – 2021/91798 - Planning

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2F91798

SITE DESCRIPTION

14 Parkwood Road, Longwood a semi-detached stone property with a stone slate roof. The property and its neighbour are both Listed Buildings and historically part of the Dye Works located to the rear, now demolished and replaced with housing.

The property itself appears to have been 3 cottages, with the south facing elevation being double fronted 2- storey weavers' cottages and the back half being 2, 3-storey properties, where the back NW property is only linked internally to the remaining property in the attic area.

The property has a glazed front porch, a small walled front garden with only a path width to the rear. The property benefits from land to the south at the front of the property which is a grassed area with a single garage located to the west boundary along with some stone outbuildings.

The following is the listing description.

> *Early to mid C19. Formerly back-to-back group, part of row. Hammer dressed stone (part rendered). Pitched stone slate roof. Copings to gable to each on moulded footstones. Paired stone brackets to gutter. 2 and 3 storeys. South elevation: Ground floor: two doorways in modern porches; three 4-light stone mullioned windows; one 3-light stone mullioned window. First floor: two 4-light stone mullioned windows; one 5-light stone mullioned window (1 light blocked and 1 jamb removed); one 6-light stone mullioned window (2 lights blocked and 2 jambs removed). North elevation: No 16: Ground floor: two entrances with stone surrounds and tie-stones; two 3-light stone mullioned windows (one has both mullions removed). First floor: two 6-light stone mullioned windows (one has 1 mullion removed and one has 2 mullions removed). Continuous pronounced sill band. No 14: Ground floor: two entrances with stone surround; two casements with stone surround (possibly former 2-light windows). First floor: three casements with stone surround, as above (centre window altered). Second floor: one 3-light stone mullioned window; one 8-light stone mullioned window.*

DESCRIPTION OF PROPOSAL

The proposal is to demolish the front entrance porch and replace the existing single garage with a double garage and various internal works to the property.

The detached garage would be approx. 20.5m away from the property located on the site of the existing single garage. It would be built from stone with a stone slate pyramid style roof.

The measurements of the proposed garage are as follows:

- 6.3m by 6.3m
- 2.4m in height to the eaves; 4.5m in overall height

The proposed materials are stone with a stone slate roof.

Various internal works including new door openings, new staircases to the attic space, removal of the existing bathroom, new utility, WC, removal of some stud walls to create 4 bedrooms all with en-suites, with 3 reception rooms, an office and 2 mezzanine snugs in the attic space. Within the roof slope 7 new rooflights would be created along with install Tyvek breathable roof felt new rafters and re-use tiles if suitable, ventilation provision at eaves & ridge level.

Replacing gable render.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

The original plans showed a large amount of demolition removing key historic features within the building, following objections from Historic England and the Georgian society, further amendments where received, which still included the removal of the front staircase to make it open plan living.

Various elements for the proposal have now been removed which include the replacement porch, replacement of all windows & doors, a damp proof course, underfloor heating, steam clean external walls, replace heads lintels & mullions that require to be replaced. Internal lime rendering and ventilation provision at eaves and ridge level. Also the chimney stack is being retained.

Further amendments have been received to retain the staircase and a new internal layout. Followed by amended plans to rectify discrepancies in the drawings regarding demolition works. The decision has been based on these amended plans and supporting information.

RELEVANT HISTORY

Allied – Listed Building Consent - 2021/91799 - Pending consideration.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2F91799

94/91690 erection of stable and garage refused

> *(1) The proposed garage by virtue of its site, materials and design would be detrimental to the visual amenities and character of the*

adjacent Longwood Conservation Area and the Green Belt in which it lies and would detract from the setting of the nearby Grade II Listed Building contrary to policies D8, BE1, BE3 and BE6 of this Council's deposit draft Unitary Development Plan.

PUBLIC/MEMBERS RESPONSE

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, press advert and site notice which expired on the 18.6.21, whereby no representations have been received.

The joint press advert & site notice for 2021/91798 & 2021/91799 related to Listed Building consent and affecting the setting of a Listed Building. Albeit the property is close to Longwood Edge Conservation Area, it was considered the distance was sufficient not to be considered as affecting the setting of the Conservation Area as the majority of the works related to internal works, the porch was small in scale and the garage was over 60m away.

The amended plans were considered to make marginal changes to the proposal's design (reductions & related to internal works) and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

CONSULTATION RESPONSES

K.C. Conservation & Design – raised objections to the initial plans, which have been amended twice, subsequently Conservation & Design now support, subject to conditions.

Historic England – Historic England previously expressed concerns about the impact of the proposals on the significance of the listed building at 14 Parkwood Road. They considered the cumulative impact of the proposed alterations would cause considerable harm to the building and recommended that the scheme was amended to reduce the level of harm.

Further comments were received following amended plans whereby they advise they welcome the amendments which have reduced the harm to the listed building through a greater retention of historic fabric and the historic planform. The proposals would still cause some harm to the listed building, and they recommend consultation with the Council's specialist Conservation Officers on the detail of the scheme. In determining the application they state the LPA should be satisfied that this harm has a clear and convincing justification and consider it against the policies of chapter 16 of the National Planning Policy Framework.

Georgian society – state that the revised plans are an improvement of what was originally submitted.

They note that the Heritage Statement attempts to justify the proposed alterations. They consider the majority of the proposed works have been appropriately justified, however still have concerns regarding the removal of the 19C staircase. Whilst they accept that this building has been altered internally over the last 200 years, the location of the staircase is of historic importance, and better reveals the originally planform which will be forever lost if its
removed. The Georgian Group maintains its objection to this aspect of the scheme. They recommend that a revised ground floor plan should be produced, retaining this important historic fabric.

POLICY

The site is designated as Green Belt on the Kirklees Local Plan, is a grade ll Listed Building and in close proximity to Longwood Edge Conservation Area.

The following policies are therefore considered to be applicable in the consideration of this application: -

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** – Design
- **LP 35** – Historic environment
- **LP 57** – The extension, alteration or replacement of existing buildings

Supplementary Planning Documents

- House Extensions and Alterations Supplementary Planning Guidance (SPD)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st July 2021, 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 13** – Protecting the greenbelt

- **Chapter 14** – Meeting the challenge of climate change, flooding & coastal change.
- **Chapter 16** – Conserving and enhancing the historic environment

Kirklees Council has adopted supplementary planning guidance on house extensions which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Legislation

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).

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

ASSESSMENT

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity and Conservation Area/ Listed Building
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

<u>1 – Principle of development:</u>

Greenbelt

The general principle of extending and making alterations to a property are assessed against Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF regarding design. These require, in general balanced considerations of visual and residential amenity, highway safety and other material considerations.

The site is within the Green Belt and therefore the main issues are:

- Whether the proposal would be inappropriate development for the purposes of the NPPF and Local Plan Policy LP57. If inappropriate
- The effect of the proposal on the openness of the Green Belt, and on the character and appearance of the area
- If found to be inappropriate development, whether the harm by reason of inappropriateness is clearly outweighed by other considerations, so as to amount to the very special circumstances, so as to amount to the very special circumstances necessary to justify development

Is the development inappropriate in the Green Belt?

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 147 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. These are set out within paragraphs 149 and 150 of the NPPF.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 149, one of the exceptions to this is the extension or alterations of a building providing that this does not result in disproportionate additions over and above the size of the original buildings.

Policy LP57 continues that 'in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative effect of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building….'. It also goes on to say that the proposal should not result in a greater impact on openness in terms of the treatment of outdoors areas, including hard standing, curtilages and means of access.

In terms of this particular application, the property has only been extended with a front porch and single garage within the extended grounds.

The application here is for the existing porch to be removed and the replacement of the existing single garage with a larger double garage, where in this specific case it is considered the cumulative impact of the proposed development would not result in disproportionate additions to the original property. As such would comply with Policy LP57 of the Kirklees Local Plan and chapter 13 of the National Planning Policy Framework.

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 those proposals that accord with policies in the Kirklees Local Plan will be approved without delay unless material considerations indicate otherwise.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan Policy LP24 requires that the form, scale, layout and details of all development "respects and enhances the character of the townscape, heritage assets and landscape…"

Listed building & Conservation Area

The property is also a Listed Building and within close proximity to Longwood Conservation Area, where Policy LP35 requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that the proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

In terms of national planning Policy Chapter 16 of the NPPF needs to be considered which in paragraph 199 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 (if harm accrues) and that any harm must be outweighed by public benefit of the proposal.

Paragraph 200 requires that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 201 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act requires in considering whether to grant planning permission development which affects a listed building or its setting, the local planning authority to 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.

In terms of impact on the Listed Building the removal of the poorly designed entrance porch would have an acceptable impact on the front elevation of this Listed Building, where the Council's Conservation Team have no objections to the proposal, subject to conditions. With regards to the internal works these will be addressed on the Listed Building application.

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – that "extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene."

- Principle 2 – that "extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail."

The SPD refers to outbuildings which include domestic garages, in section 5.30 which states that outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;
- be set back behind the building line of the original building so that they do not impact on the street scene; and
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house and follow a general principle that no more than 50% of garden space should be lost.

Principles 1, 2 and section 5.3 are relevant to the consideration of the principle of the development, visual amenity and residential amenity and are considered within the following report.

An allied planning application has been submitted under application 2021/91788 which specifically assess the impact of the development on the listed building.

An allied Listed Building has been submitted under application 2021/91789 which specifically assess the impact of the development on the listed building.

Subject to the assessment of the impact of the development being considered to acceptable in relation to the relevant matters set out in sections 2 – 4 of this report, it is concluded that the principle of development could be considered acceptable.

2. Impact on visual amenity and Listed Building:

As the proposal is within the grounds of a listed building the impact of the development will need also to be assessed against national policy in Chapter 16 of the NPPF and the general duty in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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". This is mirrored in Policy LP35 in the Kirklees Local Plan.

No 14 is a grade ll listed 3- storey semi-detached weavers' cottage, previously 3 properties,
located on the edge of open countryside.

The replacement of the single garage with a double garage would be over 20m from the house and albeit not considered to be within the original curtilage of the host property and within a rural farmyard setting. This area has been fenced off since 2009, however, has not been domesticated apart from the grass has been cut frequently. Therefore, the replacement garage in this location is considered to be acceptable, provided that the existing access is retained as a grass track to retain its rural feel and not be re-surfaced, given that it's not within the original domestic curtilage of the property.

With regards to the Kirklees SPD for household extensions & alterations it is considered the replacement garage which is 100% larger than the existing garage it is considered to be subservient in footprint and scale to the host building and the land with which it sits in, taking into account other extensions and existing outbuildings. It would be set away from the building and Parkwood Road so that it would not impact on the street scene; and preserve a reasonable private amenity space appropriate to the potential number of occupants of the house and follow a general principle that no more than 50% of garden space should be lost.

Within their latest consultation response, in response to the third set of amendments, the Council's Conservation Team set out that they consider that subject to conditions to secure high quality work is undertaken, the development would safeguard the Listed Building. Within their response dated 20th May 2021 English Heritage provide advice and confirm that subject to the Council's Conservation Team being satisfied with the development, they have no objection to the principle of the development.

The Georgian society's latest response sets out that the majority of the proposed works have been appropriately justified, however they still have concerns regarding the removal of the 19C staircase. Within their latest consultation response the Georgian Society recommendation is that it maintains its objection to this aspect of the scheme and they consider that a revised ground floor plan should be produced, retaining this important historic fabric.

This aspect of the scheme has been removed in the latest amended scheme, the Council's Conservation Team are satisfied the scheme does not lead to harm subject to inclusion of the conditions recommended within their response and appended to this report. As such it is concluded that the development would not lead to harm to the setting / fabric of the listed building subject to inclusion of the recommended conditions and objection raised by the statutory consultee to one aspect of the scheme has been addressed by no longer including its removal and thus their objection lifted.

Therefore, the proposal is concluded to be in accordance with Policies LP24, LP35 & LP57 of the Kirklees Local Plan, principles 1 and 2 of the House Extensions and Alterations SPD, along with paragraphs 195, 197 and 201 of the National Planning Policy Framework and the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing

No.14 has only one neighbour in close proximity, No 16 the attached property to the west, where given the proposed garage would be over 12m from the neighbour's property and not directly to the front, therefore, it is considered that the separation distance is sufficient so not to be overbearing or overshadowing of No 16.

The proposal therefore accords with policies LP1, LP2 & LP24 of the Kirklees Local Plan, having considered the above factors affecting neighbouring properties and relevant policies, the proposed alterations are not deemed to result in any significant harm upon the residential amenity, Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD as well as chapters 2 & 12 of the National Planning Policy Framework.

4. Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In terms of highway safety there are no highway issues as the access is not being affected by the proposal, as such would meet the aims of Policy LP22 of the Kirklees Local Plan, Principle 15 of the House Extensions and Alterations SPD and policies in Chapter 12 of the National Planning Policy Framework.

However, to retain its rural character and reduce the potential of domestication of this area, the proposed driveway should be retained as grass and not be surfaced with a hardened surface. It would be acceptable however, if a honeycomb or similar membrane is laid to prevent the area being eroded.

Other matters:

Climate Change – - Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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.

Representations:

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

The amended plans were considered to make marginal changes to the proposal's design (reductions) and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

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: 2021/91798

Officer Recommendation: APPROVE

Conditions and Reasons

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted
Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Order 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 & LP57 of the Kirklees Local Plan, principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with policies within chapters 2, 12, 13, 14 and 16 of the National Planning Policy Framework.

3. The external walls and roofing materials of the detached garage hereby approved shall be stone and stone slate roof to match those used in the construction of the host property and retained thereafter.
Reason: In the interests of visual amenity and so as to preserve the openness of the Green Belt, in accordance with Policies LP01, LP02, LP24, LP35 & LP57 of the Kirklees Local Plan, principles 1, 2 & 9 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with policies within chapters 2, 12, 13, 14 and 16 of the National Planning Policy Framework.

4. the proposal relates to the replacement of the garage only with no works to provide a new hardened drive. Any new surface shall use a honeycomb structure or similar, filled with a sand /soil mix with a hardwearing grass mix and retained throughout the lifetime of the development.
Reason: In the interests of highway safety and to protect the character of the listed building and greenbelt to accord with Policies LP22, LP35 & LP57 of the Kirklees Local Plan, principles 1 & 2, of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with policies within chapters 2, 12, 13, 14 and 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan 1:1250	(EX)003		21.5.21
Block Plan 1:200	(20)003		24.11.22

Existing floor plans and elevations	(EX)001		30.4.21
Historic floor plans and elevations	(EX)002		30.4.21
Existing garage	(EX)004		14.5.21
Site photos			14.5.21
proposed layout & elevations of the detached garage	(20)002		21.5.21
Proposed cross section	(70)005		14.10.22
Proposed floor plan indicating demolition	(70)003		14.10.22
Proposed floor plan indicating new build	(70)004		14.10.22
Proposed elevations	(30)001		14.10.22
Design & Access Statement	Rev C		14.10.22
Schedule of works	ODS_21/312	E	8.11.22

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 reduce the impact of the development on the character of the Listed Building. This decision is based on the amended/additional documents submitted.

Recommendation and Authorisation Box

Report Dated: 18.11.22

Coal – none