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:	**2022/62/92571/W**
Site Address:	Last Cottage, 73, Armitage Road, Armitage Bridge, Huddersfield, HD4 7PD
Description:	Erection of porch (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.

John Holmes

AUTHORISED OFFICER

Date: 25-Oct-2022

Officer Report.

Reference: 2022/92571

Location: Last Cottage, 73, Armitage Road, Armitage Bridge, Huddersfield, HD4 7PD

Proposal: Erection of porch

Site Description.

Last Cottage is a two-storey detached property located in Armitage Bridge, Huddersfield. The property is faced in natural stone and has a gable roof infilled with natural blue slates. Within the wider curtilage of the site, the property benefits from outdoor amenity space and parking amenity space.

Within the wider streetscene, there is a strong sense of similarity established. This is particularly a result of the predominant stone vernacular within the surrounding locality.

The application site is located in the Armitage Bridge Conservation Area.

Description of Proposal.

Planning permission is sought for the erection of a porch.

The porch will be erected to the northern side of the property, in place of an existing small wooden porch canopy.

The porch will project north-eastwards, with a length of 3.4 metres. The width of the porch will be 1.75 metres. The height of the porch will be 3.8 metres, with an eaves height of 2.5 metres.

The porch will be enclosed and faced in natural stone. The lean-to roof above the porch will be infilled with natural blue slate tiles.

A window will be erected in the northern elevation and an access door will be erected to the north-eastern elevation.

History of Negotiations.

Following an informal consultation with KC Conservation and Design, amended plans were sought by the case officer to improve the acceptability of the porch's design with regard to the locality within the Armitage Bridge Conservation Area.

This included setting the porch back through the removal of the open section originally proposed. In addition, it was requested that the porch in its entirety be faced in stone, removing any parts of the originally proposed oak framing. Finally, it was requested that the style of windows to the porch be amended to reflect the windows on the host property.
These amendments were sought in accordance with LP24 and LP35 of the Kirklees Local Plan and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The applicant provided an amended plan that reflected the design alterations as requested by the case officer. Therefore, the overall determination of this application is based on the amended plans as submitted 17 October 2022.

Relevant Planning History.

- **92/05024** – Erection of detached dwelling. *Granted Conditional Full Permission.*
- **2014/92278** – Erection of porch to rear and garden shed/summerhouse. *Refused.*
- **2015/90410** – Erection of porch to rear. *Granted Conditional Full Permission.*
- **2015/90784** – Erection of garden shed. *Granted Conditional Full Permission.*

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 a site notice, neighbour notification letters and within the newspaper, which collectively expired on 30 September 2022 – no representations have been received.

Although amended plans were submitted, it was not deemed necessary to re-advertise the scheme. This is because the amended plans sought alterations to the design of the scheme only, with the principal of development and built form remaining the same. Therefore, it was concluded that the amended plans presented no significant potential of increased detriment to residential amenities.

Consultation Responses.

KC Conservation and Design – following the submission of amended plans, KC Conservation and Design consider the application to be acceptable with

regards to the heritage significance of the Armitage Bridge Conservation Area.

Policy/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 Kirklees Local Plan (adopted 27th February 2019).

The application site is located in the Armitage Bridge Conservation Area.

The site is also located in an area with a known presence of bats and within the Holme Valley Corridor Strategic Green Infrastructure Network.

The site falls in an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP35 – Historic Environment
- LP51 – Protection and improvement of local air quality

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:

The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, together with Circulars, Parliamentary 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 4 – Decision-Making
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

1) Principle of Development
2) Impact on Visual Amenity (and Historic Environment)
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 states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 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 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district".*

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1. **Impact on Visual Amenity (and Historic Environment)**

Visual Amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal consideration concerning design which states: *"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Paragraph 130 of the NPPF is of relevance, in particular the following parts:-
- *'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'*
- *'c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
- *'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…'*
- *'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The proposed porch extension to Last Cottage is considered to be a subservient addition, predominantly a result of its set back position, relatively minor size/scale and single storey height. In addition, the harmonising appearance of the porch extension further promotes subservience visually, to be faced in matching stone with matching roof tiles. Finally, the erection of a lean-to roof above, by form, naturally reduces the potential for undue bulking and massing from the overall appearance of the porch extension.

The forms of fenestration proposed are also considered acceptable visually, in keeping the architectural design of the host property, proposing only one regular window and one regular access door.

In turn, it can be concluded that the porch extension will not be an obtrusive addition to the host dwelling and will sympathetically complement the existing architectural style of the dwellinghouse.

Within the wider streetscene, it has been noted that the proposed porch extension to Last Cottage will not be overtly oppressive. Although Last Cottage is a corner plot, with visibility of the north-eastern elevation fairly vast, the porch extension is minimal in size/scale, in-keeping with the appearance of the host dwelling and set back from the main highway of Armitage Road by approximately 15 metres.

Furthermore, with regard to the surrounding area, several properties appear to have erected stone porch extensions like that proposed at Last Cottage, including No.'s 1 and 2-3 Church View located east of the site. Therefore, the erection of the proposed porch extension to Last Cottage is considered to be acceptable in terms of the character of the wider locality.

For these reasons, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the NPPF, policy LP24 of the Kirklees Local Plan and Key Design Principles 1 and 2 of the House Extensions and Alterations SPD.

Historic Environment:

Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) states that *'…special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.*

Section 72 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Policy LP35 of the Kirklees Local Plan states that: *"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."*

The application site is located in the Armitage Bridge Conservation Area.

Following the submission of amended plans, the proposed porch extension to Last Cottage is considered to be acceptable with regards to the heritage significance of the locality and wider Armitage Bridge Conservation Area. This is particularly a result of the use of matching stone to face the porch

extension, which will appear visually in keeping with the host property and vernacular of the area.

Consultation has taken place with KC Conservation and Design, who conclude the amended scheme to be acceptable with regards to protecting the heritage significance of the Armitage Bridge Conservation Area. No harm is concluded to result from the proposal.

For these reasons, the proposed porch extension is considered to appropriately comply with policies within Chapter 16 of the NPPF, policy LP35 of the Kirklees Local Plan and Section 72 of the Planning (Listed Building & Conservation Areas) Act (1990).

2. Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *"…maintain appropriate distances between buildings"* and *"…minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

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.

The proposal would see a very slight reduction in the extent of outdoor amenity space at Last Cottage, but it is considered that an adequate amount would be retained.

It is considered that the properties most likely to be affected by the proposed development at Last Cottage are those which directly neighbours the site, these being No. 71 Armitage Road and No. 14 Back Armitage Road. Both of these properties are located to the north-west of Last Cottage.

The proposed porch extension at Last Cottage is to be located north-east of the host property, with existing solid built form in place between the site of proposed development and these neighbouring properties. The porch extension will be retained behind the footprint of this existing built form and will be single storey in height. Therefore, the erection of the proposed porch extension to Last Cottage will not significantly detriment the occupiers of these neighbouring properties with regard to any impacts of undue overbearing or overshadowing.

In addition, given that the porch extension poses no forms of glazing to face towards these neighbouring properties, no detriment of overlooking will be caused, and acceptable levels of residential privacy will be retained.

It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

For these reasons, the proposed development at Last Cottage is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan and Key Design Principles 3, 4, 5, 6 and 7 of the Council's adopted House Extensions and Alterations SPD.

3. 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.

The proposed development will not directly increase the domestic function of Last Cottage, nor will it alter the existing parking arrangements on site or access to/from the adjoining highway. Therefore, the proposal is considered to be acceptable from a highway safety perspective.

In turn, erecting the proposed porch extension at Last Cottage would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4. 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 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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bats:

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system. The proposal would not see any works or alterations to the roof. Therefore, the potential to disrupt roosting bats is minimal.

Even so, as a cautionary measure, in the event of any grant of permission a note would 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.

Holme Valley Corridor Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

It has been noted that the proposal will not see the removal of any existing trees or hedgerows on site.

The proposal is not considered to have a significant impact upon the Strategic Green Infrastructure Network and is concluded to be acceptable in this regard.

5. Representations

No representations were received.

6. 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: 2022/92571
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, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP35 and LP51 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. The external walls of roofing materials of the porch extension hereby approved shall in all respects match those used in the construction of the existing building and be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, Principles 1, 2 & 9 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

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 risk coal area.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
GA as Existing & Proposed	1028-01	C	17.10.22

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 Authority have, where possible, made a preapplication 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 sought and submitted in accordance with the design recommendations as set out by KC Conservation and Design during informal consultation.

Report Dated: 18.10.22