

**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:	2023/62/91892/E
Site Address:	Moorend House, Snelsins Lane, Cleckheaton, BD19 3UH
Description:	Erection of two storey extension to existing offices
Recommending Officer:	Nicole Helliwell

DECISION – CONDITIONAL FULL PERMSSION

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.

Emma Thompson

AUTHORISED OFFICER

Date: 23-Aug-23

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Officer Report

Reference No. 2023/62/91892/E

Site Address: Moorend House, Snelsins Lane, Cleckheaton, BD19 3UH

Proposal: Erection of two storey extension to existing offices

Site Description

The application relates to Moorend House, an office building located off Snelsins Lane in Cleckheaton. The building is constructed in stone and incorporates a dual pitched roof finished in grey slate tiles. The site is not within a conservation area, nor are there any listed buildings or public right of ways within close proximity. The wider area comprises a combination of residential and industrial properties of varying materials and architectural styles.

Description of Proposal

The application seeks planning permission for the erection of a two storey extension to the existing office building. The existing metal storage containers will be removed from the site to allow for the proposed development. The details of the proposal are as follows:

- The proposed two storey extension would project approximately 16.5m from the south facing elevation of the existing building.
- The extension would have a maximum height of approx. 7.6m and an eaves height of approx. 4.75m.
- Construction materials – Coursed stone and grey slate tiles to match the appearance of the existing building

Relevant Planning History

2018/91175: Erection of two storey extension. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

2013/93940: Change of use of school to offices and alterations to existing access. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

2011/90759: Installation of temporary modular classroom (all services and external works as required). [Planning application details | Kirklees Council](#) – **Granted under Reg.3 General Regulations**

2006/92176: Erection of staff room extension, disabled wc and escape stairs. [Planning application details | Kirklees Council](#) – **Granted under Reg.3 General Regulations**

97/91224: Erection of extensions to provide staff room/link to toilet block. [Planning application details | Kirklees Council](#) - **Granted under Reg.3 General Regulations**

Representations

The application was publicised by neighbour notification letters, which expired on 7th August 2023. As a result of the above publicity, no representations have been received.

Consultation Responses

KC Highways – No objections

Planning Policy Background

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 Proposals Map. However, it is located within the Strategic Green Infrastructure Network. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 13** - Town Centre Uses
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 31** - Strategic Green Infrastructure Network
- **LP 52** - Protection and Improvement of Environmental Quality

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

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, 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 4** - Decision-Making
- **Chapter 6** - Building a Strong, Competitive Economy
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

Assessment

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 application seeks planning permission for a two storey extension to the existing office building. Offices are a main town centre use. Therefore, proposals outside the defined town centre boundaries require the submission of a Sequential test in accordance with Policy LP13 of the Kirklees Local Plan. Although no sequential test has been provided, it is accepted that the proposal would result in the expansion of an existing office use and, as such, there is a locational requirement associated with the ongoing use of the business in this instance.

Chapter 6 of the NPPF requires local planning authorities to give significant weight to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposed development would ensure the long-term viability of the existing business and therefore would comply with the vision and strategic objectives in the Kirklees Local Plan, as well as the guidance in Chapter 6 of the NPPF.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety and other matters that may arise.

1. Visual amenity

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF also 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 beautiful and sustainable 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.”*

The proposed two storey extension would project approximately 16.5m from the south facing elevation of the existing office building and would be associated directly to the use of the site. The enlargement would be faced in stone and would incorporate a dual-pitched roof finished grey slate tiles to match the appearance of the existing office block. Although the extension would be relatively large in scale, it would be set down from the existing ridge line and would be set back from the principal elevation such that it would appear subservient in relation to the original build. The development would also be of an appropriate design and would not appear incongruous from public vantage points given the scale of the site. Furthermore, it is noted that the enlargement would replace the existing storage containers and would be an improvement from a visual amenity perspective. On this basis it is considered that the proposed development would not have any material visual impact on the character and appearance of the surrounding area and would be acceptable. In order to ensure the containers that appear unsightly are removed in a reasonable time frame a condition is imposed.

Summary

Having taken into account the above, it is considered that the proposed development would be acceptable from a visual amenity perspective, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 and 13 of the NPPF.

2. Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The submitted plans confirm that no properties located to the north and west of the application site would be affected by the proposed works.

Impact on 20, 22 and 24 Whitechapel Road

20, 22 and 24 Whitechapel Road are residential dwellings located south of the application site. The proposed two storey extension would occupy a position at least 47m from the rear elevation of the neighbouring properties. Given that the separation distance retained would be sufficient, it is considered that there would be no detrimental harm with regard to residential amenity.

Impact on 267 Bradford Road

267 Bradford Road is a two storey semi-detached property located east of the application site. The proposed development would occupy a position approximately 84.4m from the neighbour's rear elevation. Given that the separation distances retained would be substantial, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Summary

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 130 (f) of the National Planning Policy Framework.

3. 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 also seeks to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

KC Highways Development Management were informally consulted as part of this application. It was noted that the extension would provide additional office space/archive storage and would not increase the number of employees on site. Furthermore, the plans confirm that the extension would be in place of the existing metal storage containers and the proposed works would not materially intensify the use or affect the existing parking arrangements on site. For these reasons, the scheme would not represent any harm in terms of highway safety and as such accords with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF and the Highways Design Guide SPD.

4. 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.

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

Biodiversity

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Kirklees Local Plan, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

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

5. Representations

No representations were received following the statutory publicity.

6. Negotiations

No amendments were sought or received during the course of the application.

7. Conclusion

This application for the erection of a two storey extension to the existing offices at Moorend House has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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: 2023/91892

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, LP13, LP21, LP22, LP24, LP30, LP31, and LP52 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD and the aims 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 and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

4. Within 3 months of occupation of the extension hereby approved, the metal storage containers on the site shall be removed.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Location Plan	PP-12239267v1	28/06/2023
Plans & Elevations – As Existing	A(00)-01	28/06/2023
Plans & Elevations – As Proposed	A(10)-02	28/06/2023
Flood Map for Planning	1802	28/06/2023

Plan Type	Reference	Date Received
Climate Change Statement	-	28/06/2023

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 07/08/2023