



Supporting Planning and Heritage Statement

Proposed roof extension at 12 Inner Hey, Marsden

Date: Sep 23

Reference: HPS 5623

1.0 Introduction

- 1.1 This Supporting Planning Statement has been prepared by *Householder Planning Services* on the instructions of Mr & Mrs Thompson. The statement sets out the background to the application, details of the proposal and relevant town planning policy to be considered in the determination of the application.
- 1.2 The application is a resubmission following the withdrawal of application 2022/94035 in May 2023. The application was submitted following the refusal of an earlier application for a larger extension – application 2022/90647. A new application was advised by Officers following the refusal of 2022/90647 as it initially proposed developing the garage as well but under the planning officers advice this was amended & subsequently removed. The advice above was heeded to the letter but we were advised that this would still be rejected. Officers were still raising concerns about the loss of the garage but this was deleted from application 2022/94035. ***Despite this the Council changed the description of the application to refer to the garage loss without the applicant blessing:***

‘The application was brought forward to the conservation team who raised concerns on the proposal’s appearance within the conservation area. I shared the application with senior team members last week to gain their viewpoint who agree with the stance that the increased height would be inappropriate development within the conservation area.’

Thus, rather than get another refusal they withdrew the application. Had they had the benefit of professional advice at the time they would have had the application determined so that they could go to appeal.

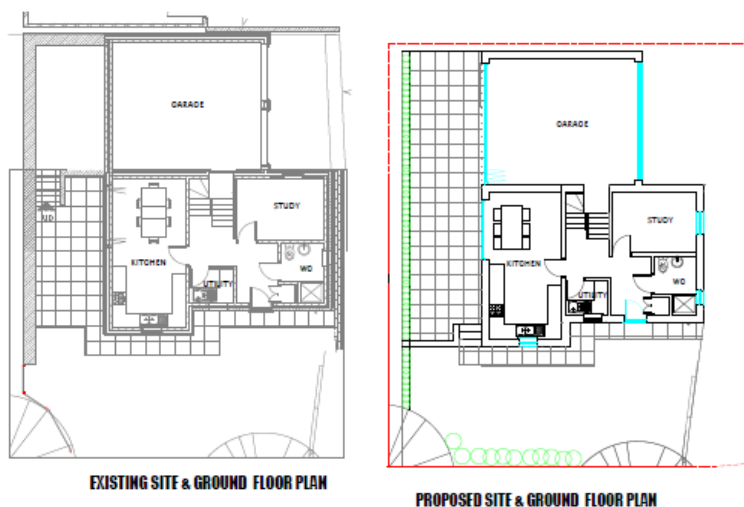
1.3 The resubmission and this report deals with the Council concern in the hope that any misunderstanding about the proposed works is clarified and common sense prevails regarding the perceived impact on the character or appearance of the conservation area.

2.0 Application details

2.1 The submitted plans for the withdrawn application are below.



2.2 It can be seen that the garage door was to be replaced by a glazed door, but it would still function as a garage as demonstrated by the submitted floor plans (see below).



- 2.4 Despite this being clear, the Council changed the description of the application to the following without the applicant's consent.

Raise roof height to form second floor extension, alterations to convert garage to living accommodation and external alterations (within a Conservation Area).

- 2.5 The resubmission is as the previous application and seeks planning permission to raise the roof height to provide additional accommodation for the family home. For the avoidance of doubt, and to avoid the Council making the same mistake again, the existing garage doors have been retained.



3.0 Heritage consideration

- 3.1 The site lies within the Marsden Conservation Area (CA) that was adopted in 1974. The Council have carried out a CA appraisal and the following extract refers to the Inner Hey area within the CA.

The area in question at Inner Hey is referred to in the appraisal as below:

‘4. The Park, Carrs Road and Manchester Road

Peel Street traverses the Manchester Road, past the telephone exchange, and culminates at the area locally known as The Park. This is a product of the philanthropy and generosity of the Victorian mill owners.

Marsden Council created the Park on land given to the village by four mill owners, John Edward Crowther, Samuel Firth, Arthur Robinson and E J Bruce. Within the Park are a number of interesting architectural and historic features, which are linked by tarmac paths. These include the Bandstand, a memorial to Samuel Laycock and a War Memorial commemorating the lives of people from Marsden who died in the First World War.

Manchester Road frames the existing conservation area boundary but intersects the cohesive industrial character of Marsden. It is a wide and busy road which provides glimpses of the roofscape and landmarks of the village below. The intersection with Brougham Road is the position of the gateway into the conservation area and it runs alongside many locally distinctive and listed buildings. This includes the bridge over Wessenden Brook which is also a listed structure of architectural and historic importance.

*The area along Park View is primarily an area of green space and allotments. It can be divided into two sections, a high plateau level with the majority of the allotments and a lower section occupied by hen huts. A fine line of trees extends along the site boundaries to the north of Carrs Road, **while the terrace of properties known as Inner Hey demonstrate positive Victorian qualities.***

In an attempt to re-establish the historic and architectural cohesion of the industrial landscape it is proposed to include Bank Bottom Mill, associated terraces, the site of Ottiwells Mill and Fall Lane Mill within the conservation area boundary. The large playing area on Fall Lane was used by the mill workers and also includes the old Fire Station, which is reputedly one of the first fire stations in the country.

- 3.2 It should be noted that the application property was granted planning permission in 2013. Its form, scale and design were considered acceptable within the CA.





3.3 The scale of the existing dwelling is compatible with development in the surrounding area. The proposed raising of the roof to the element of the dwelling facing Inner Hey will sit below the ridge line of that element of the dwelling facing Carrs Road. Levels fall away from Carrs Road. The increase in roof height will not be visible from Carr Road.

4.0 Relevant Planning History

*2022/94035 – Raise roof height to form second floor extension –
Withdrawn 10 May 2023*

*2022/90647 – Raise roof height to form second floor extension –
Refused 18 May 2022*

*2016/90288 – Works to Tree(s) within a Conservation Area.
Approved 14th May 2016.*

*2014/91297 – Works to Tree(s) within a Conservation Area.
Approved 30th May 2014.*

*2013/93506 – Discharge of conditions 1-21 on previous permission
2012/93938 for erection of 1 no. detached dwelling (within a
Conservation Area). Split decision 19th December 2013.*

2012/93939 – Conservation Area Consent for demolition of garages. Approved 1st May 2013.

2012/93938 – Erection of 1 no. detached dwelling (within a Conservation Area). Approved 1st May 2013.

2012/92562 – Conservation Area consent for demolition of garages. Invalid 29th October 2012.

2012/92469 – Erection of detached dwelling with integral garage and demolition of existing garages (within a Conservation Area). Invalid 29th October 2012.

91/03832 – Outline application for erection of pair of semi detached dwellings. Refused 11th September 1991.

5.0 Planning Policy

5.1 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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

5.2 The application site is unallocated within the Kirklees Local Plan but is located within a Strategic Green Infrastructure Network and Bat Alert Area. It is also important to note that the site is located within the Marsden Conservation Area and

is within close proximity to the Grade II listed 'The Inner Hey' to the west.

Kirklees Local Plan (LP):

- *LP1 – Achieving Sustainable Development*
- *LP2 – Place Shaping*
- *LP21 – Highways and Access*
- *LP22 – Parking*
- *LP24 – Design*
- *LP30 – Biodiversity & Geodiversity*
- *LP31 – Strategic Green Infrastructure Network*
- *LP35 – Historic Environment*
- *LP51 – Protection and Improvement of Local Air Quality*

Other Guidance Documents:

- *House Extensions and Alterations Supplementary Planning Document (2021)*

Kirklees Highway Design Guide (2019)

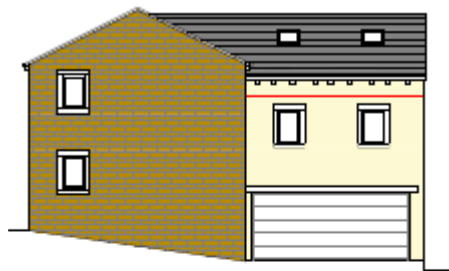
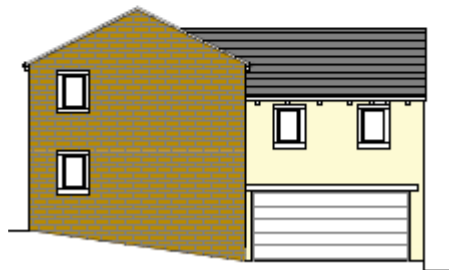
- *Marsden Conservation Area Appraisal*

5.3 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20th July 2021, the Planning

Practice Guidance (PPGs) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

6.0 Comments in support of the application

- 6.1 From the above, the applicant has had a frustrating experience of the planning process. Whilst they accept the reason why their first application was refused, the second application was submitted following discussions with Council Planners on what changes needed to be made to enable permission to be granted. They made the necessary changes, submitted their application only to be told it would be refused due to concerns about impact on the CA, matters that were not raised in previous discussions with the Council. They chose to withdraw the application and seek town planning advice on options open to them. Having withdrawn the application, they were unable to lodge an appeal. This resubmission allows an opportunity to test the assertion of detrimental impact on the character or appearance of the CA in the hope that common sense will prevail or appeal a decision if not.
- 6.2 The application seeks minimal changes to the existing dwelling. The raising of the roof height proposed would have no demonstrable impact on the character or appearance of the CA. The change is not that discernible as demonstrated by the existing and proposed plans below.

**PROPOSED SIDE ELEVATION****EXISTING SIDE ELEVATION**

- 6.3 The scale and form of the dwelling fundamentally stays the same with any visual change being minimal such that the change would not cause any demonstrable visual harm to the character or appearance of the CA.
- 6.4 It would not conflict with Local Plan policies LP24 Design, or LP35 Historic Environment or advice in the National Planning Policy Framework.
- 6.5 Taking all the above into account, there is no reason why permission should not be granted.