

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:	2023/62/93774/E
Site Address:	St Marys Community Centre, Church Lane, Mirfield, WF14 9HX
Description:	Erection of roof over existing internal void space to create additional floorspace
Recommending Officer:	Edward Cheseldine

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 06 March 2024

Officer Report

2023/93774 - St Marys Community Centre, Church Lane, Mirfield, WF14 9HX

Site Description

St Mary's Community Centre is a two-storey, detached building. It serves as a community space for members of St Mary's Church. The building is formed of a stone constructed, two-storey building. There have been later additions to this building through extensions to the rear and side. These extensions are single storey in height.

Proposal Description

The applicant is seeking planning permission for the erection of a roof over an existing section of the building. The location of the roof is between the two-storey building and the southern extension. A flat roof will be installed it will be constructed of a ply roofing membrane.

The application site is adjacent to St Mary's Church which is a grade II* listed building. It rests approximately ~70m to the north of the community centre. It has been assessed that there will be no impact to the listed building or its setting as the area of development will not be visible from the church.

Consultation Responses

None.

Relevant Planning History

None.

Public Notifications

Neighbour notification letters were dispatched to advertise the proposal which expired on 19 February 2024. As a result of the publicity, there was one letter of support received and no objections.

Negotiations/Amendments

None.

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 Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 24** - Design

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 December 2023, and 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 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

- 1) Principle of development
- 1) Impact of visual amenity
- 2) Impact of residential amenity
- 3) Impact on highway safety
- 4) Environmental matters
- 5) Conclusion

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. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Impact on visual amenity

The proposal is for a minor roof adjustment to an existing section of the building where an extension meets the main building. It is located in an area that does not have a strong visual presence. There is a current roof structure in the area formed of a bitumastic felt roof. As the roof is flat and single storey only the eaves can be seen from ground level. The change in material is considered to be minor and will not alter the character of the building. The plans accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact on residential amenity

Part of the building is residential living quarters according to records held at the Council. The proposal is for a roof replacement.

Policy LP24 of the Kirklees Local Plan states good design should be at the core of all proposals including, including of which is that design 'provide a high standard of amenity for future and neighbouring occupiers.

As the proposal consists of roof alteration, there will be no impact to privacy.

There are no outlooks that look directly towards the roof. The roof will be flat and is not considered to have result in a loss of light, outlook or be overbearing.

Impact on highway safety

The proposal will increase the usable space of the building, however it is not considered to have a significant impact on the use of the community centre. The room that the roof covers will be used as a bar/serverly which will be ancillary to the centre. The space is not considered to increase the volume of people attending the centre, there will therefore be a minor increase in use, if at all, which is not considered to impact parking or highway safety, according with LP22 of the Kirklees Local Plan.

Environmental matters

Bats

The site rests in an area where bat habitats are found. Work will affect the eaves of the building, if bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

Conclusion

The application for the erection of a roof at St Mary's Community Centre has been assessed against relevant policies in the development plan as listed in the policy section of the report, including the Kirklees Local Plan and 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 alteration is considered to be 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.

As set out above, 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

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.

1. 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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

Plans and specifications table: -

Plan Type	Reference	Version	Date Received
Location plan	00	1	09/01/2024
Existing and proposed plans	100	1	09/01/2024
Existing and proposed sections	400	1	09/01/2024

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 has, 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. No amendments were sought.

