
Report of the Head of Planning and Development

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 14-Oct-2021

**Subject: Planning Application 2021/91961 Erection of single storey extension
Gladstone House, Gladstone Street, Cleckheaton, BD19 3BH**

APPLICANT

J Harrison

DATE VALID

14-Jun-2021

TARGET DATE

09-Aug-2021

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Cleckheaton

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This application is brought to committee at the request of Cllr A Pinnock for the reasons outlined below.
- 1.2 *"I would like members to consider the proposals in terms of the additional impact the extension and intensification of the business would have on the residents of Gladstone Street in terms of both noise and additional traffic implications."*
- 1.3 The Chair of the Sub-Committee has confirmed that Cllr Pinnock's reasons for the referral to the committee are valid having regard to the Councillor's Protocol for Planning Committees.

2.0 SITE AND SURROUNDINGS:

- 2.1 Gladstone House is a light industrial site in Cleckheaton that is occupied by Harrison Trim Suppliers, a small-scale company that manufactures carpets and trims for vehicles. The buildings on site form a U-shaped footprint comprising the main two storey gable roofed building which sits to the south, a single storey mono-pitched wing which sits horizontally to the east and a small single storey flat roofed wing which sits horizontally to the west. The site has recently been extended with a two-storey extension on the front elevation of the main building. The buildings are faced in render; however, the main two storey wing is also finished in red brick to the side and rear elevations. There are two storage containers on site, one on the north-western corner of the plot and the other on the north-eastern corner of the plot. Parking for the premises is accommodated within the main yard area and vehicle access is provided from Gladstone Street.
- 2.2 Gladstone House is situated on a mainly residential street although there are other businesses in the vicinity. It is bordered by residential dwellings to the north, east and south and a light industrial site to the west.

3.0 PROPOSAL:

- 3.1 The applicant is seeking permission for a single storey extension.

3.2 The main body of the extension would have a projection of 9m from the north elevation with a width of 5.9m attaching to the side of the adjacent terraced property with a flat roof. The smaller area would project a further 1.9m with a width of 2.9m with a lean-to roof form from the side of the terraced dwelling.

3.3 The walls would be constructed using blockwork and render.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 1999/93005 – Erection of offices/store extensions, refused due to lack of parking

4.2 2015/91470 - demolition of existing single storey extension and erection of two storey extension - granted and built

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 None

6.0 PLANNING POLICY:

6.1 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).

Kirklees Local Plan (2019):

- 6.2
- LP 01 – Achieving sustainable development
 - LP 02 – Place shaping
 - LP 21 – Highway safety and access
 - LP 22 – Parking
 - LP 24 – Design
 - LP 30 – Biodiversity
 - LP 52 – Protection and improvement of environment quality

Supplementary Planning Guidance / Documents:

6.3 None

National Planning Guidance:

- 6.4
- Chapter 2 – Achieving sustainable development
 - Chapter 6 – Building a strong, competitive economy
 - Chapter 12 – Achieving well-designed places
 - Chapter 15 – Conserving & enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised by letter giving until 22/07/2021 for comments.

7.2 As a result of the above publicity, eight representations have been received.

7.3 The material considerations raised are summarised as:-

- Highway safety,
- Noise generation,
- Intensification of the business use on a residential street,
- Increased business hours resulting in nuisance to neighbouring residents.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C. Highways Development Management – Support proposal.

K.C. Environmental Health – support subject to conditions

8.2 Non-statutory:

None

9.0 MAIN ISSUES

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan. This policy stipulates proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations, along with others, are addressed in the following sections in this report.

Visual Amenity

10.2 Gladstone House is an established business albeit on a residential street. The building itself is larger than the others on Gladstone Street and has been previously extended and altered. However, dependant upon design, scale and detailing, it may be possible to support further, carefully curated extension.

10.3 The area of the site to be extended already hosts a smaller extension and a storage contained which both abut the adjoining 11 Gladstone Street. The proposed extension would replace these structures with a moderately larger extension. Although this is not a particularly high-quality design with the use of a flat roof form, it would be in keeping with the business premises and on balance is considered to be acceptable in terms of visual amenity.

- 10.4 Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the main building or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

Residential Amenity

- 10.5 Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, 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.
- 10.6 *Overshadowing, overbearing*: The extension itself would replace an existing building albeit on a slightly larger footprint. The proposed building, due to its position and scale, would not have any significant impact on the occupants of the neighbouring properties.
- 10.7 *Noise generation*: The submitted plans detail the new extension is to be used for storage and garaging. Given the use of the forecourt now for the moving of vehicles, the extension for storage would not be likely to give rise to an increase in noise generation long term. Although it is appreciated that there will be associated noise generated during construction, however this would be a transient effect. That being said, Environmental Health have suggested a condition regarding noise levels for the extension which would require the noise levels to be kept below a specified level. Such a condition would aid in minimising the impact on nearby residents and comply with Policy LP24 and LP52 of the KLP as well as chapter 15 of the NPPF.
- 10.8 Having considered the above factors, with the inclusion of the above recommended condition, 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.

Highway issues

- 10.9 The proposals would replace an existing extension and would not reduce the parking nor would the proposed use as storage/garaging intensify the business use. Furthermore, a large parking area has recently been formed next to the business which is considered to represent a sufficient provision to serve the business as extended. The scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 and LP22 of the Kirklees Local Plan.

Representations

- 10.10 The material considerations raised in the eight objections received are summarised as: -
- Highway safety,
 - Noise generation,
 - Intensification of the business use on a residential street,
 - Increased business hours resulting in nuisance to neighbouring residents.

- 10.11 These issues have been addressed in the residential amenity section and the highways section of this report.

Other Matters

- 10.12 *Biodiversity*: After a visual assessment of the building by the officer, the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development then work must cease immediately and the advice of a licensed bat worker sought. This would comply with the aims of chapter 15 of the NPPF.
- 10.13 *Coal Mining Legacy*: The application site falls within the defined Development High Risk Area; therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. In response to the above, a Coal Mining Risk Assessment by Michael D Joyce Associates LLP dated June 2015 (ref: 3553) has been submitted. The report details that there may be shallow coal workings associated with the Lime Coal seam which is believed to underlie the site. As such, the report recommends that rotary openhole drilling is undertaken to establish the coal mining legacy at the site. The Coal Authority concur with the recommendations of the Coal Mining Risk Assessment Report and recommend conditions requiring intrusive site investigations to be carried out prior to the commencement of development. It is acknowledged that there is an existing building/structure in the location of the new extension however, it is considered to be reasonable and necessary that the condition is imposed in order to establish the exact situation regarding coal mining legacy issues on the site and for the proposal to comply with Policy LP53 of the KLP and the guidance contained within chapter 15 of the NPPF.
- 10.14 *Land contamination*: The application site is currently in use as a light industrial site as such, K.C. Environmental Services have been consulted on the scheme. Conditions that require the provision of a phase 2, remediation strategy and a validation report have been recommended. This condition is considered to be necessary and reasonable given the potential contamination on site. The inclusion of such conditions would ensure compliance with Policy LP53 of the KLP and the guidance contained within chapter 15 of the NPPF.
- 10.16 *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.
- 10.17 The proposal is for an extension to the existing business unit. As such, no specific measures are required in terms of the planning application, with regards to carbon emissions.

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

11.0 CONCLUSION

11.1 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.

11.2 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.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Time scale for implementation of development
2. In accordance with the approved details
3. Restriction of noise levels to ensure background sound levels do not exceed specified levels/
4. Submission of a phase two intrusive site investigation report.
5. Submission of a remediation strategy.
6. Implementation of the remediation strategy.
7. Submission of a validation report.

Background Papers:

Application and history files:

Current application

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2f91961>

Recent approval

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2015%2f91470>

Certificate of Ownership –Certificate B signed as the extension would be built off the end terrace wall.