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:	2018/62/91981/W
Site Address:	Finthorpe Grange, Finthorpe Lane, Almondbury, Huddersfield, HD5 8TU
Description:	Erection of detached garage and alterations to access
Recommending Officer:	Nick Hirst

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 20-Aug-2018

Application: 2018/91981

Site**:** Finthorpe Grange, Finthorpe Lane, Almondbury, Huddersfield, HD5 8TU

Proposal: Erection of detached garage and alterations to access

Site Description

Finthorpe Grange is a historic barn and farmhouse converted into a detached dwelling. The building is constructed in stone with stone slate roofing. The farmhouse and barn are perpendicular to one another, forming an L shaped footprint. To the dwelling's rear (west) is a large garden space. Finthorpe Lane runs along the north of the dwelling, with accesses onto the road from the front and rear of Finthorpe Grange.

Finthorpe Grange is Grade 2* Listed. The following is the listing description;

> *FINTHORPELANE 1. 5113 (South Side) Almondbury Thorpe Farm Barn (formerly listed as The Barn, Thorpe Farm, under Thorpe Lane) SE 1715 40/57 3.3.52. II* 2.*
>
> *C16 or C17. Coursed rubble. Pitched stone slate roof, catslide to north. South side timber-framed with red brick nogging. Cruck-framed. 5 bays. Collars. One truss has tie-beam at wall plate level, and the others are tenoned suggesting they may all have had tie-beams. Spurs linking crucks with wall posts. Purlins braced to cruck blades. Wall posts on south side braced to wall plate. Aisle with mistals on north side, and barn porch with gabled roof and double doors. Wing to north: probably C17, with C19 hammer-dressed stone extension further north. Timber-framed with hammer-dressed stone nogging. Pitched stone slate roof. 3 trusses; one queen-post, one with closely spaced studs, one king-post. Various C19 openings including one planked stable door.*

Description of Proposal

The garage is to be located within the rear garden, to the west of the dwelling and south of the dwelling's rear access onto Finthorpe Lane.

The garage has a square footprint of 7.0m x 7.0m. The roof is to be gabled (side facing), with eaves and ridge heights of 2.5 and 4.6m respectively.

These are maximum heights, as the garage is to be built into the natural raising ground level of the garden. The garage is to be faced in natural stone (second hand, to match host building) with stone slate roofing.

The alterations of the access include it being set back from the carriageway to improve sightlines (maximum 2.25m). The existing stone and gate are to be re-used.

A ramp, leading from the garage floor level to the garden level, is to be located to the south side of the garage. The existing rear paving is to be extended to the new garage, and a dwarf stone wall (0.65m high) is to be erected, to act as retaining wall for the garden.

Relevant Planning History

Application Site

98/90504: Re-use and adaption of existing barn to form dwelling and demolition of outbuilding (Listed Building) – Conditional Full Permission

98/90505: Listed Building Consent for re-use and adaption of existing barn to form dwelling and demolition of outbuilding – Consent Granted

2013/93767: Listed Building Consent for works to convert barn to living accommodation – Consent Granted

2013/93766: Alterations to convert barn to living accommodation (Listed Building) – Conditional Full Permission

2017/90146: Discharge conditions 6 (window details), 7 (external joinery), 8 (rooflights) on previous permission 2013/93766 for alterations to convert barn to living accommodation (Listed Building) – Part Approved / Ongoing

2017/93622: Variation of condition 6 (windows) on previous permission 2013/93766 for alterations to convert barn to living accommodation (Listed Building) – Variation of Condition Granted

2018/91726: Listed Building Consent for internal and external works to the building and works to the boundary wall – Ongoing (Allied application)

Surrounding Area

None relevant.

History of Negotiations

None required.

Representations

Final publicity date expired: 31.07.2018

No representations were received.

Consultation Responses

K.C. Highways: An informal discussion was held. No objection.

Consultation took place with Historic England and K.C. Conservation and Design as part of the allied LBC application (2018/91726). Neither group objected to the proposal.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is Green Belt on the UDP Proposals Map.

The site is Green Belt on the PLP Policies Map.

Kirklees Unitary Development Plan

- **D11** – Extensions to buildings in the Green Belt
- **NE9** – Mature Trees
- **BE1** – Design principles
- **BE2** – Quality of design
- **T10** – Highways accessibility considerations in new development

Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP33** – Trees
- **PLP35** – Historic environment
- **PLP57** – The extension, alteration or replacement of existing buildings

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 24th July 2018, 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 12** – Achieving well-designed places
- **Chapter 13** – Protecting Green Belt land
- **Chapter 15** – Conserving and enhancing the natural environment
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

<u>1 – Principle of development</u>

1.1 – Sustainable Development

NPPF Paragraph 11 and PLP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 – Land allocation

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the categories set out in paragraph 145 or 146 of the NPPF.

D11 of the UDP, PLP57 of the PDLP and Paragraph 145 of the NPPF allow the extension or alteration of buildings in the Green Belt subject to works not being disproportionate in scale or dominant in appearance. The proposed garage can be considered an extension to the host building: the site is within the dwellinghouse's domestic curtilage and serves a normal domestic adjunct and can therefore be considered part of the 'building'. In terms of the alterations to the boundary wall, this is deemed to fall under an alteration to the host building.

Whether the proposal is inappropriate development in the Green Belt

Finthorpe Grange has not been extended previously and is a large dwelling. While the proposed garage is larger than an average double garage, the garage is considered small in scale to the host building and would not be disproportionate to the original building.

As a single storey detached structure within the garden space, the garage is not considered dominant in appearance to the original building.

The change in the wall will not cause additional built development, being viewed as an alteration (the wall remains within the domestic curtilage and closely associated with the host building); it is not considered disproportionate or dominant to the host building.

Whether there would be any other harm to the Green Belt, including visual amenity

The host building is Grade 2* Listed. Section 66 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering whether to grant planning permission for development which affects a listed building, or it's setting, the LPA should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The heritage value of the building is considered to be its architectural style, which is a rare and well preserved example of a C16 or C17 agricultural farmstead/barn. In terms of the building's curtilage, specifically to the rear, this does not retain the site's original agricultural appearance and character.

The garage is to be faced in natural stones with stone slate roofing to match the host building. This is acceptable in principle, however to ensure an appropriate end product is used samples are to be required via condition.

The design and appearance of the garage is basic but traditional and would harmonise with the wider area. This is giving weight to the area as Green Belt.

The garage is detached from the building and will therefore not impact upon the historic fabric. However consideration must be given to setting.

The garage is to be located to the rear, which has the characteristics of a modern garden and not the original farmstead characteristics. The garage is proposed to be built of good quality materials in a traditional design; this is acceptable in principle, however to ensure suitable end products are used samples are to be required via condition. It is considered suitably removed to not visually compete with the host building.

Turning to the boundary wall changes, likewise this will not impact on the listed building's fabric but will be seen within its setting. Nonetheless, using the wall's existing stone the change to the wall is not considered harmful to setting.

Considering the above, officers are satisfied that the proposal would not cause significant harm to the building, although the presence of a new structure in its historic curtilage will cause some harm. This harm is considered less than substantial. The harm caused by the garage is considered to be outweighed by the public benefits of the proposal, which include securing the optimum viable use of the building (given the size of the building, safe storage for vehicles and domestic equipment is considered reasonable, and aids in securing the use of the building).

Conclusion

The proposal is considered appropriate development within the Green Belt by D11, PLP57 and Paragraph 145. Furthermore the proposal would not cause harm the character of the surrounding area or wider Green Belt. Therefore the principle of development is considered acceptable. Consideration must be given to the local impact, outlined below.

<u>2 – Impact on residential amenity</u>

The site is will spaced from neighbouring dwellings. The proposal will not harm the amenity of nearby dwellings.

<u>3 – Impact on highway safety</u>

The garage is set away from the highway and will not impact on driver sightlines. Further it will not impact on the site's highway access, parking capacity and on-site turning will be retained. It will provide secure parking, which is welcomed.

The proposal includes changes to the site's rear access, repositioning the access and wall to create improved sightlines; officers and K.C. Highways are satisfied that the access changes are an improvement to highway safety.

The proposal will not harm the safe and efficient operation of the Highway, in accordance with T10 and PLP21.

4 – Other matters

4.1 – Impact on adjacent trees

The proposed garage is to be erected adjacent to several mature trees. NE9 and PLP33 seeks to ensure development does not unnecessarily remove mature trees which contribute to the areas character.

Using aerial maps and measurements of the plans, officers are satisfied that the garage is a reasonable separation distance from the closest trees crown spread to not harm any underground roots or necessitate the removal of the trees. It is noted that the trees closest to the garage are neither within a Conservation Area or benefit from specific or area TPOs. Therefore the proposal is deemed to comply with NE9 and PLP33.

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

Application Number: 2018/91981
Decision Authorisation: Delegated Powers
Officer Recommendation: Grant Conditional Permission

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 D11, BE1 and BE2 of the Kirklees Unitary Development Plan, PLP24, PLP35 and PLP57 of the Kirklees Publication Draft Local Plan and Chapters 12, 13 and 16 of the National Planning Policy Framework.

3. Prior to their use, details of all the external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.
Reason: In the interests of the visual amenity and preserving the character of the historic environment, so as to accord with Policies BE1 and BE2 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Publication Draft Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations			18.06.2018

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.

No negotiations were required as the plans as originally submitted were deemed acceptable.

Report Dated: 15.08.2018