

**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: 2020/62/94256/E

Site Address: Highfield House, Clough Road, Flockton,
Huddersfield, WF4 4AQ

Description: Conversion of barn and single storey extension to
create one dwelling

Recommending Officer: Callum Harrison

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.

Paul Dowd

AUTHORISED OFFICER

Date: 04-Mar-2021

Officer Report

Highfield House, Clough Road, Flockton, Huddersfield, WF4 4AQ

Site Description

Highfield House comprises a farmhouse, cottage and attached barn with outbuildings to the north, north-east and east, there is a caravan site to the south (also owned by the applicant). The site lies in an area of Green Belt, with fields to the north and eastern site boundaries and woodland to the west. Access to the site is gained from Clough Road to the west.

Description of Proposal

The application is seeking permission for the conversion of barn and former cottage to create one dwelling in the Green Belt. The former cottage, which presently is used as part of the farmhouse dwelling would be converted along with the attached barn to form one dwelling (as detailed on the location plan). To create the new dwelling, two lean-to extensions would be created, one to the east elevation and one to the south. The lean-to on the south elevation would have a projection of 3m and a width of 6m, with a maximum height of 3.5m and an eaves level of 2.4m. The lean-to on the east elevation would have a projection of 2m, a width of 4m and a maximum height of 3.5m, with the eaves at 2.6m.

One new window would be provided in the north elevation and one new window and door in the east elevation. The south elevation would see numerous window and door alterations. However, in total, only one additional window would be provided.

Parking is to be provided on the existing hardstanding area, around the proposed dwelling.

The proposed external facing materials are natural stone for the walls, stone slate for the roof and timber for the windows and doors. These match the existing materials of the farmhouse and barn.

Relevant Planning History

1988/00823 – Change of use of barn to holiday flats was granted but not implemented.

1993/00418 – Renewal of unimplemented permission for use of barn as holiday flats was granted but not implemented.

2001/92491 – Reuse of existing barn and new extension to form dwelling was granted but not implemented.

2007/92940 – Renewal of previous permission 2001/62/92491 for re-use of the existing barn and new extension to form dwelling was granted but not implemented.

2010/92094 – Extension to time limit for implementing existing permission number 2007/92940 for re-use of barn and to remove condition 4 relating to access provision was granted but not implemented.

History of Negotiations

The agent was asked to show parking and waste disposal points on the plans. These were received and are considered acceptable.

Consultations

The Coal Authority – No objections

KC Highways Development Management – No objections

KC Ecology (informally) – No objections

Denby Dale Parish Council – No objections

Representations

The application was advertised by neighbour notification letters. Publicity expired on 27th January.

No representations were received.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 allocated as Green Belt in the Kirklees Local Plan 2019.

Kirklees Local Plan (KLP):

LP1 – Achieving sustainable development

LP2 – Place shaping

LP21 – Highway safety

LP22 – Parking

LP24 – Design

LP30 – Biodiversity and geodiversity

LP60 – Re-use and conversion of building

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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 13 – Protecting Green Belt land

Chapter 15 – Conserving and enhancing the natural environment

Assessment

1. Principle of Development and Impact on Visual Amenity

Paragraph 146 of the NPPF states:

Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The barn or former cottage that the proposal seeks to convert are considered permanent and substantial. They are faced in natural stone and have a stone slate roof. Considering this, the proposal complies with exception d of paragraph 146. Therefore, the principle of the development is acceptable. Policy LP60 of the KLP further echoes this.

Policy LP60 states: “Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

- a. the building to be re-used or converted is of a permanent and substantial construction;
- b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car

parking, curtilages and other enclosures and ancillary or curtilage buildings;

- c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety”.

As previously established, the building to be converted is substantial and permanent. The only two extensions required to form the dwelling are small, lean to extensions. The extensions are modest in size and do not introduce any incongruous elements to the Green Belt setting. The extensions are also of a high quality, which can be comfortably accommodated in the plot. The fact that the parking is already provided on hardstanding areas also highlights how the dwelling can be accommodated without detriment to the Green Belt setting.

Policy LP24 of the KLP ensures that the design of proposal is appropriate to the setting. LP24c states that: “Proposals should promote good by ensuring c) extensions are subservient to the original building, in keeping with the existing building in terms of scale, materials and details”. In this instance, the scale and lean-to roof form highlights that the extensions are subservient. The proposed use of materials to match the existing barn demonstrates that the scheme respects the materials and details of the barn, whilst the provision of sills and lintels surrounding timber windows respects the traditional style of the barn and wider setting. Therefore, the form and design of the proposal is considered appropriate, the new windows, door and extensions will respect the traditional features of the barn and thus, the proposal complies with LP24 in regarding visual amenity.

However, whilst the proposal accords with Green Belt and design related policy, any future extensions would likely harm the openness of the Green Belt by their cumulative impact and cause the original barn style to be detrimentally impacted upon. Therefore, permitted development rights would need to be removed for any future extension, additions or outbuildings associated with the dwelling.

2. Impact on Residential Amenity

Policy LP24b states “Proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers”.

The site lies in a remote location, the proposed development results in a minor increase in the floor area of the barn. Through the modest lean-to extensions, as described above, these alterations are considered not to materially detract from residential amenity of the existing farmhouse and would not create any overlooking or overshadowing issues.

Given this, the proposal accords with Local Plan Policy LP24 regarding residential amenity.

3. Impact on Highway Safety

The sites access from Clough Road will remain as existing and it is suitable to serve this additional development. The new dwelling will have three bedrooms and, in accordance with the Kirklees Highways Design Guide, 2 or 3-bedroom dwellings should provide two off-street parking spaces. This requirement is satisfied by a space to either side of the house and these would not conflict with previous parking or access arrangements for the existing dwelling. The waste disposal and collection points are also considered acceptable in terms of highway safety.

Given the above, the proposal is considered acceptable in terms of highway safety and it accords with policies LP21 and LP22 of the KLP.

4. Other Matters

Ecology

Whilst the proposal seeks to convert a barn, the site photos indicate that there is already some residential development in the barn. Furthermore, the barn appears to be in a good state of repair. Therefore, it is considered unnecessary to request a bat survey for this development. However, to advise of the presence of bats, a note would be included on the decision notice of any approval. This would place the onus of responsibility on the applicant/developer to contact the appropriate bodies should bats be found during construction/conversion. By virtue of the limited alterations to the external appearance of the barn, the proposal is considered not to adversely affect bats and would be in accordance with policy LP30 of the KLP.

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

Decision Authorisation - Delegated Powers**Application Number: 2020/94256****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 to ensure the satisfactory appearance of the development on completion, to preserve the open rural character of the Green Belt and the significance and setting of the listed buildings namely The Barn and Height Farms in accordance with Policies LP24, LP30 and LP60 of the Kirklees Local Plan and Chapters 12, 13 and 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building at the application site. Natural stone lintels and sills shall also be provided as shown on the plans hereby approved.

Reason: In the interests of visual amenity and to preserve the open rural character of the Green Belt in accordance with Policies LP24 and LP60 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no new extensions or buildings shall be erected within the red line boundary of the application site without the prior written approval of the Local Planning Authority

Reason: In the interests of protecting the Green Belt and visual amenity and to accord with Policies LP24 and LP60 of the Kirklees Local Plan.

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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Design and Access Statement		1	11/12/2020
Grouped Plans and Elevations	Existing (dwg.01)	2	11/02/2021
Grouped Plans and Elevations	Proposed (dwg.02a)	2	04/02/2021

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 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. The agent was asked to show parking and waste disposal points on the plans. These were shown on plans received on 04/02/21 and 11/02/21 respectively and are considered acceptable.