

**Consultation Response from KC,
Policy**
2022/92882 749, New Hey Road, Outlane, Huddersfield, HD3 3YL
Conversion and extension of existing Listed barn to form one dwelling, part demolition and conversion of existing barn to form one dwelling and erection of one new-build dwelling with associated car parking and external works [Listed Building]
Date Responded:
Responding Officer:
Responding Ref:

This proposal is for the conversion and extension of existing listed barn to form one dwelling, part demolition and conversion of existing barn to form one dwelling and erection of one new-build dwelling with associated car parking and external works at 749, New Hey Road, Outlane, Huddersfield, HD3 3YL.

The application site mostly covers land that is unallocated in the adopted Kirklees Local Plan, however it does include a section of land within the Green Belt. To note, there is a Grade II listed structure within the red line boundary.

The Local Plan was adopted on 27 February 2019. The Local Plan Strategy and Policies should be fully considered; however, the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

National Planning Policy Framework and Kirklees Local Plan.

The planning statement and heritage assessment that have been submitted as supporting documents to accompany the application explain that currently, there are numerous existing buildings on the application site – some of which are to be retained and re-used through the proposed scheme, however others are to be demolished. A former farmhouse and adjacent listed barn – with a lean-to barn attached to the south elevation, and a pole barn and attached shed currently occupy the application site.

Permission is sought for the demolition of the lean-to barn and, in its place, erection of a two-storey extension. The farmhouse and the listed barn (and extension) will be converted to form two of the four dwellings proposed through this scheme. Permission is also sought for the construction of a new build dwelling on the open land to the east of the farmhouse/barn, and for the partial demolition and conversion of the existing pole barn and attached shed to form a fourth dwelling.

It should be noted that the pole barn and attached shed proposed to form the fourth dwelling is situated in the Green Belt, **and** the curtilage of the listed barn impinges on Green Belt land, therefore the scheme must be assessed against Green Belt policies in the NPPF and Kirklees Local Plan.

Paragraph 150 of the NPPF states that certain forms of development are not inappropriate within the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Relevant to this proposal is criterion d) of paragraph 150: the re-use of buildings provided that the buildings are of **permanent and substantial construction**, and this is supported by Local Plan policy LP60 criteria a).

In this case, site photos and a structural appraisal report confirm that the pole barn and attached shed are two integrated structures – a duo-pitched timber framed shed/barn type building, with an attached mono-pitch barn constructed using steel and timber. The structure previously accommodated livestock when the site was a working farm, however it is now redundant and dilapidated. It is evident from the

site photos that the structure is in a complete state of disrepair, appearing to have large holes in both the walls of the mono-pitch barn and the duo-pitched shed.

With this in mind, it is not considered the building is of 'permanent or substantial construction' that would permit a satisfactory conversion to form a residential dwelling under paragraph 150 criterion d) of the NPPF or LP60 criteria a) without major or substantial reconstruction. Although the planning statement details that the proposed redevelopment of the barn/shed would reduce the bulk, scale and mass of the original building to provide for a smaller building, replacing a building that is not of permanent or substantial construction with a permanent structure, even a smaller one, fails to accord with national and local green belt policy. Paragraph 19.36 of the Kirklees Local Plan states that replacing a building of a temporary nature with a more permanent structure is not normally supported, as development of this type holds the potential to harm the appearance, and openness of the Green Belt.

In addition to this, the proposal conflicts with the purposes of including land within the Green Belt, and fails to accord with criterion b) of Local Plan policy LP60. As explained in paragraph 138 of the NPPF, one of the purposes of including land within the Green Belt is to assist in safeguarding the countryside from encroachment. The existing structure is agricultural, and is currently positioned within what appears to be an unused, open paddock and is therefore appropriate to its setting. The substantial reconstruction that would be necessary to provide a permanent residential dwelling will constitute encroachment into the countryside, through the introduction of incongruous domestic or urban characteristics of a permanent nature into the landscape – meaning such development would fail to be in accordance with NPPF paragraph 150 and LP60 criterion b).

Criterion c) of NPPF paragraph 150 states that making a material change in the use of land may not be inappropriate provided that openness is preserved and there is no conflict with the purposes of including land in the green belt. Incorporating the currently unused land adjacent to the listed barn within a domestic curtilage would harm openness and result in encroachment into the countryside through enclosure and change in character from agricultural/unused to domestic.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.