

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:	2023/62/91441/W
Site Address:	31, Chapel Hill, Linthwaite, Huddersfield, HD7 5NJ
Description:	Change of use and alterations to former church (B8-storage) to 9 residential units (C3) and formation of car park (Listed Building within a Conservation Area)
Recommending Officer:	William Simcock

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.

John Holmes

AUTHORISED OFFICER

Date: 18th March 2026

Officer Report – 2023/91441

31 Chapel Hill, Linthwaite

Site Description

The site comprises a former church situated on the eastern side of the highway at the junction of Chapel Hill, Lower Clough and Stones Lane, and some associated land consisting of a small triangular concreted area for the storage of refuse bins immediately to the south at highway level and a garden area to the south and south-east at a lower level.

The building, which is built in coursed stone with a slate roof, is mainly two-storey with a partial understorey to the east and south owing to the natural change in ground levels. To the rear the lower ground floor is at its fullest extent. There is a door in the middle of the east elevation at ground floor. This is accessed from outside by a twin set of stone steps with wrought iron railings, built over a brick outbuilding.

The site boundaries with the highway are formed mainly by drystone walls with a variety of copings.

According to information supplied by the applicant, the last use for worship was 30 years ago. Since then, it has been in storage and distribution use, most recently to store vinyl music records. According to the application form, this use was extant when the application was submitted (May 2023).

Description of Proposal

The proposal is for the change of use and alterations to the building to form nine residential units and associated works including the formation of a car park.

The following accommodation would be created:

At lower ground floor:

1 x single-bedroom, 1 x 2-bedroom apartment

At ground floor:

3 x 2-bedroom apartment

At first-floor:

3 x 2-bedroom apartment.

At second floor (attic level):

A single 2-bedroom apartment.

The subdivision of the building would involve creating a new internal floor above the level of the existing gallery, which would be retained, along with its supporting columns, within the ground floor flats, but the gallery would be

boxed off and would not form part of the living accommodation. The existing twin front doors would serve as the communal entrance point for all flats, except for the two basement flats and apartment 5 at ground floor, each of which would have its own entrance. Six no. new conservation style rooflights would be created in each roof slope.

10 no parking spaces are to be created within the existing garden alongside the boundary with Lower Clough, with additional hard-surfaced areas for reversing and turning. These would be raised above existing ground level by the building of an artificial raised deck. The height of the deck above existing ground levels would vary, being approximately 2.5m near its eastern edge, significantly less near the highway boundary as ground levels are already higher, and with raising greater near the southern than the northern end. A small belt of soft landscaping is to be retained near the north-eastern boundary, with smaller areas at the north-western and south-eastern ends of the garden. The existing access would be used, but the internal arrangements would be reconfigured, with a ramp with a 1:30 gradient leading from the access to the parking area.

A small triangular area (3sqm) near the entrance enclosed by stone walls would have the internal stone walls partly demolished and rebuilt further into the site to create a shared area of 8sqm for refuse storage. An additional refuse bin enclosure would be formed to the right of the access. A shared cycle store would be provided at the north-eastern corner of the parking deck. The plans indicate that the existing main pedestrian gateway would be retained as the principal access to the front entrance doors from the street. There would also be a 1.3m pathway retained to allow for pedestrian access from the car park to the building.

History of negotiations/amendments received

- Aug-2023: Updated bat survey submitted.
- June-2024: Culvert survey submitted.
- Jan-2025: Amended plans, elevations and sections submitted.
- Apr, May-2025: Proposed alternative means of forming the raised car park (artificial deck) including site plan and sections.

The May 2025 amendments were re-publicised by site notice. The changes were considered significant since they resulted in levels at the southern end of the site being raised by approximately 1m compared to the original version of the proposal and furthermore included sections which gave more clarity about heights relative to existing ground level. It was therefore considered appropriate to allow the opportunity for further public comment.

- Jun-2025: Minor change to elevations (window type)

- Aug/Sep 2025 Further plans clarifying the means of formation of the deck and maintenance access (to satisfy Environment Agency requirements) and minor amendments to layout.

The above plans were not subjected to new publicity because they were not considered to raise significant new planning issues.

Relevant Planning History

2023/91527: Listed Building Consent for change of use and alterations to former church. Awaiting determination.

Other planning history of the site relates to the established use with permission granted in 2006 for 'Conversion of disused place of worship and caretakers flat into office for internet music sales business and storage' which appears to have been implemented.

Representations

Final publicity date expires: 20-Jun-2025. Publicity was by site notice and press advertisement in addition to neighbour letter by reason of the site being within a Conservation Area and a Listed Building.

Two representations made; one objection, one comment. Summary of concerns raised:

Objection

- The building's roof is home to a roost of bats and has been for several years, my fear is the development will displace this and other local wildlife within the immediate area and within the proposed development site itself.
- There are a number of large trees within and bordering the property that seem to be unaddressed in the plans available. The most concerning of which is a ~20m tall sycamore tree, the root structure of which would most certainly be compromised by the proposed car park.
- The addition of such a large car park in the proposed format would remove a large amount of green space with resultant loss of natural drainage into the culvert increasing flood risks.
- Potential damage to the culvert during and post construction is also of major concern, other points have noted a serious flooding incident due to a blockage of the culvert in 2021 which caused a large amount of damage to local properties. There will be numerous records of the junction of the sewer system between Hoyle House Fold & Chapel Hill

overflowing, and additional waste water from the proposed dwellings will overload the system further.

- The flooding reduced the integrity of the stone wall which runs alongside the pavement surrounding two-thirds of the property. A recent local car accident has further reduced the integrity which if unaddressed overtime would become a risk to human life and property, especially if the area directly below is a car park.
- Finally, while I understand the need to re-develop sites to maintain listed buildings/ features and increasing housing stocks these plans come off the back of a near decade of development in the surrounding area (Black Rock Mills). Developments which have already inflicted years of noise, dirt and reduced parking availability upon the local residents.

Comments

- We understand this type of development may be one of the only realistic ways to preserve the building.
- Patterned or frosted glass must be retained in the northern elevation to protect the privacy of existing residents.
- The trees to the back of the property have grown considerably in the last 2 years since the tree survey was completed, we are worried any works to the building could compromise the safety of the trees and surrounding buildings especially as the culvert runs through this area.
- The plans show there will be 10 parking spaces for 9 flats, this does not allow for multiple car users per flat or visitors. The parking round Chapel Hill can be very difficult especially when the school is open, extra cars will cause issues for all residents.

The third party representations received are taken into account / addressed within the 'Assessment' section of this report.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

Internal

- KC Highways Development Management – Support subject to condition.
- KC Highway Structures – Support subject to conditions.

- KC Ecology – Support subject to condition.
- KC Lead Local Flood Authority – Support.
- KC Conservation & Design – Support subject to conditions.
- KC Arboricultural Officer – Support subject to condition.

External

- Environment Agency – No objection subject to condition
- West Yorkshire Archaeology Advisory Services – No objection subject to condition.

Policy

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 within the Strategic Green Infrastructure Network and Conservation Area on the Local Plan proposals map.
- The site is within the Linthwaite Conservation Area and the building is Grade II Listed.
- An Area Tree Preservation Order lies adjacent to the north-eastern boundary of the site, reference 03/82/g1.
- A culverted watercourse (classed as a Main River) crosses the site.

Historic England Listing Description:

Methodist chapel. Dated 1867. Hammer dressed stone with ashlar dressings. Pitched stone slate roof. Stone brackets to gutter. 2 storeys and basement. Continuous first floor still band. 6-bays long by 4-bay predimanted front. Ground floor windows are segment headed. First floor windows are round arched, those to side elevations with impost band. The central bay breaks forward slightly and has 2 round arched, 6-panelled doors within cambered heads. Cornice area is supported on 4 console brackets with Foliated base. At first floor level is paired round arched window. Single lights to each side, both floors. Large tablet in tympanum reads in raised capitals: METHODIST

CHURCH ERECTED 1867 Stained glass to north elevation window basement level contains flat.

The policies relevant to the consideration of this proposal are:

LP 1: Achieving Sustainable Development
LP 2: Place Shaping
LP 3: Location of Development
LP 7: Efficient and effective use of land and buildings
LP 20: Sustainable transport
LP 21: Highway safety and access
LP 22: Parking
LP 24: Design
LP 27: Flood Risk
LP 28: Drainage
LP 30: Biodiversity and geodiversity
LP 31: Strategic Green Infrastructure Network
LP 33: Trees
LP 35: Historic environment
LP 47: Healthy, active and safe lifestyles
LP 48: Community facilities and services
LP 53: Contamination and unstable land.

Linthwaite Conservation Area Appraisal

<https://www.kirklees.gov.uk/beta/trees-listing-and-conservation/pdf/conservation-appraisals/Linthwaite.pdf>

Supplementary Planning Documents:

- KC Highways Design Guide 2019
- Housebuilders Design Guide Supplementary Planning Document, (HGD SPD)
- Open Space Supplementary Planning Document
- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

These documents can also be viewed in [G:\Planning\SPDs & Guidance Notes](#).

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 July 2021, 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 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flood risk and coastal change
- 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 (including any heritage considerations)
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology
- 6) Representations
- 7) Conclusion

1 – Principle of development: Policy LP1 of the Local Plan 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. LP1 goes on further to stating that:

“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

The Council is currently unable to demonstrate a five-year housing supply. In such circumstances the provisions of NPPF paragraph 11(d) apply, which indicate that in most circumstances the Local Planning Authority should grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This presumption in favour of granting planning permission does not however apply where the application of policies in this Framework that protect areas or assets of particular importance

(including designated heritage assets) provide a strong reason for refusing the development proposed. The proposal affects designated heritage assets, as detailed below. This in itself does not mean that there is a presumption against granting planning permission for an alternative use and associated works, but it must be demonstrated that the proposal would conserve heritage assets, subject to the considerations set out in the paragraph below.

The site is located within the Linthwaite Conservation Area and would involve works to a Grade II Listed Building. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities must, where a development proposal would affect a Listed Building or its setting, have special regard to the desirability of preserving the building and its setting, and any features of interest it possesses. In this context preservation means not harming the interests of the building as opposed to keeping it unchanged. Section 72 of the Act requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area. Any harm caused to a designated heritage asset, whether this is deemed substantial or less than substantial, must be justified by a public benefit (paragraphs 212-215 of the NPPF), which may include the benefit of securing its optimum viable use. This is also reflected in Policy LP35 which requires that development should not be permitted if it would give rise to loss of significance of heritage assets, unless there is a proportionate justification for the harm caused.

Under Chapter 11 of the NPPF, planning decisions should support development that makes “efficient use of land” taking into account the need for different types of housing, local market conditions, infrastructure, the prevailing character of the area, the desirability of promoting regeneration or change, and the importance of securing well-designed, attractive and healthy places. It is considered that the proposal would make efficient use of land by bringing a vacant building back into use. This is reflected in Policy LP7, which advises that the planning system should encourage the reuse of previously developed land and buildings, achieving a net density of at least 35 units per hectare where appropriate. In this instance, nine dwellings would be provided on a site with a total area of 0.1 hectare, thereby delivering a net density in excess of the minimum recommended. Policy LP11 specifies that schemes of more than 10 units or those covering an area of greater than 0.4ha should provide a mix reflecting the proportions of households that require housing and achieve a mix of house size and tenure. This is not applicable here since the site is only 0.1ha and it would provide 9 units.

The advice in Chapter 12, “Achieving well-designed places”, is applicable, in particular that planning decisions should aim to ensure that developments will function well, add to the overall quality of the area, optimise the potential of the site to accommodate development and create safe and accessible environments.

Also of relevance is Chapter 14 (opportunities to be taken to prevent development contributing to flooding) and 15 (any potential pollution impacts

should be assessed at the planning stage, and biodiversity should be enhanced where possible.)

Community facilities and services

Under Policy LP48, proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

- a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or
- b. its current use is no longer viable; or
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location.

Linthwaite Methodist Church congregation now meets in another premises on the opposite side of Waingate. The Listed former church building is therefore redundant for its original purpose and Criterion (c) is thereby met. Under Policy LP48 the developer is therefore not required to demonstrate that clauses (a) and (b) are also complied with. It is however considered (see text below) that a resumption of the most recent use, or a return to a community use, are unlikely to be viable or practicable.

Viability of residential conversion and alternative uses

The linked Listed Building Consent application was accompanied by a structural report. It recommends in brief the following remedial works:

- Remedial crack stitching
- Lateral restraint
- Helical wall ties to areas of dishing and bulging.
- Further investigation of the stability of the foundations with possible remedial works.
- Remedial works to roof

On the basis of this report, it is considered that the building is structurally sound and capable of conversion without substantial rebuild.

A Viability Report (classed as a confidential document in line with current practice at the time of submission) was submitted with the application. The assumptions of Gross Development Value and build costs are considered realistic and, on this basis, officers accept the conclusion of the report, that the conversion of the building into 9 no. apartments would be marginally viable at 20% profit. Any residential scheme with a significantly lower number of dwellings is therefore unlikely to be viable. It is therefore extremely unlikely that any residential conversion scheme that does not involve horizontal subdivision of the building would be viable.

The submitted viability report and DAS do not formally assess the viability of potential uses other than residential. However, since the building does not lie within a Priority Employment Area, there is no default expectation that it should be retained in an employment-generating use, nor a general requirement to demonstrate that such uses are unviable. The building would appear to be sub-optimal for manufacturing or storage and distribution uses owing to the lack of suitable areas for the parking, loading and unloading of commercial vehicles, and the lack of large doorways suitable for carrying materials or goods in or out of the building. An office use would almost certainly require subdivision in order to be viable, and would therefore not necessarily be better from the point of view of conserving the building's historical integrity. The building is likely to have limited attractiveness for other community uses owing to its location (being a considerable distance from major roads or town centres) and the lack of off-street parking.

It is therefore considered that it has been demonstrated, on the balance of probabilities, that conversion to multiple residential units over three floors (plus understorey) would be the optimum viable use of the building.

On this basis it is concluded that the principle of the development can be considered acceptable in light of the submitted detail.

2 –Impact on visual amenity and heritage assets:

Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Policy LP11 sets out that all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'*.

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street. To avoid dominating the street, principle 12 states parking to the front will need creative design solutions to be incorporated. Consideration of the use of locally prevalent materials is required by principle 13. The design of windows and doors to relate well to the street frontage and neighbouring properties is required by principle 14. Principle 15 sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

The following is Historic England's official list entry:

Methodist chapel. Dated 1867. Hammer dressed stone with ashlar dressings. Pitched stone slate roof. Stone brackets to gutter. 2 storeys and basement. Continuous first floor still band. 6-bays long by 4-bay pedimented front. Ground floor windows are segment headed. First floor windows are round arched, those to side elevations with impost band. The central bay breaks forward slightly and has 2 round arched, 6-panelled doors within cambered heads. Cornice area is supported on 4 console brackets with Foliated base. At first floor level is paired round arched window. Single lights to each side, both floors. Large tablet in tympanum reads in raised capitals: METHODIST CHURCH ERECTED 1867 Stained glass to north elevation window. Basement level contains flat.

In addition to being a Grade II Listed Building, the site lies within Linthwaite Conservation Area. The Linthwaite Conservation Area Appraisal identifies weaver's cottages, mill-workers' cottages and mills as being the most characteristic buildings in the Conservation Area. It identifies the main features detracting from the Conservation Area as being mostly recent construction in artificial materials, poor design and detailing. The surrounding open countryside is considered important to the setting of the Conservation Area, and the inclusion of open land surrounding Titanic and Lowestwood Mill is noted as important to their setting. Areas of open land or green space within the Conservation Area are not, however, highlighted as important features.

The former Methodist Church, the subject of this application, is highlighted as significant by virtue of its listing and because of its connection with the industrial heritage of the area (having been funded partly by a £3,000 donation from local mill owner George Mallinson), but it is not identified as a building at risk.

It is considered that the adaptation of the church to residential use would, in principle, help to conserve the character of the Conservation Area. The formation of the raised parking deck and ramp will, however, inevitably result in a significant change to the character of the land within the building's curtilage. The existing garden is not terraced and has been formed with apparently little change to natural ground levels. The height of the parking deck has been determined by the need to provide an access driveway with an acceptable gradient (adhering to existing levels would result in a much steeper accessway which would not be acceptable owing to the safety risks it would incur, especially in wintry conditions).

The raising of the parking platform would be most apparent would be at the northern end, where it would, in places, reach to 2.0m above the level of the path which skirts the southern side of the church; whilst it would still be lower than highway level, it would affect views of the Listed Building from the south. Near the southern end of the site, the finished level of the parking deck would be marginally lower than at the northern end but would also be more significantly raised above existing ground levels and would in places be higher

than the adjacent public footway by up to 300mm. Whilst visible from the highway, its impact would however be softened by the retained boundary wall.

It is considered that the loss of the existing soft landscaping and the formation of the raised parking deck would cause a small degree of harm to the setting of the Listed Building and to the character of the Conservation Area. The degree of harm would in both cases be less than substantial and it is considered it would be justified since there would otherwise be no reasonably practical way of accommodating parking within the site. The alternative, of allowing the scheme with no off-street parking, is not considered acceptable (see relevant section below).

The proposed adaptation works would ensure that all external architectural features highlighted within the listing would be retained. There would be extensive replacement of, and modifications to, existing windows. Most of the windows in the southern elevation are not believed to be historic. The original windows in the southern elevation (with one exception) and the ground floor windows in the western elevation, which would, in all likelihood, have been leaded and timber framed when the church was first built, have been replaced with plain glass in steel frames. It has not been possible to determine when this was undertaken – it is possible that it was before the date of listing, which was in 1982 – and it is therefore considered that it would be unreasonable to seek to install replicas of the original windows. The applicant's proposal to replace these with steel-framed windows is therefore considered acceptable. However, all windows that presently have patterned and / or leaded glass (including those in the northern elevation, the upper floor of the western elevation, and two windows in the southern elevation) are to be encapsulated into new steel frames, and reinstalled. The two patterned historic windows in the southern elevation are to be re-siting in different openings than the original ones, as shown on the elevations. This would allow occupants of south-facing habitable rooms to enjoy a clear outlook whilst ensuring that historic windows are retained. It is considered that this change would not detract from the building's historical interest.

KC Conservation and Design expressed concern that the window apertures to GFW11 and GF14 appeared to be of different heights (based on photographic images, even though the plans show them to be the same dimensions) and that the relocated window might not fit in the aperture. The applicant's agent was notified of this concern and confirmed that the window apertures are in fact the same height. The case officer accepts this, and in the event that further alterations are required after all, an application to vary the Listed Building Consent will need to be sought. The latest version of the elevations shows that window FF14 is to be relocated and encapsulated.

The plans and Heritage Statement do not explicitly state that all existing external doors would be retained or which would be replaced. The twin front entrance doors are considered to contribute positively to the character of the building (and are mentioned in the Listing), and it is considered that their retention should be conditioned. The existing door in the southern elevation is clearly modern and of no historical interest; the upper ground floor door in the

eastern elevation is described as “potentially original” in the heritage statement but it is considered that, being sited on the least prominent elevation in the building, it is of limited significance. It should however be conditioned that any replacement external doors should be of four-panelled design so as to be of a style appropriate to the building’s age and character.

The lower ground floor windows (those to the former caretaker’s flat) are timber-framed sliding sash windows. It is proposed to replace these with steel-framed casement windows. The applicant has ruled out the option of steel-framed sliding sash windows since the manufacturer they have chosen to supply the main window frames for the building does not supply them, and metal-framed windows are preferred by the applicant on the grounds of cost and ease of maintenance. Whilst there are manufacturers who make steel sliding sash windows, it is noted that relying on different manufacturers to supply windows for different parts of the building would be likely to increase costs and would possibly result in a less cohesive appearance to the development once finished. The retention of timber-framed sash windows (or their like-for-like replacement) at lower ground floor would ideally have been preferred from the point of view of heritage conservation. It is noted however that these windows are not one of the more prominent architectural features of the building and it is considered their contribution to the building’s historical interest and significance are minimal – indeed they are not explicitly mentioned in the Listing description. The change in window style and materials in this part of the building can be accepted in principle since the degree of harm to the character of the building would, at most, be very minor and certainly less than substantial, and would in this case be outweighed by the practical benefits in assisting the building’s long-term conservation, provided that the pattern of glazing divisions reflects that of the existing windows.

The old brick outbuilding to the eastern elevation is to be removed, and one of the two flights of external stone steps rebuilt. The outbuilding is badly damaged and is not considered to contribute significantly to the building’s character. The steps are presumed to be an original feature, but it is considered that the loss of one of the two flights of steps would not detract from the building’s character, provided that the retained steps are rebuilt using the same or matching materials and finishes. It is unclear whether or not the existing handrail would be reused – it is recommended it be conditioned that the existing handrail is retained and reused or that details of any replacement are submitted for approval.

The subdivision of internal space caused by the insertion of floors would negatively affect the historical legibility of the building, but this would be mitigated by the retention of the columns and galleries (although in the latter case no longer visible) and in the layout of party walls which would reflect the historic layout of the interior. As previously acknowledged, the horizontal division of the building to create a first floor is unavoidable if the optimum viable use of the building is to be achieved. The proposal would involve loss or reconfiguration of staircases internally. Historic England were consulted on the accompanying Listed building consent application and raised no concern

about this aspect of the scheme. It is considered that whilst their loss would cause slight harm to the building's legibility, the harm caused would be justified by achieving the optimum viable use of the building.

Overall, it is considered that the alterations proposed would cause harm to the significance of the building. It is considered that the degree of harm caused would be less than substantial and would in this instance be outweighed by the public benefit of ensuring the Listed building secures a viable new use, preventing its further deterioration and ensuring its long-term conservation.

The following conditions are recommended.

- Full details including elevations at 1/20 scale and sections at 1/5 of all new or replacement windows and window frames. (The submitted details appear to be generally acceptable, but since scaled drawings have not been included, this cannot be ascertained without detailed elevations and sections or a specimen to be installed and approved after inspection on site. The submitted details should therefore be treated as indicative).
- Windows shall be set in a reveal of 100mm or more.
- Encapsulation to be undertaken in full accordance with the approved details.
- All existing patterned glass to be retained or relocated as shown.
- Existing front doors to be retained. Any new / replacement doors to be four-panelled.
- All new rooflights shall be of conservation style (recessed or flush with the roof).
- All new or replacement external flues, grilles and luminaires shall be given a painted or factory-applied buff finish before first installation and thereafter so retained.
- Details of the metal railings to be installed at the edge of the car park and steps shall be submitted and given a painted or factory-applied finish (black in the case of the car park railings and either black or matching the original in the case of the rear steps).
- Before work commences on the formation of the parking deck, details of its surfacing, including the aggregate mix if a concrete finish is to be used, shall be submitted.

West Yorkshire Archaeology Advisory Services (16/06/2023) do not recommend the imposition of the standard archaeological recording condition

(submission of Written Scheme of Investigation) in this instance since the Heritage Statement is considered to provide an adequate record of the existing building.

Subject to inclusion of the above listed conditions the proposal is considered to be acceptable having regard to the aforementioned policies and legislation.

3 – Impact on residential amenity:

A core planning principle as set out by policies within Chapter 12 of the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. This is also reinforced within part (b) of Policy LP24 of the Kirklees Local Plan. Principles of the House Builders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

The following principles within the Housebuilder Design Guide are of relevance. Whilst principle 6 is intended to apply mainly to new build development and therefore should not be applied strictly to developments formed by conversion, the standards contained within it may be treated as a guideline:

Principle 6 – Residential layouts must ensure privacy and avoid negative impacts on light, having regard to the following standards:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Principle 16 – all new dwellings to have sufficient floor space to meet basic lifestyle needs, having regard to the Nationally Described Space Standards (NDSS). These are not currently adopted in the Kirklees Local Plan. The council will seek to adopt such a policy in the future in accordance with evidence and in the meantime will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design). The Council however recognises the nationally described space standards as best practice to ensure that new homes are able to meet basic lifestyle needs and provide high standards of amenity for future occupiers and they are therefore used as a starting point.

Potential impact on existing residential properties:

Only two residential properties share a boundary with the site. To the north is the end terrace property known as 29 Chapel Hill. The windows in the north elevation of the development would be approximately 2.5m from the boundary with the curtilage of 29 Chapel Hill, and the closest distance between new habitable room windows (those in apartments 3, 5 and 8) and existing rear-facing windows in 29 Chapel Hill would be between 7m and 11 approximately.

These fall short of the recommended distances to be maintained between windows at the rear of two facing dwellings (21m) and that Policy LP24 advises should be maintained between a habitable room window and adjacent land (10.5m, which may include either undeveloped land or a garden). The latest elevations indicate that all first and upper ground floor windows in the northern elevation are to have the obscure glazing retained, but that they would contain opening lights. It is generally recommended that where overlooking distances fall substantially short of the recommended separation distances, to the extent that obscure glazing is required to maintain privacy, the same windows should also be non-opening unless the openable parts are more than 1.68m above internal floor level. The proposed windows would however be hinged at the top, and moreover, the detailed drawings supplied show that the windows would only open to a limited degree for ventilation, allowing negligible views out over neighbouring land even when open. These details must be regarded as indicative since, as set out earlier in this report, more detailed drawings of the proposed new windows must be supplied.

For the two north-facing windows in the lower ground floor, which would provide light respectively to the bedroom and living room of apartment 1, the notes on the drawings indicate that only the lower pane would be obscurely glazed. The sections indicate that the mid-point of the window would be approximately 1.65m above internal floor level, which would be close to the 1.68m deemed to be standard eye level. However, no. 29's garden is higher than the application site and the development could result in a line of sight between existing ground floor windows and the garden on the one hand, and the new apartment on the other (which are separated only by the width of the passageway and boundary wall, or about 2.5m), which could compromise the privacy of both existing and future occupants. Since it has not been demonstrated that the existing boundary wall would be sufficient to block the line of sight, it is not clear that intrusive overlooking would be avoided. It is therefore recommended that a condition is imposed to the effect that either obscure glazing to both the upper and lower halves of the window must be installed, as shown on the latest version of the plans, or suitable screening erected if this is preferred by the developer.

Whilst a degree of overlooking could occur from pedestrians walking from the rear doors of the building to the front along the passageway, it is likely that the southern route around the building would be used more heavily as it is the natural route to and from the car park. Furthermore, only two of the proposed flats would gain access by this means. The passageway would therefore not

be likely to experience significant foot traffic, and it is considered that the increased potential for overlooking would not be enough to cause a material impact on privacy.

The curtilage of a detached dwelling, 1 Lower Clough, adjoins the site to the east and north. The raised car park would be approximately 3m from the eastern boundary of the site with 1 Lower Clough. Whilst the car park would be significantly raised above existing garden levels, it is not designed to be used as amenity space and any activity on the car park would therefore mainly consist in residents walking to and from their vehicles. It is therefore considered that the raised car park would not provide a significant source of actual or perceived overlooking of the private amenity space belonging to 1 Lower Clough. In the case of the northern boundary, distance from the edge of the car park to the property boundary would be variable but would average more than 3m and any views would be somewhat limited by the presence of mature trees. The main western elevation of 1 Lower Clough is a blank wall; the rear extension to this property has a west-facing window but this is 7m from the common boundary which it is considered is far enough away to avoid any intrusive overlooking occurring. It is considered, in conclusion, that this property would not experience a material reduction in privacy.

It is not apparent from an external viewing which, if any, of the facing properties to the west of the site (14-18 Chapel Hill) are in residential use at upper floor, but it is considered that the distance between the proposed west-facing windows and any existing flats would not give rise to the perception of intrusive overlooking.

Level of amenity for future occupiers:

The proposed residential units would each provide the following amount of internal space:

Apartment no.	Type	Floorspace required (sqm)	Floorspace provided (sqm)	Compliant
1	1-bed	39	51	Yes
2	2-bed	61	89	Yes
3	2-bed	61	86	Yes
4	2-bed	61	86	Yes
5	1-bed	39	58	Yes
6	2-bed	61	66	Yes
7	2-bed	61	87	Yes
8	2-bed	61	85	Yes
9	2-bed	61	127	Yes

Flat 5 was originally to have been a two-bedroom apartment but was changed to single-bedroom at the case officer's request and now would comply with the NDSS. All of the proposed flats would therefore exceed the recommended minimum standards.

The two flats in the understorey (former caretaker's flat) would have a limited outlook owing to physical obstructions to light. In the case of the north-facing windows, (apartment 1) this is owing to the topography of the land, which is higher on the neighbouring side. In the case of the south-facing windows (apartment 2), existing ground levels fall away but the raised parking deck would be approximately 1m above the sills of the windows to the bedrooms and living room. In theory it might be possible to insert new windows in the eastern elevation, but this would be difficult to reconcile with the aims of preserving the significance of the Listed Building by minimising interventions in its fabric, and furthermore would be of limited benefit as light in this direction would still be affected by the trees on the adjacent land. It is considered that whilst such limited light and outlook would not be acceptable in a new build development, it can be accepted in this instance as there is unlikely to be any other realistic way of using the lower ground floor space and it would be the best way to ensure the optimum viable use of the building.

The windows in apartments 3, 5, 6 and 8 would all lack an outlook to the north since obscure glazing will need to be retained in the interests of preventing loss of privacy to neighbouring residential properties, especially that which lies directly to the north, 29 Chapel Hill. The amount of natural light received would in some cases be compromised by the position of no. 29's south-facing wall, especially for apartment 3. Corresponding windows in apartments 6 and 8 would receive more light because of their higher position, and these flats would also have an outlook in other directions, as would number 5.

The resultant impact to future occupiers as a result of noise is not considered to be significant given the character / nature of the locality which is predominantly residential. As such it is considered requirement for noise mitigation cannot be substantiated in this case particularly when considering the other relevant planning considerations in this case in relation to the heritage aspect of the development.

In conclusion, the standard of amenity for at least some apartments would fall significantly below that normally expected, when measured by light and availability of outlook. However, this would to a degree be compensated for by the internal floorspace, which in every case would significantly exceed the recommended minimum set by the NDSS. Moreover, given the constraints of the site, and the substantial benefits of restoring a listed building to productive use that would otherwise be likely to remain vacant, and the need to provide car parking and servicing arrangements that are functionally adequate as described in later sections of this report, it is considered that the below-average standard of amenity for some of the flats is acceptable in light of wider planning objectives.

Residential amenity – conclusion.

It is considered that subject to conditions the development would avoid harming the amenities of neighbouring properties, and (in so far as is reasonably practicable given the need to comply with other planning aims), deliver a good standard of amenity to future occupiers, thereby according with the aims of LP24(b).

4 – Impact on highway safety: Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

The proposed development would take access to Lower Clough, an adopted but unclassified road. There is an existing access to the highway, approximately 4.6m in width. This provides access to a gravel-surfaced area that would have potentially provided a parking space for a single vehicle when the building was in use as a church, but it is assumed that most attendees would have arrived on foot or parked their vehicles on the highway. The access is located 20m from the junction with Chapel Hill, and also opposite the junction with Black Rock Drive, both of which benefit from good visibility in both directions. The site lies on the inside of a bend, so that south-east of the junction, visibility may be compromised by the boundary wall.

The application has not been supported by transport assessment but this is not a general requirement for applications that are classed as minor (that is, fewer than 10 dwellings created). Lower Clough between the access and the junction with Chapel Hill has a footway on its northern side only; at the junction with Black Rock Drive, footways exist on both sides of the road. The carriageway width of Lower Clough is variable but a minimum of 7m and therefore sufficient to allow two vehicles to pass each other without difficulty.

It is acknowledged that the level of traffic will vary throughout the day, being higher in peak commuting hours and especially during the morning and afternoon school run. Notwithstanding this it is considered that the level of additional traffic generated by the proposed development would not justify requiring the applicant to undertake traffic surveys. There are no proven safety hazards associated with the existing junction of Chapel Hill and Lower Clough, and it is considered very unlikely that traffic arising from the new development would give rise to any.

The existing access is slightly over the 4.5m generally sought as a minimum width (this being sufficient to allow two vehicles to pass each other) and the latest plans show that the internal shared accessway would be acceptable in terms of its gradient and width (approximately 4.9m).

The Highway Officer initially recommended that a condition be imposed that nothing may be planted or erected within a strip of land 2.0m deep measured from the carriageway edge of Lower Clough along the full frontage of the site which exceeds 1.0m in height above the level of the adjoining highway. It is noted that in places (according to the applicant's topographical survey data) the boundary wall already exceeds 1m in height. The condition would therefore not be wholly effective at achieving its stated purpose unless the

applicant were also required to lower the height of the boundary wall before bringing the access into use.

After further consultation, the Highway Officer has confirmed that it is not essential to ensure that the stone wall is lowered to 1.0m or less, given the low level of vehicle movements associated with this development. No formal traffic or speed survey has been undertaken. It is acknowledged however that, whilst traffic volumes will inevitably vary throughout the day, they are generally low, and it is a reasonable assumption that at this point, typical vehicle speeds would be well below the legal speed limit of 30mph, since drivers would have to slow down in order to negotiate the junction.

It is therefore considered that measures to improve visibility at the access by lowering the existing boundary walls are not essential. Any new boundary treatments over 1m in height would require planning permission. Planting is not generally under planning control, and whilst there is, under the layout shown, very limited opportunity for planting within 2m of the frontage, it is considered that to ensure that new obstructions to visibility are minimised, the condition originally recommended by the Highways officer should be imposed, but with an explanatory note to say that this does not preclude the retention of the boundary wall in its present state, and indeed that any lowering of the boundary wall would require a further application for Listed Building consent.

In summary, it is considered that the use of this access for the proposed development would not give rise to any material increase in safety risks for future occupants or other road users including pedestrians.

Under the Kirklees Highway Design Guide, it is recommended as a starting point that all one- or two-bedroom flats be provided with a single parking space and that in addition, one visitor space for every four units be provided. Applying these standards strictly would mean that 11 spaces would have to be provided. On the arrangement as proposed there would be a deficit of one parking space, since every flat would have a single resident parking space but there would be only one for visitors.

The site is judged to be moderately accessible by public transport. There is a bus stop within 200m of the building providing a regular (twice hourly from 11:13 through to early evening, then hourly) service to Huddersfield Town Centre and a further bus stop on Manchester Road, approximately 400m walk from the main entrance door of the building, providing a more frequent service, as well as a grocery store nearby also on Manchester Road. It is recognised however that the steep gradients on Chapel Hill and Hoyle House Fold could prove a disincentive to walking this distance.

Whilst it would be possible for future residents to fulfil many of their daily and weekly needs without the use of a car, it is acknowledged that the location is not ideal for non-motorists and it is considered a reasonable assumption that most, if not all, flats, would be occupied by a car owner, giving rise to an average demand for residential parking of one space per flat, with one unused space for visitors.

Visitors could therefore at times find themselves obliged to park on the public highway. Given the width of the carriageway of Lower Clough and Stones Lane and the anticipated traffic speeds and volumes, it is considered that occasional on-street parking could be accommodated here, or towards the lower end of Stones Lane, without any material impact on the safe use of the highway.

A condition is recommended requiring that the parking area be formed and marked out into bays before any part of the development is brought into use.

To conclude, it is considered that the proposed arrangements would allow safe access to, and egress from, the site, to be achieved and that on-site parking provision is adequate in terms of capacity and layout, and therefore in accordance with the aims of Policies LP21 and 22.

Highway structural stability

Policy LP53 of the Kirklees Local Plan seeks to ensure development is acceptable with regard to land stability.

KC Highway Structures have recommended the following conditions:

- Details of any new retaining walls or modifications to the existing retaining wall supporting Lower Clough;
- A dilapidation survey of the retaining wall supporting Lower Clough pre- and post-development.

The development proposal would involve works potentially affecting the retaining wall (the ramped access) as well as works that could have indirect effects during construction (the installation of foundation columns for the parking deck). Both conditions are therefore considered reasonable. They should however be worded in such a way that they need to be complied with before any works external to the building commence, not before development commences, since works associated with the adaptation and remediation of the building itself would not affect the retaining wall. The first condition should also state that the submission of details must be in the form of an Approval In Principle (AIP).

Waste management:

It is generally recommended (as detailed in the Kirklees Waste Management Design Guide 2020) that communal facilities should provide 180ltrs of storage capacity for each waste type per household (general waste and recyclables). Applying this standard would give rise to a need for 1,620 litres for each type of waste in this instance. Whilst the default option is generally to provide 1,100 litre Eurobins, Kirklees guidance indicates that where there is limited space or access difficulties, which is often the case in conversions, the use of

660litre Eurobins or a combination of both types of container may be more appropriate.

In the originally designated waste storage area, two large Eurobins would just fit, with acceptable manoeuvring space. The remaining capacity could be accommodated in two further bins (which could be 660 litre). The latest revision of the site plan shows an additional waste storage area provided to the right of the access point. This would be accessible for future occupants and would provide sufficient space to store the bins, drag them out for collection and return them. In general, refuse storage areas should be inconspicuous, and where bins are stored in a location where they would be visible from public viewpoints, consideration should be given to screening. In this instance, there is realistically no other location where they could be stored. Placing them on the parking platform would mean that their use would be less convenient for future residents, and moreover would mean that they would have to be pushed up and down a ramp on collection day.

The bins would be partly screened by the stone boundary wall, which is to be retained. It is considered that the erection of further screening (such as a fenced enclosure) would be neither necessary nor desirable as it could further limit visibility at the access.

Bin store surfaces should be durable and waterproof enough to withstand heavy duty cleaning such as power washing. The laying out of sealed surfaces in the areas shown (the existing area to the north of the access is gravel surfaced) and their subsequent retention should be the subject of a condition.

Sustainable transport

In accordance with current policy as set out in West Yorkshire Low Emissions Strategy, one electric vehicle charge point should normally be provided per household (in the case of allocated parking spaces) or one per every ten spaces (if they are unallocated). In this instance the proposed parking spaces are unallocated. To promote sustainable and low-impact means of transport in accordance with government guidance on air quality mitigation and reducing greenhouse gas emissions, in accordance with the aims outlined within Planning Practice Guidance, Policy LP20 and LP21(g) of the Local Plan and Chapter 15 of the National Planning Policy Framework, it is recommended that the provision and subsequent retention of this charge point should be conditioned.

Secure cycle storage should normally be provided at the rate of one per dwelling. An indicative cycle storage shed is shown on the site plan, but no details of design or capacity are provided. These matters can also be conditioned.

5 – Other matters:

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.

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

The submitted Climate Change Statement contains no measures to improve the energy performance of the building beyond the minimum required by the Building Regulations. However, reusing an existing structure with no new construction outside the existing envelope is by its nature a more sustainable proposal than a wholly new build scheme as it contains less embodied energy. Whilst daily energy demand is expected to be higher than under the previous uses, compliance with the Building Regulations in so far as these relate to insulation (including replacement or encapsulation of windows) is expected to lead to an upgrade in energy efficiency. It is therefore recommended that the developer will not be required to show further measures to reduce carbon emissions associated with the building, such as microgeneration, other than the provision of a single electric vehicle charging point as detailed earlier in this report.

Ecology:

The requirement, brought in by the Environment Act, that all developments (other than those explicitly exempt) provide a measurable 10% BNG was not in force at the time the application was submitted. Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. Under Policy LP30, all development should however avoid significant loss to biodiversity and provide enhancements to biodiversity through on-site habitat creation where opportunities exist. This application was not supported by a Preliminary Ecological Appraisal or a Biodiversity Net Gain metric. At the time of submission these did not form part of the national or local validation requirements, and were not generally sought in the case of applications classed as Minor, except for sites that were deemed unusually sensitive, such as those lying within the Wildlife Habitat Network.

The site is within the Bat Alert Layer but does not lie within the Wildlife Habitat Network. It is within an Impact Risk Zone pertaining to a Site of Special Scientific Interest, but this only becomes a material consideration in the case of aviation infrastructure, oil and gas exploration, industrial or agricultural development likely to give rise to air pollution, and combustion.

The site consists predominantly of built and sealed surfaces. The existing garden covers an area of about 450sqm. Street-view images dating from 2021 available online show the central part of the garden to consist of maintained grass, with trees and ornamental planting at its margins. By 2023, when the first site visit was undertaken pursuant to this application, maintenance appeared to have lapsed and much of the site had become overgrown.

Whilst the existing vegetation on site is likely to have at least some modest habitat value, it is noted that the plot has no direct linkage with other semi-natural habitat except for one adjoining residential garden, that belonging to 1 Lower Clough, which adjoins it at its north-eastern boundary.

The formation of the raised parking deck would result in the loss of much of the existing vegetation, with increased overshadowing of that which would remain. There would almost inevitably be some negative impact on biodiversity value. But this is very unlikely to have any significant impact beyond the site boundaries, since it would not result in an interruption to a continuous belt of semi-natural habitat. Furthermore, the two mature trees lying within the garden, which are considered the most valuable features contributing to the site's habitat value, are to be retained and measures put in place to ensure their continued viability. The Ecology Officer viewed the proposals and did not raise any concerns about the ecological implications of the development except in so far as it relates to bats (see paragraph below).

It is therefore considered that the submission of a PEA or other supporting information on biodiversity would have been disproportionate and that there is enough information to allow the application to be determined. To ensure a level of habitat is provided a Landscape and Ecological Management Plan is recommended to be ensured by condition.

A bat survey report including activity survey, dated 22/08/2023, was submitted in support of this application. The building has been assessed as being of low interest to bats and, consequently, there is no requirement for any mitigation licence. The single activity survey established that bats are not using the building but are present in the area, forage around the site and use the site for commuting to other feeding areas. The report recommends that given that bats are using the site, permanent roosting features should be included.

The report is now just over two years old. Whilst there is a general expectation that a bat survey submitted in support of a planning application should be based on survey work undertaken within the last two years, it is considered that in this instance it would be unreasonable to require the developer to undertake a further activity survey. The main element of the conversion scheme that would be liable to affect bats (if present) would be the

remedial works to the roof. The applicant or owner of the site would be justified in carrying out remedial works to prevent the building deteriorating even in the absence of planning permission; remedial works would not require planning permission in themselves, only Listed Building Consent. Any condition that required a further activity survey to be undertaken before works to roof structure or the removal of the roof covering commence would, in effect, be unenforceable and would fail to meet the tests set out in paragraph 58 of the NPPF.

The developer should however be reminded (by means of a footnote) that in the event of bats being discovered during works to the building, works must cease immediately and the advice of a qualified ecologist sought.

KC Ecology recommend that the inclusion of four bat roosting features (including three summer roosting boxes and one winter roost box) on or integral to the south and north elevation should be secured by condition, the positions and other details to be agreed – this is in keeping with the bat survey report's recommendations.

The installation of bat roost features would represent an enhancement to the biodiversity value of the building. Officers also recommend that a condition be imposed requiring a full landscaping scheme for the margins of the site around the car park, incorporating an Ecological Design Strategy, so as to compensate, as far as possible, for the loss of existing vegetation, and contain other measures to enhance biodiversity where practicable.

In conclusion, subject to the above conditions, it would comply with the aims of Policy LP30 and NPPF Chapter 15.

Trees:

Under Policy LP33, development proposals should normally retain any trees of significant value. The submitted arboricultural survey / impact assessment (AIA) identifies a total of 10 trees, either within the site or close to the boundary, with the potential to be affected by the development proposals. None of these are covered by a Tree Preservation Order (TPO) but benefit from blanket protection by reason of the site's being in a Conservation Area. There is an Area TPO on land to the north-east of the site that falls partly within the private curtilage of 1 Lower Clough.

The report states that the development proposals would necessitate the removal of six Category C trees of low-quality. To allow for the installation of scaffolding during the development, three Category B trees will also require facilitative pruning.

The construction of the parking area as a raised platform and the creation of a retaining wall adjacent to the trees supported by screw / augur pile foundations would avoid alterations to the existing levels within the RPA of two Category B trees. The root protection areas (RPAs) of the retained trees are to be suitably protected throughout the development process by tree protection fencing and ground protection.

The AIA does not explicitly consider the impact of shadow cast from the retained trees. The east-facing windows would face an area of woodland which is not covered by an Area TPO. Trees near the boundary would limit light penetration into these windows, especially affecting the ground floor flat, no. 5. This may lead to pressure to prune the trees (in the event of any branches overhanging the site) but as they are outside the site, the present or future owner would have no powers to call for their removal. It is therefore considered that whilst the presence of mature trees T0009 and T0010 might somewhat compromise receipt of natural light to the development, only one, or at most two, flats would be significantly affected, and this would be unlikely to jeopardise the trees' retention or health.

KC Trees' response dated 17/04/2025 confirmed that there are no objections in principle but that permission should be subject to the submission of an Arboricultural Method Statement since the AMS submitted with the report was described as an "outline AMS" and not sufficiently detailed to ensure the protection of the relevant trees. This is accepted by officers. The AIA report recommends replacement or compensatory planting of up to eight tree specimens. KC Trees have not requested a replacement planting scheme. Officers are satisfied that all valuable trees with the potential to be affected by the proposal would be retained and their continued health safeguarded. It is considered that since the trees that would be removed are of low quality and make a negligible contribution to visual amenity, a replacement planting scheme is not essential from the point of view of compliance with Policy LP33. Tree planting may form part of the landscaping scheme / Ecological Design Strategy if found to be practicable, but does not need to be conditioned separately.

Drainage:

Policy LP28 of the Kirklees Local Plan & Section 14 ('Meeting the challenge of climate change, flooding and coastal change') of the National Planning Policy Framework and the National Planning Policy Framework technical guidance document are considered to be relevant in terms of foul / surface water drainage.

Policy LP27 of the Kirklees Local Plan relates to flood risk and sets out, amongst other things, a site specific flood risk assessment and inclusion of flood mitigation measures be undertaken for developments.

The site is not within an area identified as being at risk from flooding in either the Environment Agency or Kirklees Strategic Flood Risk Assessment.

Lead Local Flood Authority were consulted on the application in the initial stages. Their comments were that the drained area of the site remains the same following the refurbishment of the existing building, there is therefore no increase in flood risk and therefore attenuation of surface water discharge. At that stage, it was intended that the parking area would be surfaced in permeable paving. The more recent version of the proposal – a raised parking deck surfaced in concrete – would not be permeable. However, this would

have minimal impact on the drainage of the site, since water would drain off the edge of the deck onto the ground below, where it would soak into the ground. The existing building would continue to drain to the public sewer network.

It is therefore considered that the development would not give rise to an increased risk of flooding and that no measures need to be incorporated to attenuate or manage run-off.

A culverted watercourse flows underneath the site of the intended car park. The Environment Agency initially objected on the grounds that the formation of the car park would make access to the culvert (which might be required for maintenance and repair) impossible.

The applicant has proposed that the car park be formed as a raised platform with a void underneath. They have demonstrated that the height of the platform would be enough to allow access by a small excavator, as and when required. The platform would be supported by columns which have been placed so as to avoid any pressure on, or disturbance to, the culvert.

The Environment Agency accept that on the basis of the latest plans and supporting information, they are satisfied that the culvert would not be damaged and that future access would be safeguarded, subject to a prescriptive condition to the effect that the development be undertaken in accordance with the submitted flood risk technical note (titled “RE: Chapel Hill, Linthwaite Proposed Car Parking Deck Structural Intent Summary”, reference “23345”, dated 24/11/2025, compiled by Dudleys Consulting Engineers) and the following mitigation measures it details:

- The car park deck shall be raised to allow access to the culvert, as shown in drawing number “23345-XX-XX-XX-DR-101”, revision C01, dated 18/11/2025;
- The foundations shall be constructed outside of the 45-degree easement as measured from the outer edge of the base of the culvert, as shown in drawing number “23345-XX-XX-XX-DR-101”, revision C01, dated 18/11/2025 and “23345-XX-XX-XX-DR-103”, revision C01, dated 18/11/2025.

The drawings referred to form part of the Structural Intent note and are therefore assumed to supersede any other versions of the drawings that may have been submitted as separate documents.

Officers recommend a further condition: that before work starts on the formation of the car park, details shall be submitted to and approved in writing of means of preventing unauthorised access to the space underneath, including the formation of a gate to allow maintenance access and how this is to be managed. This is considered necessary to prevent misuse of the space in the interests of the residential amenity of future occupants and their protection from crime and the fear of crime. Measures of this nature are

accepted in principle by the applicant and are referred to on the drawing, but specifics will need to be submitted (e.g. of the width of the gate and how it is to be secured).

Crime and disorder:

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to '*do all that it reasonably can to prevent crime and disorder in its area*'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24 sets out that proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

The KC Designing Out Crime Officer was not consulted on this proposal – this was considered unnecessary owing to the scale, nature and location of the proposal.

The car park would experience passive surveillance from the south-facing windows of the proposed apartments so it is considered that it would not be highly vulnerable to theft from vehicles. It is noted that external lighting is included on the latest version of the elevational drawings. Whether timed or motion-sensitive, this would act as a further deterrent to intruders and would assist the general safety of residents and visitors negotiating the external passageways at night.

It is considered that the development would not have a high degree of vulnerability to crime and that no specific measures or conditions (beyond those contained within the Building Regulations, approved document Q, which apply to residential conversions) need to be sought or conditioned in order to protect future occupants from crime or the fear of crime.

It is therefore considered that the proposal would be compatible with the advice in Chapter 8 of the NPPF that crime and disorder, and the fear of crime, should not do not be allowed to undermine quality of life.

6 – Representations: Two representations were made. Concerns raised, where not already addressed in the main part of the report, are summarised below with officer responses:

- The building's roof is home to a roost of bats and has been for several years, my fear is the development will displace this and other local wildlife within the immediate area and within the proposed development site itself.

Response: The bat survey has been carried out to a high standard and its conclusion – that there was no bat roost within the building at the time of the survey – is accepted. As noted earlier in the assessment, artificial bat roosts can be provided, which will be the subject of a condition.

- Potential damage to the culvert during and post construction is also of major concern, other points have noted a serious flooding incident due to a blockage of the culvert in 2021 which caused a large amount of damage to local properties. There will be numerous records of the junction of the sewer system between Hoyle House Fold & Chapel Hill overflowing, and additional waste water from the proposed dwellings will overload the system further.

Response: This issue has been the subject of negotiation. Officers are now satisfied that, subject to the condition recommended by the Environment Agency, the construction of the car park, would not harm the integrity of the culvert nor interfere with its future maintenance. The potential for damage during the construction phase specifically is not a concern that the EA have raised; the submission of a construction management plan is not usually imposed on applications that are designated Minor (as this one is) and it is considered that there are no special circumstances that would justify such an approach here.

- The flooding reduced the integrity of the stone wall which runs alongside the pavement surrounding two-thirds of the property. A recent local car accident has further reduced the integrity which if unaddressed overtime would become a risk to human life and property, especially if the area directly below is a car park.

Response: The proposed conditions relating to the retaining wall recommended by KC Highways Structures will, it is considered, adequately address this issue.

- Finally, while I understand the need to re-develop sites to maintain listed buildings/ features and increasing housing stocks these plans come off the back of a near decade of development in the surrounding area (Black Rock Mills). Developments which have already inflicted years of noise, dirt and reduced parking availability upon the local residents.

Response: The cumulative impact of development on the local highway network may in principle be a material consideration, but it is considered that the amount of new two-way trips generated by a development of this scale would not provide a defensible reason for refusal nor justifiable grounds for requiring the applicant to produce survey work on the anticipated traffic impacts. The submission of a Construction Management Plan is a standard requirement for new build developments classed as Major; this is however a development classed as Minor, and is primarily a conversion rather than new such a measure it is considered it would be disproportionate.

Comments

- We understand this type of development may be one of the only realistic ways to preserve the building.

Response: Noted and accepted.

- The trees to the back of the property have grown considerably in the last 2 years since the tree survey was completed, we are worried any works to the building could compromise the safety of the trees and surrounding buildings especially as the culvert runs through this area.

Response: No groundworks are expected to be necessary at the back of the building, so trees are unlikely to be affected. These and the other trees identified as being worthy of retention will be the subject of protective measures as set out, in brief, in the method statement, which will be conditioned. The latest comments by KC Trees – recommending conditional approval – are from April 2025, so it is considered that there are no outstanding concerns.

7. 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 – CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2023/91441

Officer Recommendation: CONDITIONAL FULL 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 LP1, LP2, LP3, LP7, LP20, LP21, LP24, LP27, LP28, LP30, LP31, LP33, LP35, LP47, LP48 & LP53 of the Kirklees Local Plan,

principles within the Housebuilders Design Guide SPD and policies within Chapters 5, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans and information within the Arboricultural Impact Assessment reference WC-160.1a, a full Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before construction commences. The method statement shall include details on how the construction work will be undertaken to minimise damage to the retained trees. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: So as to protect the viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Local Plan and advice within the National Planning Policy Framework. This information is required before the commencement of any works external to the building to ensure that damage to tree roots is avoided during groundworks.

4. Prior to the commencement of development the design and construction details of all temporary and permanent highway retaining structures including any modifications to the existing highway retaining wall to Lower Clough shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to any part of the development being brought into use and thereafter retained as such.

Reason: To ensure that the proposed development does not endanger the stability of the public highway, and to accord with the aims of Policies LP21 and LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework. This information is required before the commencement of any works external to the building to ensure that the stability of highway land is not endangered at any stage in the development process.

5. Other than remedial works or modification to the fabric of the main building development shall not commence until, a full structural dilapidation survey of the existing burr wall supporting Lower Clough has been undertaken by a suitably qualified and experienced structural engineer and a copy of the report submitted to the Local Planning Authority for record purposes. A further structural dilapidation survey of the retaining wall shall also be submitted to, and approved in writing by, the Local Planning Authority following the completion of the development which identifies any defects arising in the highway retaining wall due to the works associated with the development and includes what measures to ensure they shall be made good to the satisfaction of the Local Planning Authority. The development shall not be brought into use until the works which are required to be undertaken by this condition have been completed, which shall be retained thereafter.

Reason: To ensure that the proposed development does not endanger the stability of the public highway, and to accord with the aims of Policies LP21 and LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework. This information is required before the commencement of any works external to the building to ensure that the

stability of highway land is not endangered at any stage in the development process.

6. The development shall be carried out in accordance with the submitted flood risk technical note (titled “RE: Chapel Hill, Linthwaite Proposed Car Parking Deck Structural Intent Summary”, reference “23345”, dated 24/11/2025, compiled by Dudleys Consulting Engineers) and the following mitigation measures it details:

- The car park deck shall be raised to allow access to the culvert, as shown in drawing number “23345-XX-XX-XX-DR-101”, revision C01, dated 18/11/2025;
- The foundations shall be constructed outside of the 45-degree easement as measured from the outer edge of the base of the culvert, as shown in drawing number “23345-XX-XX-XX-DR-101”, revision C01, dated 18/11/2025 and “23345-XX-XX-XX-DR-103”, revision C01, dated 18/11/2025.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be thereafter retained and maintained throughout the lifetime of the development.

Reason: To ensure the structural integrity of the existing culvert, thereby reducing the risk of flooding, in accordance with Policy LP27 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.

7. Before the commencement of works pursuant to the formation of the raised parking deck, a scheme which details the means of preventing unauthorised access to the space underneath shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the formation of a gate to allow maintenance access and how this is to be managed. The approved scheme shall be implemented before the development is first brought into use and thereafter retained.

Reason: To ensure that trespass and misuse of the void under the parking deck are prevented and that access by statutory undertakers can be gained when necessary, in the interests of future residents’ residential amenity and safety from crime and the fear of crime, and the prevention of flood risk, in accordance with policies LP24 and 27 of the Kirklees Local Plan and policies within Chapters 8 and 14 of the National Planning Policy Framework.

8. Notwithstanding the details within the submitted drawings, full details including elevations at 1:20 scale and sections at 1:5 of all new or replacement windows and window frames shall be submitted to and approved in writing by the Local Planning Authority before any existing windows are removed or altered. The details shall include reference to the siting of all replacement windows within the building and the method of opening as well as whether the glazing would be obscured or clear. Any replacement windows shall be installed in full accordance with the details approved by this condition

before the dwelling or part of the building to which they relate is first brought into use and thereafter retained as such.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, to ensure that the means of opening does not give rise to intrusive overlooking of adjacent residential premises, and to accord with policies LP24 (a-b) and LP35 of the Kirklees Local Plan and policies within Chapters 12 & 16 of the National Planning Policy Framework.

9. All windows that are shaded pink on the proposed elevational drawings to indicate that they are to be retained in situ or relocated within the building shall have their existing obscure or patterned glazing retained and shall be encapsulated in accordance with the approved details before any part of the development is first brought into use. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990, the existing obscure glazing in windows in the northern elevation of the building shall be retained and shall not be replaced with clear glazing, or glazing providing a lesser degree of obscurity than the existing glass, at any time.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, to ensure that the windows and their means of opening do not give rise to intrusive overlooking of adjacent residential premises, and to accord with policies LP24 (a-b) and LP35 of the Kirklees Local Plan and policies within Chapters 12 & 16 of the National Planning Policy Framework.

10. The development shall not be brought into use until either:

- (i) the proposed new lower ground floor windows in the northern elevation have been fitted with obscure glazing in their entirety providing a grade (5) degree of obscurity before first occupation, which shall be thereafter retained; or
- (i) details of appropriate screening to prevent a line of sight between the lower ground floor living accommodation and the residential garden of the neighbouring property have been submitted to and approved in writing by the Local Planning Authority, with the details so approved having been completed and which are thereafter retained.

Reason: To ensure that the development does not detract from the amenities of existing or future residents by reason of loss of privacy, and to accord with the policy LP24(b) of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within chapter 12 of the National Planning Policy Framework.

11. All new or re-installed windows shall be set in a reveal of at least 100mm.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with the aims of Policies LP24 and 35 of the Kirklees Local Plan and Chapters 12 & 16 of the National Planning Policy Framework.

12. The existing front doors shall be retained. Any repainting, if required, shall match the existing finish or shall be another dark colour, details of which shall first be submitted to and approved in writing by the Local Planning Authority. The colour finish of the door approved by this condition shall be thereafter retained.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

13. New or replacement doors on the south and east elevations shall be 4-panel timber doors. Before any part of the development is brought into use, they shall be given a painted finish in a dark colour which shall first be submitted to and approved in writing by the Local Planning Authority. The colour finish of the doors approved by this condition shall be thereafter retained.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

14. All new rooflights shall be of conservation style (recessed or flush with the roof)

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

15. All new or replacement external flues, grilles and luminaires shall be given a painted or factory-applied buff finish before first installation and thereafter so retained.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with the aims of Policies LP24 and 35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

16. Any replacement rainwater goods shall be metal and shall be painted black either before installation or before any part of the development is first brought into use and retained thereafter.

Reason: To ensure that the development conserves and enhances the significance of the Listed Building and the Linthwaite Conservation Area, and to accord with the aims of Policies LP24 and 35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

17. Details of the metal railings to be installed at the edge of the car park and at the edge of the rebuilt external steps to the eastern elevation shall be submitted to and approved in writing by the Local Planning Authority before the parking deck is formed. These shall be installed and given a black painted or factory-applied finish before the development is first brought into use and thereafter retained as such.

Reason: In the interests of the safety of future users of the car park, to ensure that the development conserves and enhances the setting of the Listed Building and the character of the Linthwaite Conservation Area, and to accord with policies LP24 and 35 of the Kirklees Local Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

18. Before work commences on the formation of the parking deck, details of its surfacing, including the aggregate mix if a concrete finish is to be used, shall be submitted to and approved in writing by the Local Planning Authority. The surfacing shall be laid out in accordance with the approved details before any part of the development is first brought into use and thereafter retained as such.

Reason: To ensure that the development conserves, or minimises harm to, the setting of the Listed Building and the character of the Linthwaite Conservation Area, to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies within chapters 12 & 16 of the National Planning Policy Framework.

19. Before any part of the development is first brought into use, full details of the provision of secure (from crime and the elements) bicycle storage facilities to serve the residential properties shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be provided and made available for use before any part of the development is first brought into use and thereafter retained as such.

Reason: To comply with the Council's sustainability objectives by encouraging the use of low-impact modes of travel, the promotion of healthy, safe and active lifestyles, protection against crime and the fear of crime, to accord with policies LP20, 24, 35 and 47 of the Kirklees Local Plan, the Highways Design Guide Supplementary Planning Document, and policies within chapters 8, 14 and 16 of the National Planning Policy Framework.

20. The parking deck and associated access works as detailed within the submitted site plan ref: 100revH shall be completed and made available for use with car parking marked out into bays, before any part of the development is first brought into use, and thereafter retained as such.

Reason: To ensure that adequate parking to serve the development is provided and retained in the interests of the safe and convenient use of the highway, and to accord with policies LP21 and 22 of the Kirklees Local Plan.

21. Before any part of the development is first brought into use, details of the design and materials for the construction of the proposed bin enclosures as shown on submitted site plan ref: 100revH, including surfacing, and boundary treatments where applicable, shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be constructed or laid out in accordance with the approved details before any part of the development is first occupied and shall thereafter be retained as such and kept clear of all obstructions to the storage of wastes.

Reason: In the interests of visual amenity, to ensure that the development conserves the setting of the Listed Building and the character of the Linthwaite Conservation Area, and to ensure the provision of satisfactory

facilities for the separation, storage and disposal of wastes, to meet the requirements set out in Policies LP24 part d(vi) and LP35 of the Kirklees Local Plan and policies within chapters 12 and 16 of the National Planning Policy Framework.

22. The proposed electric vehicle charge point shown on the approved site plan ref: 100revH shall be capable of providing a continuous supply of at least 16A (3.5kW), shall be installed before any new dwelling is first brought into use and retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, so as to support the aims of reduction of carbon emissions and air quality enhancement, to comply with policies LP20 and LP24(d) of the Kirklees Local Plan, policies within chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

23. Before any part of the development is brought into use, a plan detailing the positioning, location and specification of four bat roosting features (including three summer roosting boxes on or integral to the southern elevation of the main building and one winter roost box on or integral to the north elevation) shall be submitted to and approved in writing to the local authority. The bat boxes shall be installed to the manufacturer's specification in the positions shown on the approved plan before any part of the development is first occupied and thereafter retained as such.

Reason: In the interests of enhancing the biodiversity of the site and to accord with policy LP30(ii) of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

24. Before the parking deck is installed, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how opportunities have been taken to enhance the biodiversity of the site. This shall include a detailed planting scheme and any other proposed habitat enhancement features, a schedule of implementation and a schedule of aftercare and maintenance (including replacement planting in the event of any specimen dying or becoming diseased) lasting a minimum of five years. The proposed LEMP shall be implemented in accordance with the proposed schedule and retained as such.

Reason: To ensure that opportunities are taken to mitigate loss of existing soft landscaping and enhance the ecological value of the site, in the interests of visual amenity, and to accord with the aims of Policies LP24(a) and LP35 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

25. Nothing shall be permitted to be planted or erected within a strip of land 2.0m deep measured from the carriageway edge of Waingate / Lower Clough along the full frontage of the site which exceeds 1.0m in height above the level of the adjoining highway.

Reason: To ensure adequate visibility for future users is maintained in the interests of highway safety and to accord with the aims of Policy LP21 of the Kirklees Local Plan.

Note – condition 21

Areas intended for the storage and collection of wastes should be laid out with a sealed surface such as tarmac, for ease of use and to facilitate cleaning of the area, and to ensure that loose materials such as gravel, are not dragged on to the highway or areas used by vehicles.

Note – condition 25

The wording of this condition does not preclude the retention of the existing boundary wall, notwithstanding that it exceeds 1m in height above the carriageway. Any lowering or partial demolition of the wall would require a separate application for Listed Building Consent.

Construction Site Working Times – Footnote

It is recommended that noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			24-May-2023
Location plan	22 509 100		17-May-2023
Site plan as existing	22 509 P001		17-May-2023
Existing floor plans	22 509 P02		17-May-2023
Existing floor plans	22 509 P02		17-May-2023
Existing elevations	22 509 P003		17-May-2023
Site plan as proposed	22 509 P100	H	30-Jan-2026
Proposed lower ground floor plan	22 509 P200		17-May-2023
Proposed ground floor plan	22 509 P201	B	30-Jun-2025
Proposed first floor plan	22 509 P202	A	15-Jan-2025
Proposed second floor plan	22 509 P203		17-May-2023
Proposed elevations and	22 509 P300	H	27-Feb-2026

Plan Type	Reference	Version	Date Received
sections			
Proposed site sections	P400		29-May-2025
Car Park Structural Intent Summary including plans and sections	23345		30-Jan-2026
Section through culvert	P401		30-Jan-2026
Culvert survey photographs			05-Jun-2024
Culvert survey technical note	22-509		11-Sep-2023
Window details	22 509 P500		17-May-2023
Top hung window technical details			07-Apr-2025
Stacked opener technical details			07-Apr-2025
Encapsulated unit details			07-Apr-2025
Design & access statement			17-May-2023
Heritage statement	AB Heritage		24-May-2023
Climate change statement	Appendix A		17-May-2023
Arboricultural impact assessment	WC-160.1a		17-May-2023
Structural survey	MDL - 6813		24-May-2023
Updated bat survey	John Gardner		22-Aug-2023

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 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. The case officer requested amendments during the application process to ensure that the proposed development would safeguard the culverted watercourse and that all aspects of the development would conserve the significance of the Listed Building and Linthwaite Conservation Area.

Report Dated:

13-Mar-2026

