

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:	2023/62/93071/W
Site Address:	Oldfield, Oldfield Road, Honley, Holmfirth, HD9 6RL
Description:	Demolition of modern farm buildings, alterations to existing farm house, conversion/ extension of farm buildings to form 2 dwellings with associated access and parking arrangements (Listed Building within a Conservation Area)
Recommending Officer:	Katie Chew

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 2nd May 2024

Officer Report

Site Description

Oldfield, Oldfield Road, Honley, Holmfirth, HD9 6RL

The application site relates to Oldfield House, a mid-19th century farmhouse and a group of agricultural buildings. The farmhouse is grade II listed (Historic England ref: 1228414) with the following description:

“House, part of farm group. Mid C19. Hammer dressed stone, ashlar front (south-east). Stone slate roof. Gable copings. Two stone gable stacks. Two storeys to south-east. Three storeys to north-west. South-east elevation: symmetrical facade. Three bays. Moulded eaves cornice. Central doorway with fanlight and moulded canopy. Sash windows. North-west elevation: moulded stone brackets to gutter. Ground floor: 2 rear central doorways and one 4-light stone mullioned window to each side, the one to right with mullion removed. First floor: one 6-light and one 4-light stone mullioned window. Second floor: blocked loading door and three 3-light stone mullioned windows”.

The stone barns to the north and north-west are also curtilage listed.

The site is situated within the Green Belt and therefore is surrounded by sporadic development which includes dwellinghouses and farmsteads. The site is also situated within Oldfield Conservation Area.

Description of Proposal

The application seeks planning permission for the demolition of modern farm buildings, alterations to existing farmhouse, conversion/ extension of farm buildings to form 2 dwellings with associated access and parking arrangements (Listed Building within a Conservation Area).

House 1 (existing farmhouse) – Internal and external alterations are proposed to the existing dwelling to provide 5 double bedrooms, dressing area, en-suites, bathroom, shower room, snug, hall/cloaks/boot room, study (potential 6th bedroom), utility/WC, kitchen, dining and living areas. The attached barn would be retained for ancillary residential.

Garden/amenity areas are to be retained to the front and side of House 1 as existing, with a cobbled courtyard to the rear.

Access is to be taken down the shared drive off Oldfield Road, with parking provided for 3 vehicles within the cobbled courtyard to the rear.

House 2 – Relates to the demolition of existing shed and re-building of structure like for like, the dwelling is to comprise of 3 double bedrooms,

bathroom, 1 en-suite, dressing room, snug, study, and open plan kitchen/dining and living area.

Garden/amenity areas are to be provided to the side and rear of the proposed dwelling.

Access is to also be taken down the shared drive off Oldfield Road, with parking provided for 3 vehicles within the and parking area to the north-west of the dwelling.

House 3 – Relates to a conversion and extension to an existing curtilage listed barn located to the east of the existing farmhouse and comprises of 4 bedrooms, snug, store, double garage, boot room, 2 WC's, open plan kitchen/dining/living area, 3 en-suites and bathroom.

Garden/amenity areas are to be provided to the front and side of the proposed dwelling. Access is to also be taken down the shared drive off Offield Road, with parking provided for 4 vehicles within the integral double garage and within the parking area to the north-west of the dwelling.

The proposals also seek to demolish the large and more modern open corrugated and breeze block barn to the northwest of the site.

Materials are to include natural stone, stone slate roof tiles, and lead/zinc to the roof.

History of negotiations/amendments received

Amendments have been sought following a meeting with the applicant, applicant's agent and architect whereby it was agreed to revise the scheme as a whole more in line with the previously approved 2022 application ref: 2022/91660. However, some alterations were proposed which sought to demolish the existing shed (House 2) and rebuild like for like as well as some minor amendments to the proposed single storey extension to the front of House 3, these changes are discussed in more detail within the report.

Relevant Planning History

2023/93072 - Listed Building Consent for demolition of modern farm buildings, alterations to existing farmhouse, conversion/ extension of farm buildings to form 2 dwellings with associated access and parking arrangements (Listed Building within a Conservation Area). Pending consideration.

2023/92000 – Work to TPO trees in a Conservation Area. Approved 4th August 2023.

2022/91661 – Listed Building Consent for demolition of modern farm building, alterations to existing farmhouse, conversion of farm buildings to form 2 dwellings with associated access and parking arrangements (within a Conservation Area).

2022/91660 – Demolition of modern farm building, alterations to existing farm house, conversion of farm buildings to form 2 dwellings with associated access and parking arrangements (Listed Building within a Conservation Area). Approved 30th August 2023.

2019/92625 – Work to tree in CA. Approved 14th August 2019.

2011/93253 – Works to tree within a Conservation Area. Approved 3rd January 2012.

Representations

Final publicity date expires:

Neighbour Letters – Expired 15th December 2023.

Press Notice – Expired 8th December 2023.

Site Notice – Expired 14th December 2023.

1 general comment has been received; this is summarised below.

- The proposed development of three houses incorporating existing materials looks to have been carefully designed to fit the area.
- Support the overall proposals but do have some concerns in respect of overlooking from House 1, Bedroom 3, obscure glass is proposed on plan, and this is considered to be a fair compromise.
- Permitted development rights should be removed.
- Any changes made to the approved plans should be re-approved.

Officer note: The application has been advertised by site notice and press notice in line with the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. This is due to the site being located within Oldfield Conservation Area, adjacent to, and relating to Grade II Listed Buildings. Whilst it is acknowledged that amended plans were received during the course of the application, amendments included demolishing the existing shed (House 2) and re-building the structure like for like, and amendments to the previously approved single storey front extension to House 3, given the minor nature of these changes, it is not considered that they would impact detrimentally upon any third parties. It was therefore concluded that re-consultation was not required on this occasion.

Consultation Responses

KC Ecology Unit – Comments received 2nd February 2024. No objections to the proposals but do note that the provision of the ponds would provide a minimal enhancement for ecological receptors and that the works required to create the ponds would create additional disturbance considered to be highly inappropriate within the Green Belt.

KC Trees (informal) – Comments received 2nd February 2024. No concerns in respect of the actual building of the proposed pond areas in respect of adjacent protected trees however, an updated Arboricultural Impact Assessment and Method Statement would need to be provided prior to works being undertaken to ensure the safety of these trees during works. It is also considered the more heavy/extra heavy standard trees could be provided should the applicant be wishing to use the planting of new trees as justification against any impact on the Green Belt.

Officer note: Whilst the above comments are noted, given the removal of the originally proposed ponds, changes to the proposed scheme to revert back to a more conversion led approach and thus requirement for an updated landscape plan.

KC Policy – Comments received 6th December 2023. Object to the application as the proposals are considered to result in inappropriate development within the Green Belt, as well as causing harm to the openness, whereby no very special circumstances have been demonstrated to outweigh their concerns.

KC Conservation & Design – Comments received 1st December 2023. Officers conclude that the submission would require substantial amendments to overcome their concerns in respect of the setting of the listed buildings and character of the Conservation Area.

Officer note: Following discussions with the applicant's agent and an in-person meeting at the Council's offices with the applicant, applicant's agent and architect it was agreed that amended plans would be put forward which seek to revert the scheme as a whole back in line with the previously approved 2022 application (ref: 2022/91660) which had a focus more on conversion of the existing buildings. Whilst some alterations are proposed which differ to those approved under 2022/91660, C&D Officers conclude that they consider the proposals to be acceptable subject to a plethora of conditions which are outlined at the end of this report. They did however note that the extant sliding doors on House 3 should be retained and incorporated into the proposals, the amended plans have sought to remove these and provide simple openings in their place, this detail is not welcomed by Officers, and it is recommended that the sliding doors be retained.

Officer note: Further amended plans were received which reinstated the extant sliding doors on House 3. These details were assessed by C&D and deemed to be acceptable.

WYAAS – Comments received 24th November 2023. Officers recommend that should planning permission be granted, an archaeological programme of works is undertaken to investigate and record any buried archaeological remains on the site. An archaeological watching brief should also be undertaken on all groundworks associated with the proposed development, this should monitor any excavations associated with the removal of buildings

5 and 6 and the excavation of foundations and services for the proposed new build.

KC Highways – Comments received 25th April 2024. No objections, visibility splays and front boundary treatment (to be reduced to 1m in height) are considered to be acceptable.

Parish/Town Council

Holme Valley Parish Council – Comments received 7th December 2023. Support subject to Listed Buildings Officer consent.

Local Ward Members

None.

Planning Policy Background

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The application site is located within the Green Belt, Oldfield Conservation Area and Holme Valley Neighbourhood Area, there are also several TPO trees dotted around the site. It is also important to note that the site is adjacent to and relates to Grade II Listed Buildings.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP3 – Location of New Development**
- **LP7 – Efficient and Effective Use of Land and Buildings**
- **LP11 – Housing Mix and Affordable Housing**
- **LP20 – Sustainable Travel**
- **LP21 – Highway Safety**
- **LP22 – Parking**
- **LP24 – Design**
- **LP26 – Renewable and Low Carbon Energy**
- **LP28 – Drainage**
- **LP30 – Biodiversity & Geodiversity**
- **LP32 – Landscape**
- **LP33 – Trees**
- **LP35 – Historic Environment**
- **LP51 – Protection and Improvement of Local Air Quality**
- **LP52 – Protection and Improvement of Environmental Quality**
- **LP53 – Contaminated and Unstable Land**

- **LP57 – The Extension, Alterations or Replacement of Existing Buildings**
- **LP60 – Re-use and Conversion of Buildings**

Holme Valley Neighbourhood Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

•Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley “Overall, proposals should aim to make a positive contribution to the quality of the natural environment”

•Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design “Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.

•Policy 11: Improving Transport, Accessibility and Local Infrastructure “New development...should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council’s latest guidance on highways design”.

•Policy 12: Promoting Sustainability “All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions.

•Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain “All development proposals should demonstrate how biodiversity will be protected and enhanced”.

It is important to note that the application site is within Landscape Character Area 5, this being the ‘Netherthong Rural Fringe’. Key landscape characteristics of the area are:

- The elevation offers extensive views of the surrounding landscape with long distance views towards Castle Hill and Huddersfield and the valley sides afford framed views towards settlements in the valley below.
- Within Netherthong and Oldfield views of the surrounding landscape are often glimpsed between buildings.
- Distinctive stone wall field boundary treatments divide the agricultural landscape.
- Public Rights of Way (PRoW), including the Holme Valley Circular Walk, cross the landscape providing links between settlements. National Cycle Route no. 68 also crosses the area.

Other Guidance Documents:

- Nationally Described Space Standards

- National Design Guide
- Housebuilders Design Guide SPD (2021)
- Kirklees Highways Design Guide SPD (2019)
- Kirklees Waste Management Design Guide for New Developments (2020)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)
- Oldfield Conservation Area Appraisal

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20th December 2023, 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Legislation:

- The Town and Country Planning Act 1990 (as amended).
- The Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990.
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017.

Assessment

The following matters are considered in the assessment below:

1. Principle of development
1. Impact on visual amenity and heritage
2. Impact on residential amenity
3. Impact on highways
4. Other matters
5. Conclusion

1 - Principle of Development:

1.1 – Sustainable Development

NPPF paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

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

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. In addition, as the site is within the Green Belt and impacts on designated heritage assets, means that the ‘tilted’ balance would not be engaged. The judgement in this case is set out in the officer’s assessment.

Further to this, Policy 6 of the Holme Valley Neighbourhood Development Plan (HVNDP) states that housing development will be supported subject to the following considerations being met:

- The proposed development being within existing settlements (and if in the green belt, it must be acceptable with guidance contained within the NPPF).
- Adequate parking.
- Good access to public transport and encourage walking and cycling by enhancing, expanding and linking to existing routes.

- Densities making best and efficient use of land and reflecting settlement character.

The proposed development is located within the Green Belt, and whilst rural in location the proposed dwellings would be located amongst existing residential properties located on Oldfield Road in Honley. The sites' location within the Green Belt is assessed in more detail within the Land Allocation section of this report below. In addition, the proposed housing density is discussed in more detail below.

Policy LP7 of the Kirklees Local Plan states that should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, Policy LP7 sets out that lower densities will only be acceptable if it demonstrated that it is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

As the proposals are for the conversion, re-building like for like, and extension of 2 existing buildings within the Green Belt, the provision of two new dwellings in this instance is deemed to be acceptable, and that a greater density of development would potentially have a detrimental impact in terms of more intensive use of the land within the Green Belt and impact on adjacent heritage assets. As such, in this case, there are considered to be circumstances which justify the proposed density of redevelopment of the site for two additional dwellings is acceptable with regard to the proposed density of development.

1.2 – Land Allocation (Green Belt)

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF which requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions of this include the re-use of buildings provided that the buildings are of a permanent and substantial construction, engineering operations, and the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

All of the exceptions listed above (detailed in paragraphs 154 and 155 of the NPPF) could be applicable in this case provided that the proposed development preserves openness and does not conflict with the purposes of including land within the Green Belt.

Policy LP60 of the Kirklees Local Plan reiterates the first exception as stated above, by stipulating that the conversion or re-use of buildings in the Green Belt will normally be acceptable where:

- a) The building to be re-used or converted is of a permanent and substantial construction.
- a) The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape.
- b) The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting.

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings. Noting that:

‘Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

a. in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;

b. in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;

c. the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and

d. the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting’.

Whether the proposal is inappropriate development within the Green Belt

In respect of LP60 of the Local Plan and paragraph 155 of the NPPF, conversion of existing buildings is acceptable within the Green Belt subject to the building being of a *‘permanent and substantial construction’*. Whilst a structural report has not been submitted alongside this application, a report was submitted under the previously approved scheme application ref: 2022/91660 by Marsh Design Limited dated 24th September 2022. This report concluded that *“our inspection has confirmed that the barns and outbuildings are free from major structural defect or distress. All of the buildings appear to be of a significant age, and they were originally constructed in such a way that they could be used for many years to come. All of the buildings are in a sound and stable structural condition and in our opinion, each of the buildings can be deemed to be of a permanent and substantial construction suitable for conversion into habitable dwellings”*.

Having undertaken a site visit and discussed the application with the previous case officer and Conservation & Design Officers it was concluded that there

was no indication of any recent structural movement or anything obvious that would conclude that the outbuildings could not be converted. It is therefore considered that this exception of the Green Belt policy is applicable.

Whilst the resultant scheme would change the character of the land from agricultural to residential, this is to be expected due to the proposed change of use. However, careful consideration has been given to the design of the development in order to retain and enhance its past agricultural use. In addition, the residential curtilage is to be kept to a minimum and has been defined by the different parcels of land within the site and the existing stone boundary walls. The land to the north-west, where the existing portal frame/breeze block structure is currently located along with the open prefabricated structures are to be demolished and returned to open fields. This would enhance the openness of the Green Belt, by demolishing modern farm buildings.

The proposed dwellings would also be contained within the existing farm and would utilise the existing access to the site, therefore reducing the need to introduce a new access which may urbanise the site further. It is considered reasonable in this instance to impose a condition to remove permitted development rights at the site for new extensions, additions to the roof and outbuildings for all dwellings on site, to ensure that the openness of the Green Belt and the significance of the heritage assets are not impacted upon further in the future from unsympathetic additions.

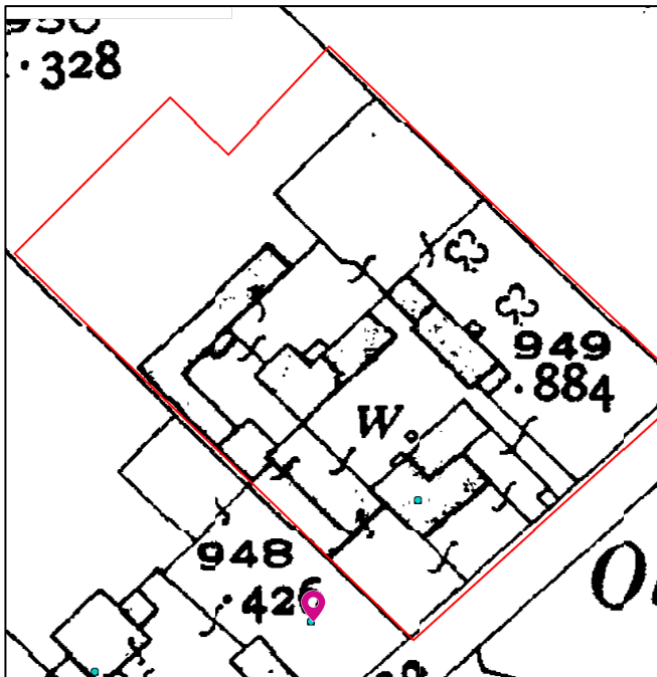
Point c) of Policy LP60 of the KLP will be discussed in more detail within the visual amenity section of this report.

Looking at Policy LP57, as no extensions are proposed to House 1 and changes to House 2 are discussed further into the report, the Officers assessment rests solely on changes proposed to House 3 which are discussed below.

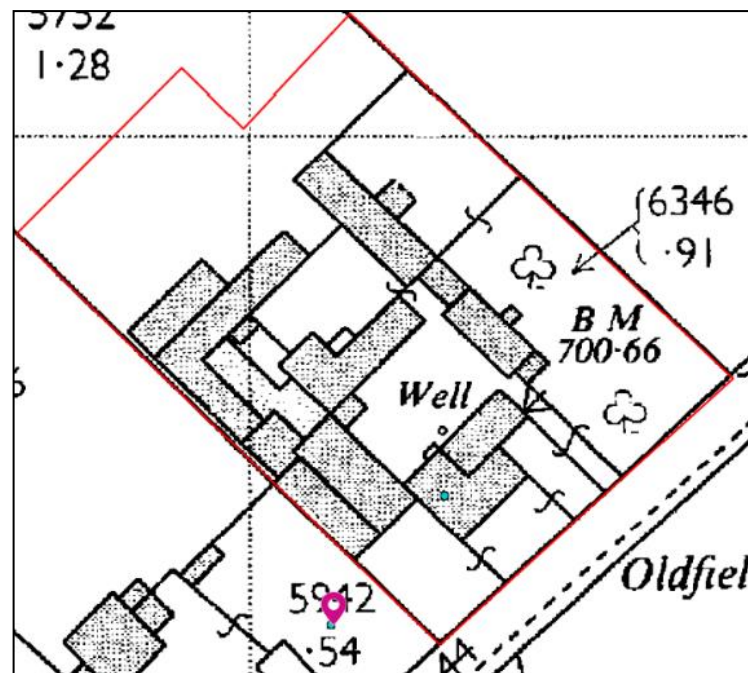
When looking at extensions within the Green Belt, as a starting point it is important to understand what constitutes the 'original building', the glossary within the NPPF defines 'original building' as: *'A building as it existed on 1st July 1948 or, if constructed after 1st July 1948, as it was built originally'*.

When looking at historic mapping, maps from 1922 show a plethora of buildings at the site and the original farmhouse remains as it does to this day. However, when looking through the next available map from 1955 it is clear that there have been some additions to the original outbuildings on site. When comparing these maps to the current day there have been significant extensions to the farm. Given the uncertainty in dates since 1948 Officers will assess the proposals from the 1955 mapping.

1922



1955



2023 – As the site exists today



Looking at 'House 3', the 'original
from the 1955 maps relates to an L

building' when viewed
shaped building which

connects to several other slim agricultural buildings. However, sometime between 1955 and 2004 much of these buildings appear to have been demolished and replaced with a large rectangular agricultural building to the north-west. This building has a footprint of 496.88sqm, given the date of its construction, this building does not form part of the original building. It is also noted that the proposals seek to remove this more modern agricultural building from the site should planning permission be granted. Taking the above into consideration, the footprint of the 'original buildings' equate to 403.29sqm.

In relation to 'House 3' the proposed extension to the front has a footprint of approximately 84.45sqm and is to partly replace an original structure which measures around 31.36sqm in size, the extension proposed to the side (to the west) is to replace an original building (measuring approx. 239.87sqm) with a new footprint of 166.50sqm. Resulting in an uplift to the front of the building of around 73.37sqm, but a reduction in footprint to the side of the building by around 57.82sqm. Therefore, there would be an overall uplift in the footprint of House 3 by 15.55sqm (6.5%). Looking at the volume of the buildings, the proposed front extension would have a slightly higher ridge height than the buildings due to be removed nonetheless, given the minimal uplift in footprint Officers do not have concerns in regard to the increase in volume in this instance.

Furthermore, looking at the design and materials of House 3, the proposed extension is to be single storey in height with a lean-to roof design constructed from recycled stone taken from the site and a stone slate roof. These details are considered to be reflective of the existing structure of which it is to replace, whilst also being sympathetic to other surrounding buildings and the context of the site. Whilst more contemporary features are to be included such as the use of a lead/zinc strip with rooflights which is to separate the new extension from the existing building, these details are considered to be acceptable given their minor nature and their location to the rear of the farm complex. Therefore, the proposals are considered to accord with LP57 (d) of the Kirklees Local Plan.

It is therefore considered that the proposals for House 3 would not represent disproportionate additions to the original buildings and would therefore accord with LP57 of the Kirklees Local Plan and paragraph 154(c) of the National Planning Policy Framework.

As briefly discussed above, the applicant also seeks changes to the milking parlour (building 5 as outlined within the submitted heritage information) which is proposed to be demolished and rebuilt on a smaller footprint to allow for conversion into a residential property, with the creation of garden/amenity space to the side. Given that this building is agricultural in nature, the demolition and rebuilding of this structure is not considered to fall within any of the exceptions listed within Chapter 13 of the NPPF. Thus, resulting in inappropriate development within the Green Belt. The same can also be said for the changes proposed to the more modern cart extension at House 2, which is also to be demolished and rebuilt like for like. As outlined in

paragraph 152 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Given this conclusion, an assessment is required into whether the proposal would cause any other harm to the Green Belt and whether very special circumstances exist which clearly outweigh the harm to the Green Belt by reason of inappropriateness, as well as any other harm to the Green Belt.

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

Paragraph 142 of the NPPF states that the aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. Whilst Officers acknowledge that in the assessment above the proposals are considered to result in a slight uplift in footprint when compared to the site as 'originally built', the site at present does comprise of several larger agricultural buildings, of which planning permission has been granted under a 2022 application for the conversion of some of these structures into residential dwellings. In addition to this, some of these more modern additions are proposed to be removed to allow for the development applied for under this application and therefore Officers do not consider this element of the proposals would have an impact upon the openness of the Green Belt when compared to what currently exists at site, and what the applicant already has approval for here.

As highlighted previously Local Plan Policy LP57 (b) made reference to the need for proposals to not result in a greater impact on openness in terms of the treatment of outdoor areas including hard standings, curtilages and enclosures and means of access. On this occasion much of the site as a whole is covered by hardstanding given its previous agricultural use, therefore the provision of shared accesses and parking areas are not considered to detrimentally impact on the openness of the site. The removal of modern structures and the retention and creation of garden spaces within the site also helps to preserve the openness of the Green Belt. Whilst it is acknowledged that providing residential accommodation in a site like this can result in domestication, permitted developments rights are to be removed for outbuildings to try and help limit any additional urbanisation of the site. Officers therefore consider the proposals to accord with LP57(b) of the Kirklees Local Plan on this occasion.

In terms of the proposed design and materials, these are discussed in more detail within the visual amenity section of this report. However, as outlined, Officers do not consider there to be harm to the visual amenities of the Green Belt.

Subsections C & D of LP57 and point c) of LP60 will be discussed in more detail within the visual amenity section of this report.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development

In accordance with Paragraph 153 of the NPPF, consideration must be given as to whether the application has very special circumstances which clearly outweigh the harm to the Green Belt caused by reason of inappropriateness and other harm.

On this occasion, whilst the construction of new buildings within the Green Belt is considered inappropriate, the planning balance needs to be considered. The proposals seek to provide 3 dwellings at the site, utilising several vacant and unused agricultural buildings and the main farmhouse, some of which are Grade II Listed, or curtilage Listed and thus the proposals also support the preservation of Listed Buildings and the farm complex as a whole. Officers acknowledge that previous planning permission has been granted for a similar scheme in 2022, most specifically in respect of the alterations to House 3, whereby similar amendments were proposed to the milking parlour and therefore there is a fallback position for these changes. Looking at the alterations proposed to House 2, the applicant has advised that the conversion of the cart shed (as previously approved) would be costly and to allow for a better finished product for future occupiers of the dwellinghouse, re-building of this structure should be considered. In addition to the above, the proposed demolition of the cart shed to House 2 is to be re-built like for like and therefore will retain the agricultural and farm feel of the building in the same location, whilst also providing more achievable residential accommodation for future occupiers of the building. The amendments to the milking parlour of House 3 are also considered to be sympathetic in that they are to re-use the stone and roof slates from the existing building where possible, and that the building will be of a similar appearance, both simple in design with a low-pitched roof of the same height as existing.

Taking the above into account, it is considered that 'very special circumstances' which need to be in place, and which clearly outweigh such harm caused to the Green Belt have been demonstrated and therefore the development is considered to be acceptable in principle.

The proposals now need to be assessed in terms of their impacts on visual and residential amenity, highway safety and other matters.

2 – Impact on Visual Amenity and Heritage Assets:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are 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 LP24 states that all proposals should promote good design by ensuring the following:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”

Policy LP11 of the Kirklees Local Plan requires 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 in line with the latest evidence of housing need.

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), Netherthong Rural Fringe (LCA5).

Policy 2 of the HVNDP states that “proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: “New residential development proposals will be expected to respect and enhance the local character of the area by:

- Taking cues from the character of the built and natural environment within the locality.
- Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.
- Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”

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.

In respect of the proposed layout of the site this is somewhat dictated by the existing buildings which are to be converted and extended. At present they form a cluster of development situated towards the southern portion of the application site. House 1 fronts on to the street, with Houses 2 and 3 set behind this property. The proposals will not significantly change this arrangement and are therefore considered to accord with Principle 5 of the above SPD on this occasion.

Principle 6 of the Housebuilders Design Guide SPD highlights that *‘the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to*

penetrate buildings...normally new build development should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to the scale of the dwellings'.

Paragraph 7.19 of Principle 6 states that for houses two-storeys or above, there should normally be a minimum of a 2m distance from the side wall of the new dwelling to a shared boundary.

In this instance the proposals are to utilise, convert and extend existing single, two and three storey buildings into residential properties. Nevertheless, 2+ metres can be provided from the side walls of the new dwellings to any of the shared boundaries and therefore the proposals are considered to accord with Principle 6 of the above SPD.

Principle 15 of the Housebuilders design guide 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.

As House 1 relates to a simple conversion with no changes to the existing roofline, Officers have no concerns in respect of this element. In addition, in relation of House 3, the proposed extensions are to provide either a pitched or lean-to design roof which are considered to reflect the existing structures found within the site and therefore these are also considered to be acceptable. In terms of House 2, the existing shed building comprises of an 'm-shaped roof', this building is to be demolished and built like for like and therefore will reflect what currently exists at the site and thus also accords with Principle 15 of the above SPD.

Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

In respect of the proposed windows and doors within the dwellings, new windows within House 1 seek to either open previously blocked up windows or provide new windows which are of a simple design and small in scale and size, reflective of windows already existing within the property and therefore are deemed to be acceptable. However, in respect of Houses 2 and 3 whilst some larger panels of glazing have been provided within the dwellings, Officers consider that the provision of these contemporary elements when viewed against the other more traditional features, such as the natural stone walls, stone heads and cills and simple design are considered to be on balance, acceptable in what is a sensitive rural location. The openings have been amended during the application process to scale back on the amount of windows and doors provided to ensure that the elevations of the dwellings do not appear overly complicated and out of character with the surrounding area. Sliding barn doors have also been incorporated as features within the properties which further enhance and support the existing agricultural feel of the site. The proposals are therefore considered to accord with Principle 14 of the above SPD.

Principle 13 seeks to ensure consideration is given to use locally prevalent materials and finishing to reflect the locality.

Materials are to include natural stone, slate roof tiles, and lead/zinc strip to the roof. Whilst the use of natural stone and stone slate roof tiles could be supported, these should be reclaimed from the site and re-used within the extensions where possible. In the interests of visual amenity, a condition requesting the use of natural stone and slate roof tiles within the approved dwelling will be imposed. In respect of the proposed lead/zinc strip on house 3 this is considered to be acceptable and a harmonising detail. The proposals are therefore considered to accord with Principle 13 of the above SPD.

Heritage Assets

The application relates to external and internal alterations of a Grade II Listed Building and the conversion, and alterations of existing curtilage listed buildings. Therefore, the key issue for consideration here is the impact on the significance of the listed building, conservation area and archaeology.

The site is also situated within Oldfield Conservation Area and therefore Section 72(1) of the Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

Section 66(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *"In considering whether to grant planning permission for the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Listed Buildings are designated heritage assets and Chapter 16 of the NPPF states that: *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise."* Chapter 16 of the NPPF goes on to state that: *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

Paragraph 206 of the NPPF goes on to state that: *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."*

Paragraph 208 of the NPPF states that when a proposed development would lead to harm, it is necessary to achieve public benefits that outweigh the harm to the heritage asset.

Policy LP35 of the Kirklees Local Plan echoes this guidance and states that: *“Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

Oldfield Conservation Area Appraisal sets out the origins and development of the Oldfield settlement which has been developed as an agricultural hamlet during the 18th century. The site in particular is identified as a gateway into the conservation area and therefore the development has the potential to impact upon its setting.

Oldfield House is a mid-19th century farmhouse, located with the settlement of Oldfield. The House and associated building and historic farmstead is within the Oldfield Conservation Area. When travelling along Oldfield Road from the north, heading southwest the historic farmstead is clearly visible, with the Farmhouse fronting the road the outbuildings equally visible. The site is also experienced from several other views and sight lines. The site is visible when looking off the public footpath/ track leading to New Hagg Farm. The site is also clearly visible on the approach along Cross Lane.

Given the nature, location and history of this site the Council's Conservation & Design Officers have been consulted, a summary of their comments has been provided below.

This application is a new application that follows on from a recently approved scheme under applications 2022/91660 and 2022/91661. The previous applications involved extensive and in-depth discussions and negotiations which eventually led to an acceptable scheme from a Conservation & Design perspective. Whilst the application as originally submitted was in effect a resubmission of the previous schemes before they went through their various amendments, following an in-person meeting with the applicant, applicant's agent and architect it was agreed that the scheme as a whole should revert back to the previous approved 2022 schemes in that the majority of the works relate to the conversion of existing buildings. Although it is noted some additional changes are proposed. Proposed external alterations are discussed in more detail below.

House 1 – Existing Farmhouse

Front Elevation (Elevation 1) - In this case, external alterations are proposed to:

- Remove the face-fixed ironmongery from the front door;
- Replace the C20 leaded light with a fixed light;

- Re-point;
- Replace C20 door with timber boarded door;
- Replace UPVC downpipes with cast iron;
- And replace C20's storm casements with double glazed sash windows.

Side Elevation (Elevation 2) – In this case, external alterations are proposed to:

- Remove UPVC vent;
- Replace storm casements with new timber sash windows;
- Remove poor quality later built flat roof stone link and reuse/recycle materials;
- Infill in natural stone to match existing;
- New timber boarded door;
- Repair existing timber plank door;
- Replace UPVC downpipe with cast iron;
- Replace plywood door with timber boarded hinge door to match;
- Repair/replace existing windows (x2);
- Reinstate timber boarded door.

Rear Elevation (Elevation 3) – In this case, external alterations are proposed to:

- Remove UPVC vent and infill hole;
- Remove cast iron hopper
- Repair existing timber boarded door and make good stone surround/remove UPVC pipe;
- Rebuild/repair chimney with new pots to match;
- Replace UPVC downpipes with cast iron;
- Open up original blocked up opening and insert new window;
- Repair cast iron gutter;
- Remove external wires;
- Remove external SVP and replace with internal stack and AAV;
- Restore full height opening with etched glass door;
- Re-instate mullion and insert new windows;
- Replace all windows on this elevation with unweighted sash windows.

Side Elevation (Elevation 4) – In this case, external alterations are proposed to:

- Replace UPVC rainwater goods with PC aluminium;
- Remove existing cement render and repoint;
- Remove existing render and repoint;
- Clean off white paint and repoint;
- Replacement window;
- New ledge and brace gate;
- Create 2 new windows;
- Remove oil tank;
- New boarded door (new opening).

As the above works are all in line with the previously approved scheme under application 2022/91660, Conservation & Design Officers deem the amendments to House 1 to be acceptable subject to conditions.

House 2

House 2 comprises of 2 elements, the conversion and alterations of the existing 2-storey stone built building (building 3 as outlined within the submitted heritage information) and the demolition of the existing cow shed (building 6 as outlined within the submitted heritage information) which is to be re-built like for like to allow for conversion into residential accommodation.

Front Elevation (Elevation 1) – In this case, external alterations are proposed to:

- Repair existing slate roofing.
- New glazed screen with timber mullions.
- Level external ground to allow 3 no. existing openings to be fully glazed.
- 5 no. new single panel windows.
- Proposed door and fixed glazing in existing opening.
- Internal floor level dropped to ease external levels at rear.
- Demolish existing shed and allow for new structure with external stone walling.
- 1 no. new double panel window.
- Proposed fixed window and door.

Side Elevation (Elevation 2 South-East) – In this case, external alterations are proposed to:

- Demolish existing shed and construct new build with external natural stone walls.
- Demolish existing lean-to.
- Create raised terrace area.
- Create lowered terrace area.
- 2 no. large glazing panels.
- 1 no. patio doors.

Rear Elevation (Elevation 3) – In this case, external alterations are proposed to:

- Raised terrace area.
- Proposed bi-fold doors.
- Lower cill and new window in existing opening.
- 4 no. new single panel windows.
- 2 no. new double panel windows.
- 4 no. new patio doors.
- New lowered terrace area.

- Demolish existing shed and allow for new building with natural stone external walling.

Side Elevation (Elevation 4 North-West) – In this case, external alterations are proposed to:

- Demolish existing shed and rebuild with new structure and natural stone walling.
- 4 no. new roof lights.
- 4 no. new patio doors.
- New standing seam roof.
- New Rainwater pipes.

As outlined within the submitted Heritage Impact Statement:

‘Building 6 comprises a cow shed of the late 20th century, potentially contemporary with Building 5. The building is of blockwork construction, although faced in stone, with irregular roof trusses of lightweight, low-quality design. It is possible the stone was reused from earlier buildings. It is likely that the building was intended to support loose-housing with the stalls present in one half of the building either a later addition or for used for separating animals (such as cows with calves). This building is of a late date, is not unusual or innovative in design or construction, and has no known associations of historic interest. As such the building is not considered to comprise a heritage asset’.

Although building 6 has not been assessed to possess sufficient interest to warrant their identification as non-designated heritage assets in their own right, it is considered to have a limited positive contribution to the setting of the other buildings at the site. This contribution derives from:

- The agricultural character of the buildings which, whilst distinct as non-traditional farm buildings (owing to their wide span, footprint and possession of fewer, larger openings), share a functional aesthetic with the earlier buildings at the site.
- The use of local stone, apparently traditionally tooled, in the principal elevations which complements the materiality of the earlier buildings at the site. This masonry is possibly reused.
- Its layout in defining the edges of a historic outer farmyard previously defined by earlier structures. Whilst Building 6 replaced earlier structures it provides a continuity in enclosure which is of historic interest.

Conservation & Design Officers were consulted on the proposed changes and note that following engagement and discussions with the agent and the applicant the plans have been amended, these now reflect the approved plans from 2022. There are however some changes proposed, in respect of House 2 the main change is the elevational treatment to the more modern shed extension to House 2, which was previously approved to be finished externally in vertical timber cladding, this is now proposed to be finished in natural stone. Given the context and setting of the site the C&D team consider

that this would be an acceptable approach and that to a degree this is an enhancement to the previous proposals.

Moving on to House 3.

House 3

Rear Elevation (Elevation 1) – In this case, external alterations are proposed to:

- Existing stone slate roof repaired.
- Open-up original blocked windows at first floor.
- Replace all windows with new double glazed timber windows to follow existing/original fenestration.
- Replace 2 existing sliding external doors with new vertical boarded doors, rails, and hangers. New stone surrounds if required and insert new timber glazed doors in existing opening.
- New timber glazed door in existing opening.
- Replace UPVC downpipe in cast iron.
- Replace later steel framed window with timber window.
- Remove poor-quality later-built flat roof stone link and re-use/recycle materials.
- New window installed to match the adjacent.

Side Elevation (Elevation 2 North-East) – In this case, external alterations are proposed to:

- Replacement double glazed timber sash window (fixed light).
- Dismantle existing poor-quality lean-to structure and re-use stone to building new structure.
- Recessed glazed timber screen and door installed.

Front Elevation (Elevation 3) - In this case, external alterations are proposed to:

- Dismantle existing poor-quality lean-to structure and re-use stone to build new structure.
- Glazed door and fixed screen installed within link extension.
- Existing stone slate roof repaired.
- New cast iron downpipe installed.
- Lead/zinc separating strip with rooflights installed.
- Demolish existing barn and rebuild with new structure.
- Lower boundary wall to 1.1m above highest ground level.

Side Elevation (Elevation 4 South-West) – In this case, external alterations are proposed to:

- Installation of window and glazed entry door into link.

Side Elevation (Elevation 5 North-East) – In this case, external alterations are proposed to:

- Demolish existing barn and rebuild with new structure.
- Insert timber door within fixed vertical timber panel.

Side Elevation (Elevation 6 South) – In this case, external alterations are proposed to:

- Lower boundary wall to 1.1m above highest ground level.
- Demolish existing barn and rebuild with new structure.

In respect of the proposed changes to House 3, the Council's Conservation & Design team noted that through the course of the discussions/negotiations it was agreed that the extant sliding doors on House 3 should be retained and incorporated into the proposals. The originally amended plans sought to remove these features and incorporate simple openings instead, therefore the request for the retention of the sliding doors was reiterated to the agent who sought to provide further amended plans in accordance with the above request and therefore C&D Officers confirmed that the amendments were acceptable from a heritage perspective.

Wider site alterations

Alongside the above, alterations have been proposed to the front boundary wall in order to achieve the satisfactory sightlines required for highway safety. This would involve reducing the height of the wall to 1m. Heritage Officers consider this alteration acceptable on balance and do not consider it to unduly effect the significance or setting of the listed building.

In addition, and as set out above, the modern agricultural building to the rear (north-west) of the site would be demolished as part of this application. This is greatly welcomed by Officers. Whilst no requests have been made under this current application from the applicant's agent, Officers do acknowledge that under previously approved application 2022/91660 it was requested that a condition be imposed, should planning permission be granted, which requires the demolition of the building prior to occupation as the building is to be used during the construction phase for the storage of materials and tools. Officers again consider this request to be reasonable under the current application.

Significance of the affected heritage assets

The applicants Heritage statement provides a summary of the significance of the listed and curtilage listed buildings. This is as follows:

“Building 1: Oldfield Farmhouse (House 1)”

Its architectural interest makes a high contribution to its significance, as a building which expresses time depth and alteration through the variances in architectural style, with clear adoption of established aesthetics including the

vernacular weaver's cottage style of its north elevation and polite Georgian mansion style of its south elevation.

Its historic interest makes a high contribution to its significance, in relation to the evolution of the West Yorkshire textile industry and the move away from cottage industries and smaller factories, alongside the development of agricultural practices.

Building 2 – Barn adjacent to Oldfield House (ancillary residential)

This is a good example of an early to mid-19th century barn. The building retains evidence of its former use although has lost its original floor structures and internal division of spaces. The building has lost historic fabric principally in the form of its original roof but has been fitted with a modern replacement in keeping with the historic form and detailing of the building. Primarily the building is of a single phase of development. Its historic interest makes a medium contribution to its significance, in relation to the understanding of the development West Yorkshire rural economy and agricultural practices, including its increasing importance in supplementing the incomes of cottage industries in the 19th century.

Building 3 -Barn and hayloft in south-east corner of the site (House 2)

This is the cart shed with storage and workshops above. The building has been altered and there is evidence of historic material having been replaced and repaired. The windows are currently in a poor state of repair. In terms of significance, this building makes a medium contribution, in relation to the understanding of the operations at Oldfield House and the farm's contribution.

Building 4 – Barns attached to the milking parlour (House 3)

Building 4 retains evidence of several phases of use, the weaver's cottage windows suggesting it was first built to accommodate the textile industry and having been later converted to an agricultural purpose. Later adaptation to include the 20th century milking parlour to the rear of the building having occurred to accommodate later farming methods. In terms of its significance, building 4 is considered to make a medium contribution, in relation to the evolution of the West Yorkshire textile industry and the move away from cottage industries and smaller factories, alongside the development of agricultural practices".

In light of the above, Officers have noted that the conversion and external and internal alterations of the existing farmhouse and agricultural buildings would be an enhancement to the existing site. It would bring the buildings, including the existing farmhouse back into use, which are currently left to fall into disrepair. The Listed Building, would also remain the dominant feature at the site, given its overall height and prominent location, along the highway.

Justification

Paragraph 206 of the NPPF requires that the Local Planning Authority should require clear and convincing justification for any harm, if this is deemed to accrue. In this case it is considered that less than substantial harm would occur, as assessed above. However, as set out within the heritage statement, justification has been provided for the development in that:

The scheme would improve the listed building and its setting by retaining and repairing key elements and converting/re-building like for like, the unoccupied agricultural buildings, in order to bring them back into use. This is due to the applicant having no intention or requirement to farm from the site and therefore it has become redundant for agricultural purposes. The demolition of the large modern agricultural building which is harmful to the openness and makes no positive contribution to heritage significance would also be demolished as part of this proposal.

In this case, a significant amount of weight has been afforded by bringing this site back into use and the enhancements made to the listed building and its setting. The level of justification is therefore considered clear and convincing for bringing this site into a residential use, for the minimal level of harm cause.

Weighing of harm against public benefits Paragraph 207 of the NPPF requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public Benefits

In this case, the proposal would bring the existing vacant farmhouse back into use and would create two additional properties, which are greatly welcomed from a housing perspective. As such, the public benefits of this scheme are considered to outweigh the less than substantial harm caused.

In summary, it has been concluded that the proposal would be of a satisfactory design quality, in keeping with the character of the area. The impact on the significance of the Grade II Listed Building and the curtilage listed buildings, conservation area and (subject to condition) archaeology has been assessed and concluded that this would be low, given the amendments sought. There is also a benefit to demolishing all the modern agricultural buildings and structures. Furthermore, the public benefits set out above, would help bring the site back into use and ensure the economic use and longevity of the well-established Listed Building which is beneficial to the character and appearance of the conservation area. As such, the proposal is considered to meet with the requirements of Policy LP35 of the Kirklees Local Plan, Chapter 16 of the National Planning Policy Framework and Section 66(2) and 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The pre-commencement condition regarding archaeological recording would meet the 6-tests and has been agreed for inclusion by the agent.

Officer note: It is also important to note that an allied Listed Building Consent application at the site is in at the Council, reference number 2023/92072.

3 – Impact on Residential Amenity:

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

“Maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers’.

Further to this, paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

Policy 2 of the HVNDP also states that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers.

Principle 6 of the Housebuilders 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 text supporting Principle 6 of the Kirklees Housebuilder Design Guide SPD states set out recommended minimum separation distances for two storey properties, these being:

- 21 metres between facing windows of habitable room;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 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.

Neighbouring properties with the most potential to be impacted by the proposals are discussed below:

Impact on no. 8b Oldfield Road

This neighbouring property is located to the south-west of the application site, approximately 4.1m away from Plot 1. The submitted plans do however show two new windows to be inserted into the south-western elevation of the existing farmhouse (house 1). The outlook from the ground floor window would be restricted by the existing stone boundary wall in which would be retained as part of this development. However, the first-floor window does have some potential to overlook no. 8a and therefore, given that it would serve as a secondary opening to bedroom 3, a condition would be attached to the decision notice should planning permission be granted, to ensure that this opening is fitted with obscure glazing a minimum of grade 4. In terms of overbearing and overshadowing, as no changes are proposed to the overall

scale and massing of the existing dwelling at Plot 1, and that the more modern agricultural building located within the centre of the site is to be demolished, alongside the reduction in bulk and massing along the south-western boundary in relation to the creation of plot 3. Officers consider the relationship between the application site and no. 8b to be improved and therefore reduce any concerns in regard to overshadowing or the buildings appearing overbearing in nature.

Impact on nos. 9 & 9A Oldfield Road

These neighbouring properties are located to the south-west of the application site, approximately 30+ metres away. Given the large separation distances Officers have no concerns in respect of overlooking, overshadowing, or the proposals appearing overbearing on these neighbouring properties on this occasion.

Impact on no. 7 Oldfield Road

This neighbouring property is located to the north-east of the application site, approximately 90m away. Given the large separation distances, Officers have no concerns in respect of overshadowing, overlooking, or the proposals appearing overbearing in nature on this neighbouring property.

Paragraph 191 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development. Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

Whilst the Council's Environmental Health Officers have not been consulted under this current application, they were consulted under a recent similar application at the site (ref: 2022/91660) whereby they raised no concern from a noise perspective, by converting the site into residential. Officers have no reason to dispute this conclusion in reference to the current application and therefore the proposals are considered to accord with Chapter 15 of the NPPF and Policy LP52 of the Kirklees Local Plan.

Amenity of future occupiers of the proposed dwellings

Consideration must also be given to the amenity of future residents of the proposed dwelling. Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accord with the 'Nationally Described Space Standards' document (March 2015). Internally the proposed dwellings

would have a Gross Internal Area that would comfortably exceed the minimal space standards set out in the Nationally Described Space Standards (NDSS), with all habitable rooms having access to at least 1 window. Officers therefore consider that the proposed dwelling would provide an adequate standard of amenity for future occupiers.

Moving on to amenity areas, principle 17 of the Housebuilders Design Guide SPD discusses outdoor amenity areas. It highlights that external space should be able to provide space for activities such as playing, drying clothes and waste storage. Outdoor space should also be in part, able to receive direct sunlight for part of the day, all times of the year. In this case it is considered that the outdoor amenity space for each new dwelling is satisfactory and would receive some level of sun light throughout the day. It is therefore considered that the proposed amenity spaces would meet the requirements of principle 17 of the Housebuilders Design Guide SPD.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, Principles 6, 16 and 17 of the House Builders Design Guide SPD and Policy 2 of the Holme Valley Neighbourhood Development Plan.

4 – Impact on Highway Safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Principle 12 of the Housebuilders Design Guide sets out, amongst other things that parking to serve dwellings should not dominate streets and should be to the side/rear. Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (parking) and the Council's latest guidance on highways design.

Principle 19 of the above guide states that provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

Whilst the Council's Highways team have not been formally consulted as part of this application, they were consulted recently under a similar application at this site ref: 2022/91660. As the access and parking arrangements under this current application are similar to that of 2022/91660 Officers consider these comments to still be relevant and have therefore been used to assess the new proposals. Informal comments were received however, from Highways in

respect of the proposed boundary wall treatments to the front and visibility splays, of which they confirmed that these details were acceptable.

In terms of parking provision, each dwelling would have the required off-site parking.

The hardstanding would remain as existing with some improvements. A condition would be attached to the decision notice to state that any new hardstanding shall be laid in a permeable surface.

Bin storage has also been demonstrated on the submitted site plan, along with a collection point near house 2. This is considered to be suitable from a waste perspective however, it is considered reasonable to condition that this collection point is constructed and operational prior to the occupation of the dwellinghouses.

Alongside the above, it has been demonstrated that a fire tender can enter and manoeuvre safely within the site, as to enter the highway in a forward gear.

Visibility splays have also been demonstrated on dwg no 315 'Boundary Wall Details Details 1 of 2'. Whilst these are slightly below the recommended measurements, due to land ownership issues, it has been noted that any improvements would be a benefit to the site. In addition, the submitted plans outline that a portion of the walling along the front boundary of the site is to be reduced in height to 1m in accordance with highways guidance.

Taking the above into consideration, it is concluded that subject to conditions, the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22 of the Kirklees Local Plan, Policy 11 of the HVNDP, Chapter 9 of the NPPF and Principles 12 and 19 of the Housebuilders Design Guide SPD.

5 – Other Matters:

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.

The site is within Flood Zone 1, that is land at the lowest risk of flooding (land assessed as having a less than 1 in 1,000 annual probability of river flooding). In addition to this there are no specific drainage risks associated with the site (e.g., river, culvert).

In this instance, the application form states that the site will connect into a mains sewer. This is therefore considered acceptable in light of the aforementioned policy and guidance.

Contaminated Land

With regards to land quality, paragraphs 180, 189 and 190 of the National Planning Policy Framework and Policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development.

A Phase 1 Contaminated Land Report by RB Geotechnical dated October 2021 (ref: RBG256) has been submitted as part of this application. Whilst the Council's Environmental Health team have not been formally consulted in this instance, they were consulted under recently approved application ref: 2022/91660 which was for a similar scheme on site and provided the same submitted document as outlined above. Under application 2022/91660, ENVH Officers noted that they agreed with the conclusions shown within the report but did request full land contamination condition to be attached. Officers have no reason to dispute this request when viewed in respect of this current application and therefore full land contamination conditions will be attached to a decision notice, should planning permission be granted.

Biodiversity

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Principle 9 of the Housebuilders Design Guide SPD is also of relevance.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

In this case, a bat survey report has been submitted with the application. The report provides a comprehensive assessment of the buildings present within the site. It is considered that the submitted report provides sufficient information to demonstrate that impacts to roosting bats can be mitigated, and that sufficient ecological enhancement measures can be provided. Nonetheless, given the alterations to the scheme which will now see the demolition of the cart shed (building 6 - as outlined within the report) rather than its conversion, updated Bat Mitigation Strategy is required. This will be secured via a condition to accord with the aforementioned policy and guidance.

Whilst the original submission did include a landscape plan which outlined that the redundant paddock area to the rear of the cluster of buildings was to remain free from development but will undergo ecological enhancement through the incorporation of new tree planting, the creation of 2 new ponds and enhancements to the grassland. Following discussions with the applicant's agent it was agreed that the proposed ponds be removed from the scheme given the impact the engineering operations would have on the openness of the Green Belt. This view was supported by the Council's Ecologist who noted that although the two ponds would provide a minimal enhancement for ecological receptors, the significant engineering works that would be required to construct the ponds are not considered minimal enough to outweigh their value. Following revisions to the scheme an updated landscaping plan has not been provided however, it has been agreed that a condition be imposed requiring the submission of a landscape scheme prior to occupation of the dwellinghouses.

Trees

Policy LP33 of the Kirklees Local Plan states that *"the Council would not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity...Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment"*. This is supported by Principle 7 of the Housebuilders SPD and Policy 2 of the HVNDP.

Within the site there are several protected trees and given the site's location within the Oldfield Conservation Area this also provides a level of protection to the existing trees. The Council's Trees Officer has been informally consulted on the proposals and they welcomed the reduction in scale and massing at House 3 to step away from mature trees which will help to reduce the pressure of future pruning or felling of the trees. However, it is acknowledged that since the original submission amendments have been made to both Houses 2 and 3 whereby the original cart shed at House 2 is to be demolished and rebuilt, and whilst House 3 is to retain the original positioning of the existing building along the western boundary of the site, as this structure is to be demolished and rebuilt it is recommended that an updated Arboricultural Method Statement and Arboricultural Impact Assessment be submitted prior to works commencing on the site. This is to be secured via conditions.

In terms of any new trees to be planted, the Council's Trees Officer considers that bigger trees (heavy or extra heavy standard) should be planted if they are wanting to provide enhancements to justify any impacts arising from development within the Green Belt. They also noted that should any animals be allowed into the 'paddock' in the future to graze an informative should be included which notes that planting protection measures should be incorporated to ensure that animals do not destroy any trees planted within the site. As the originally submitted landscape plan is now out of date it is considered reasonable to include a condition which requires revised

information to be submitted prior to the occupation of the first dwellinghouse on site. Therefore, subject to conditions and informatives, the proposals are considered to accord with LP33 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Principle 7 of the Housebuilders Design Guide SPD.

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 predates 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.

LP26 of the Kirklees Local Plan relates to renewable and low carbon energy, stating that renewable and low carbon energy proposals (excluding wind) will be supported, and planning permission granted where the following criteria are met:

- a. the proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment;
- b. the proposal would not have either individually or cumulatively an unacceptable impact on protected species, designated sites of importance for biodiversity or heritage assets;
- c. the statutory protection of any area would not be compromised by the development;
- d. any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity;
- e. any significant adverse effects of the proposal are mitigated by wider environmental, social and economic benefits.

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.

This is echoed by Policy 12 of the Holme Valley Neighbourhood Development Plan which states that all new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions.

In this case the applicant has submitted a Climate Change Statement in support of the application. This statement outlines that materials are to be sourced locally or reused/recycled from structures which are to be demolished as part of the proposals. Whilst the submitted statement outlines that extensive ecology net gain is proposed to be achieved through developing the area to the northwest of the building group with the introduction of ponds and new tree planting, as discussed previously within the report it has been agreed to remove the proposed pond areas given their anticipated impact on the openness of the Green Belt. An amended landscape plan showing the ecological net gains at the site has not been provided but will be conditioned to be provided should planning permission be granted. In addition to this, as a minimum the proposed dwellings would be constructed to the latest building control standards which would include efficient heating and thermal elements within the building.

Taking the above into account, the proposed development is therefore considered to comply with Policy LP26 of the Kirklees Local Plan, Chapter 14 of the National Planning Policy Framework, Policy 12 of the Holme Valley Neighbourhood Development Plan and Principle 18 of the Housebuilders Design Guide SPD.

There are no other matters for consideration.

6 - Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the scheme would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve with conditions.

Decision Authorisation - Delegated Powers

Application Number: 2023/93071

Officer Recommendation: Approve with conditions.

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

1. 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, LP11, LP20, LP21, LP22, LP24, LP26, LP28, LP30, LP32, LP33, LP35, LP51, LP52, LP53, LP57 and LP60 of the Kirklees Local Plan, Principles 2, 5, 6, 7, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD, Policies 1, 2, 11, 12 and 13 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 5, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

2. Notwithstanding the submitted plans the external walls and roof of the hereby approved dwellings shall use reclaimed natural stone and reclaimed stone slate roof tiles, taken from the existing buildings where possible. If additional materials are required, these materials shall be of natural stone and stone slate roof tiles which in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to preserve and enhance the setting and significance of heritage assets, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Principles 2 and 13 of the Housebuilders Design Guide SPD.

3. The window within the western side elevation of House 1 hereby approved, to serve bedroom 3 at first floor level, shall be first fitted with obscure glass minimum grade 4. Notwithstanding the provisions of Section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the window shall thereafter be so retained obscurely glazed.

Reason: To protect the amenity of the neighbouring property, in accordance with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, Policy 2 of the Holme Valley Neighbourhood Development Plan and Principle 6 of the Housebuilders Design Guide SPD.

4. Prior to the development being brought into use, the external parking areas and accesses to serve the hereby approved dwellings shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order

revoking or re-enacting that Order) (with or without modification)) these areas shall be so retained, free of obstructions and available for access, parking and turning at all times.

Reason: In the interests of highway safety and to ensure adequate space within the site for vehicle movements and parking and to mitigate the impact of the development on flood risk, to accord with LP21 and LP22 of the Kirklees Local Plan, Chapters 9 and 14 of the National Planning Policy Framework and Principle 12 of the Housebuilders Design Guide

5. Prior to the occupation of the first dwellinghouse, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:
 - Details (including samples, if requested) of paving and other hard surface materials;
 - Details of existing and proposed levels, and regrading;
 - Planting plans, including additional tree planting to be standard or extra heavy standard, notwithstanding what is shown in the drawings hereby approved;
 - Details of tree pit sizes and soils;
 - Species schedules, numbers, densities and sizes;
 - Details of initial aftercare and long-term maintenance;
 - Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion.
 - Timetable/programme for implementation of the landscape scheme, including phasing

Thereafter the development shall be undertaken in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value and visual amenity, to protect and enhance the setting of the Conservation Area and adjacent heritage assets, and to accord with Policies LP24, LP30, LP32, LP33, LP35, of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12, 15 and 16 of the National Planning Policy Framework.

6. No development shall take place in any circumstances until the Local Planning Authority has been provided with either: a) a license issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; b) written confirmation of Site Registration under the Bat Mitigation Class License; c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Reason: This is a pre-commencement condition to ensure that the proposed works do not result in a criminal offence under the Conservation of Habitats and Species Regulations 2017 and to conserve biodiversity in accordance with the aims of Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan, Policy 13 of the Holme Valley Neighbourhood Development Plan.

7. Notwithstanding the submitted plans and information, an updated Arboricultural Impact Assessment and revised Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details of trees to be retained and removed and provide a Tree Protection Plan with details of how the construction work will be undertaken with minimal damage to the protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the approved Arboricultural Impact Assessment and Arboricultural Method Statement.

Reason: This is a pre-commencement condition so as to agree the level of protection of the protected mature trees within and adjacent to the application site prior to works commencing on site, to accord with Policies LP24 (i) and LP33 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan, Principle 7 of the Housebuilders Design Guide SPD and Chapter 15 of the National Planning Policy Framework.

8. The new dwellings shall not be occupied until the stone boundary walls and/or any hedging or planting have been reduced to 1m in height along the site frontage and within the site entrance in order to achieve the sightlines as shown on drawing no. 315 'Boundary Wall Details Details 1 of 2'. The boundary walls shall thereafter be retained at this height.

Reason: To ensure adequate visibility in the interests of highway safety, to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

9. Prior to occupation of the first dwelling house hereby approved, the modern agricultural building to the north-west of the site, as shown on the 'Site Masterplan' drawing no. 001 shall be demolished and the land restored as grassland.

Reason: To enhance the setting of the Listed Building and curtilage Listed Buildings and Conservation Area, and to enhance the openness of the Green Belt in accordance with Policies LP24 and LP35 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12, 13 and 16 of the National Planning Policy Framework.

10. The recessed bin collection point outlined on the approved plan ref: 300 Rev A 'Site Masterplan', shall be constructed and be made

operational prior to the occupation of the first dwelling. Once constructed the bin collection point shall be retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in the Local Plan Policy LP24 part d(vi), Chapter 9 of the National Planning Policy Framework and Principle 19 of the Housebuilders Design Guide SPD.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, AA, B, C, D and E of Part 1 of Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Site Location Plan, received 17th October 2023 without the prior written consent of the Local Planning Authority.

Reason: To ensure that the openness of the Green Belt and the significance of the heritage assets are not impacted upon further in the future from unsympathetic additions and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and Principle 2 of the Housebuilders Design Guide SPD.

12. No development to take place within the site outlined in red on the hereby approved Site Location Plan, received 17th October 2023, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological organisation or consultant, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: This is pre-commencement condition to ensure that an appropriate level of archaeological investigation has been carried out at the site in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

13. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

14. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to Condition 14, further groundworks or other works to convert the buildings shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable

for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

15. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 15. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

16. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Policies contained within Chapter 15 of the National Planning Policy Framework.

NOTE: In respect of condition 13, the following guidance is provided from West Yorkshire Archaeological Advisory: *“Recommended Course of Action should the application be approved it is recommended that an archaeological programme of works is undertaken to investigate and record any buried archaeological remains on the site. An archaeological watching brief should be undertaken on all groundworks associated with the proposed development, this should monitor any excavations associated with the removal of buildings 5 and 6 and the excavation of foundations and services for the proposed new build.*

NOTE: Noisy construction related activities shall not take place outside the hours of:

7:30 to 18:30 hours Monday to Fridays

08:00 to 13:00 hours Saturdays

With no noisy activities on Sundays or Public Holidays

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 notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: All contamination reports shall be prepared by a suitably competent person as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice.
- Development on Land Affected by Contamination – Technical Guidance for Developers, Landowners & Consultants – (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Site Location Plan	-	-	17 th October 2023
Site Masterplan	001	-	20 th October 2023
House 1 – Oldfield House Plans	002	-	20 th October 2023
House 3 – Central Barns Plans	003	-	20 th October 2023
House 2 – Northern Barns Plans	004	-	20 th October 2023
House 4 – West Barn Plans	005	-	20 th October 2023
House 2 – South Barn & Garages Elevations 1 & 2	006	-	24 th October 2023
House 2 – South Barn & Garages Elevations 3 & 4	007	-	24 th October 2023
House 4 – West Barn Elevations	008	-	24 th October 2023

1 & 2			
House 4 – West Barn Elevations 3 & 4	009	-	24 th October 2023
House 3 – Central Barn Elevations 1, 2, & 2a	010	-	24 th October 2023
House 3 – Central Barn Elevations 3 & 4	011	-	24 th October 2023
House 1 – Elevations Elevations 1 & 2	012	-	24 th October 2023
House 1 – Elevations Elevations 3, 4 & 5	013	-	24 th October 2023
Site Masterplan	300	A	26 th April 2024
House 1 – Oldfield House Ground Floor Plan	301	-	26 th April 2024
House 1 – Oldfield House First Floor Plan	302	-	26 th April 2024
House 1 – Oldfield House Second and Attic Floor Plans	303	-	26 th April 2024
House 1 – Oldfield House Elevation 1	304	-	26 th April 2024
House 1 – Oldfield House Elevation 2	305	-	26 th April 2024
House 1 – Oldfield House Elevations 3 & 4	306	-	26 th April 2024
House 2 Floor Plans	307	B	26 th April 2024
House 2 Elevations 1 & 2	308	B	26 th April 2024
House 2 Elevations 3 & 3	309	B	26 th April 2024
House 3 Ground Floor Plan	310	-	26 th April 2024
House 3 First Floor Plan	311	-	26 th April 2024

House Elevations 1, 2 & 3	312	A	26 th April 2024
House Elevations 4, 5, 6 & 7	313	-	26 th April 2024
House Sections A-A & B-B	314	-	26 th April 2024
Boundary Wall Details 1 of 2	315	-	4 th April 2024
Boundary Wall Details 2 of 2	316	-	4 th April 2024
Bat Survey Report – Supporting Information	MBE/BAT/2022/01/03	-	17 th October 2023
Heritage Statement – Supporting Information	TJC2021.161	1.0	17 th October 2023
Planning Statement – Supporting Information	-	-	17 th October 2023
Phase I Desk Study Report – Supporting Information	RBG256	001	17 th October 2023
Arboricultural Method Statement – Supporting Information	AWA5658AMS	-	17 th October 2023
Arboricultural Report & Impact Assessment – Supporting Information	AWA5658	-	17 th October 2023
Climate Change Statement – Supporting Information	-	-	23 rd October 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 preapplication advice service available, complied with the Kirklees

Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments have been sought following a meeting with the applicant, applicant's agent and architect whereby it was agreed to revise the scheme as a whole more in line with the previously approved 2022 application ref: 2022/91660. However, some alterations were proposed which sought to demolish the existing shed (House 2) and rebuild like for like as well as some minor amendments to the proposed single storey extension to the front of House 3, these changes are discussed in more detail within the report.

Report Dated:

1st May 2024.