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:	**2023/62/93808/W**
Site Address:	Springfield Barn, Fieldhead Lane, Holme, Holmfirth, HD9 2QJ
Description:	Erection of canopy and associated alterations
Recommending Officer:	Molly Storer

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: 19-Mar-2024

Officer Report

Site Description

Springfield barn is a semi-detached, two storey property located within the Green Belt on the Kirklees Local Plan. The property is constructed from natural stone and hosts a stone slate roof. The front of the property is located adjacent to Fieldhead Lane and there appears to be a large driveway to the rear. The site is within a remote location with limited development and is surrounded by open countryside.

Description of Proposal

The applicant is seeking permission for the erection of a canopy and associated works.

Canopy

The proposed canopy would extend approximately 1.1m from the existing porch and would have a width of 2.4m.

The submitted plans show that the proposed canopy would be constructed of oak and stone posts with a stone slate lean-to roof.

Associated alterations

The other associated works are to enlarge a window to create sliding doors on the ground floor of the southwest elevation. This would be constructed from timber.

Although permitted development rights had originally been removed from the property (97/92281), the condition restricting permitted development rights was deleted by the Planning Inspectorate in an appeal decision under application number 2020/93738. Therefore, the alterations to the window may be completed under permitted development via Class A of Part 1, GPDO.

History of negotiations/amendments received

None

Relevant Planning History

2020/93738 - Removal of condition 5. (permitted development) on previous permission no. 97/92281 for re-use, extension and adaptation of redundant barn to form dwelling – *Appeal against non-determination upheld.*

96/93666 – Change of use of vacant barn to residential (one dwelling) – *Conditional Full Permission.*
97/92281 – Re-use, extension and adaptation of redundant barn to dwelling – *Conditional Full Permission (removed permitted development rights)*

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired 19th February 2024 – no representations received.

Holme Valley Parish Council – support the application.

Consultation Responses

- Peak Park Planning Board: No comment
- Holme Valley Parish Council: In support

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is within the Green Belt on the Kirklees Local Plan.

<u>Kirklees Local Plan:</u>

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP32** - Landscape
- **LP 31 –** Strategic Green Infrastructure Network
- **LP 57 –** The extension, alteration or replacement of existing buildings

<u>Neighbourhood Development Plans</u>

- Holme Valley Neighbourhood Development Plan (2020-2031)

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

The principal Policy considerations are:

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The site is located within Landscape Character Area 2 – Holme Moorland Fringe.

The key landscape characteristics of the area are:

- There are many elevated vantage points with panoramic and long-distance views across the settled valley floor of the River Holme
- There are key vistas towards the open moorland and into the Holme Valley from Holme Conservation Area and views into the Conservation Area form Fieldhead Lane and Woodhead Road West (A6024)
- Agricultural fields are enclosed by stone walls and deciduous tree cover
- Open access land to the south of Holme, upland reservoirs, Kirklees Way long distance walking route and the Holme Valley Circular Walk all provide recreational opportunities
- Historic cart tracks such as Nether Lane with distinctive grooved pavements

The key built characteristics of the area are:

- A distinctive vernacular architecture formed from former laithe and weaver's cottages, along with farmhouses, barns and public buildings
- Building materials include millstone grit in properties and boundary walls and details often respond to the harsh climate conditions, with small windows located predominantly on less exposed elevations.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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.

- 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

Supplementary Planning Documents (SPD's)

- House Extensions and Alterations Supplementary Planning Guidance (2021).

Assessment

Principle of development:

The site is within the Green Belt on the Kirklees Local Plan. Policy LP57 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework advise that developments in such areas should be considered having regard to their impact on the openness of the Green Belt and the extent to which the existing building remains the dominant element. Extensions should not create disproportionate additions.

The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. However, for extensions within the Green Belt to be considered acceptable, it is essential that they should neither prejudice the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Impact on the Green Belt

The proposed canopy would introduce additional built development within the Green Belt. The proposed canopy would have a limited projection of 1.1m and a modest width of 2.4m. It is a largely open form and would create a subservient covered entrance to the dwelling. This is considered not to be a disproportionate or inappropriate addition, given the size of the host dwelling and its previous history.

The proposed development would not materially detract from its Green Belt setting, given that its design and materials are similar to the existing dwelling and it principle as it is deemed to comply with one of the exceptions to the erection of new buildings in the Green Belt. The proposed development would be of an acceptable size and scale relative to the main dwelling, and it would be located within the residential curtilage. The original building would remain the dominant element in terms of size and overall appearance.

Taking the above into account, it is considered that the effect on the Green Belt would likely be minimal. Accordingly, the proposed canopy would be in line with

Chapter 13 of the National Planning Policy Framework and Policy LP57 of the Kirklees Local Plan.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

Impact on visual amenity:

Policy 1 of the Holme Valley Neighbourhood Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 2, detailed in the 'Policies' section of this report)

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design. Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The proposed canopy would be constructed of stone with oak posts and a stone slate roof, similar to the existing dwelling. The roof form would of a lean-to roof design, which would match the roof of the existing porch. In addition the canopy would be situated to the rear of the dwelling and will not be particularly visible from public viewpoints or detract from views into or out of the National Park. The design, materials, and detailing are acceptably in keeping with the host dwelling and the local character and is therefore considered acceptable from a visual amenity perspective. It would also acceptably comply with detailed guidance for a rear/side extension set out in the SPD.

Taking into account the compliance of the scheme in terms of the SPD and the overall appearance of the building, it is considered that the extension to the rear/side elevation would appear as a subordinate and harmonious addition to the building. Therefore, it is considered that the proposal would not have a detrimental impact on visual amenity and would accord with Policies LP24, LP32 and LP57(c & d) of the Kirklees Local Plan, Policies 1 and 2 of the Holme

Valley Neighbourhood Development Plan and Government Guidance contained within Chapter 12 of the NPPF in terms of design.

Impact on residential amenity:

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Springfield House is the only residential dwelling in close proximity to the application site. This property adjoins Springfield Barn to the southwest and is on the same building line and ground level.

However due to the orientation of the properties and the proposed location of the porch, the existing development will screen the canopy meaning it will not be visible from Springfield House. In addition to the small scale nature of the proposal it is considered to have no impact on the residential amenity of this neighbour.

An appropriately sized and useable area of private outdoor space would be retained for current and future occupants, with over half the garden area retained.

It is therefore considered that in terms of residential amenity, the development is acceptable and complies with policies 3, 4, 5 and 6 of the House Extensions and Alterations SPD, Policy LP24 of the Local Plan, The HVNDP and policies contained within chapter 2 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principles 15 and 16 of the adopted House Extensions & Alterations SPD seek to ensure that acceptable levels of off street parking / waste storage areas are retained and are also considered to be relevant.

There is no increase in bedroom provision for the property as a result of the works and therefore there no increased demand for off-street parking.

In terms of bin storage, there is adequate provision within the site boundary to accommodate domestic waste bins.

It is therefore considered that the proposal would comply with Key Design Principles 15 and 16 of the SPD, Policies LP22 and LP24 of the Kirklees Local Plan and advice within the NPPF.

5 – Other matters:

Climate Change - Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

In this case, due to the nature of the proposal it is considered reasonable not to require the applicant to put forward any specific resilience measures over and above that contained in the submitted Climate Change Statement.

Strategic Green Infrastructure Network – The site is within the Strategic Green Infrastructure Network and therefore Policy LP31 is of relevance in this instance. The role of the Network is to safeguard and enhance green infrastructure networks, green infrastructure assets and the range of functions they provide. As the proposed works would be within the confines of the residential curtilage, it is not considered that the proposed works would be detrimental to the aims of Policy LP31 of the Local Plan.

6 – Representations:

None

7 – Conclusion:

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

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

Recommendation **APPROVE**

Decision Authorisation - Delegated Powers

Application Number: 2023/93808

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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, LP21, LP24, LP31, LP32 and LP57 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the House Extensions and Alterations SPD, Policies 1, 2 and 13 of the Holme Valley Neighbourhood Development Plan and advice within Chapters 12, 13, 14 and 15 the National Planning Policy Framework.

3. The roofing materials of the canopy hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and advice within Chapter 12 the National Planning Policy Framework

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are

discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing site/block layout	23/948/02	-	11/01/2024
Proposed grouped plans and elevations	23/948/04	-	11/01/2024
Existing grouped plans and elevations	23/948/03	-	11/01/2024
Location plan	23/948/01	-	11/01/2024
Proposed block plan	23/948/05	-	11/01/2024
Climate change statement	-	-	11/01/2024
Application form	-	-	11/01/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 19/03/2024