

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:	2024/62/90293/W
Site Address:	2, Bank End Knoll, Oakes Lane, Brockholes, Holmfirth, HD9 7BF
Description:	Conversion of garages to living space, internal alterations, installation of gate and replacement windows and doors
Recommending Officer:	Tom Hunt

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.

Julia Steadman

AUTHORISED OFFICER

Date: 21-May-2024

Officer Report

Site Description

2024/90293 – 2, Bank End Knoll, Oakes Lane, Brockholes, Holmfirth, HD9 7BF

2 Bank End Knoll forms part of a small hamlet located off an unadopted road which joins Oakes Lane a short distance to the south. It is a former barn, Grade II Listed, which originally had a simple rectangular plan with a north-south layout, but has been extended on its western aspect to have a H plan layout, and is attached at its north-eastern corner to 4-6 Bank End Knoll, a former farmhouse which is also Grade II Listed. The wider surroundings of the site are rural and undeveloped, until the eastern edge of the built-up part of Brockholes is reached some 130m to the west.

Description of Proposal

Conversion of garages to living space, internal alterations, installation of gate and replacement windows and doors.

It is proposed to convert the existing garage to the rear of the east wing to living accommodation to offer a games room, bedroom and ensuite. The existing and non-historic garage doors would be replaced with glazed screens and doors.

The east wing on its western elevation would have two existing opening's aluminium double glazing to be removed and three pane bifold doors to be installed to each. To one, the opening would be modestly enlarged to replicate the existing design.

The west wing on its western elevation would have an existing opening enlarged to install three pane bi-folds.

The central section would have its underpass filled in to have a glazed screen with fixed side lights and central door to the front and a three pane bifold installed.

There would be some limited reconfiguration of internal layout, including removal of a non-original staircase, to achieve a larger hallway entrance within the central section (which is non-original).

Within the site, it is proposed to supply 4 parking spaces and to have newly gated access. The automated gates would make reuse of the previous gate mounts, be in timber close boarded design finished in RAL 7003 (moss grey) and an overall height of 1.75m.

A free standing electric charging vehicle point is proposed to be installed adjacent to the parking.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual and residential amenity. The Officer requested new windows and doors to be provided in drawings to assess the impact to the Listed Building. The agent requested this to be conditioned to be discharged at a later date.

Relevant Planning History

91/00964	Erection of stable block. <i>Conditional Full Permission.</i>
97/91972	Erection of greenhouse. <i>Conditional Full Permission.</i>
2013/94103	Alteration to single-storey extension to form first floor extension. <i>Refused</i> Appeal: APP/Z4718/D/14/2218537 <i>Dismissed.</i> Officer note: This would have involved raising the eaves and ridge by the equivalent of half a storey.

Reason for refusal: The proposed extension, in the context of a building that has already been very substantially extended, would amount to a disproportionate addition and would harm the openness of the Green Belt, contrary to the aims of Policy D11 of the Unitary Development Plan and the section (9) of the National Planning Policy Framework. It is considered that the applicant has not demonstrated “very special circumstances” within the meaning of paragraph 88 of the National Planning Policy Framework to justify why such inappropriate development should be allowed in this instance.

Appeal dismissed. The Inspector found that it would result in a disproportionate addition to the dwelling and be inappropriate development in the Green Belt.

2013/94104	Listed Building Consent for alteration to single-storey extension to form first-floor extension. <i>Granted.</i>
2024/90294	Listed Building Consent for conversion of garages to living space, internal alterations, installation of gate and replacement windows and doors. <i>Pending.</i>

Representations

We are currently undertaking 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, site notice and press publicity which had a final expiry date of 7th April 2024.

No representations have been received.

Consultation Responses

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

- Conservation & Design – Requested joinery details.
- Holme Valley – 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 the Holme Valley Neighbourhood Development Plan adopted 8th December 2021.

The site is within the Holme Valley Neighbourhood Plan under Local Character Area

7: River Holme Wooded Valley

The site is a Grade II Listed Building in the Green Belt on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- LP 1 – Presumption in favour of sustainable development
- LP 2 – Place shaping
- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 30 – Biodiversity & Geodiversity
- LP 31 – Strategic Green Infrastructure Network
- LP 35 – Historic Environment
- LP 51 – Protection and improvement of local air quality
- LP 53 – Contaminated and unstable land
- LP 57 – The extension, alteration or replacement of existing buildings

Supplementary Planning Guidance and other considerations

- Highways Design Guide SPD
- House Extensions and Alterations SPD (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)
- Institute of Air Quality Management Land-Use Planning & Development Control; Planning for Air Quality (2017)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Planning (Listed Building & Conservation Areas) Act (1990)

HVNDP Policies relevant to this application 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 11: Improving Transport, Accessibility and Local Infrastructure
- Policy 12: Promoting Sustainability
- Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain

Relevant to the scale of the proposal, Officers are required to consider the LCA and to support its local identity by:

- having regard for the key characteristics that give these areas their distinctive character and to respect, retain, and enhance the character of existing settlements, including vernacular building styles, settlement patterns, alignment of the building line and the streetscene.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th 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 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- 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

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and heritage amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology
- 5) Representations
- 6) Conclusion

1 – Principle of development:

1.1 Sustainable Development

Policy LP1 of the Local Plan states that when considering development proposals, the council will take a positive and proactive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

Key Design Principles 1 and 2 of the House Extensions and Alterations SPD and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan have been used as a guide in considering the proposal’s visual amenity impact on the streetscene and host.

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.

1.2 Green Belt

The site is within the Green Belt. The general principle of extending and making alterations to a property within the Green Belt are assessed against Policy LP57 of the Kirklees Local Plan and national policy within Chapter 13 of the NPPF.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt (paragraph 143), the most relevant in this case being:

“c) to assist in safeguarding the countryside from encroachment”
as it is in the countryside.

Policy LP57 of the Kirklees Local Plan mirrors the view of the NPPF by aiming to ensure that a 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.

The proposal seeks to replace and modestly alter existing openings. The east wing is historic and presently has similarly proportioned glazing without mullions. The west wing is non-historic and has a traditionally designed opening to be altered to be made larger. The proposal would have its central wing infilled with glazing. The garage doors would be changed to glazed openings.

The proposal would have no significant additional bulk and massing and as such this is considered to have a neutral impact on the openness of the Green Belt and would not conflict with the purposes of including land in it.

The proposed parking spaces is currently within an existing area serving as parking space. This would have a neutral impact on the Green Belt.

To conclude, the proposal would not be deemed as inappropriate development in the Green Belt and would be compliant with Policy LP57 of the Kirklees Local Plan and Chapter 13 of the NPPF.

1.3 – Heritage

The site is a Grade II Listed Building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority should 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.

In addition, Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment support the Act.

Furthermore, LP35 states *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in...harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring...public benefits that clearly outweigh the harm”*. This is mirrored in paragraph 208 in Chapter 16 of the NPPF.

Paragraph 203 goes on and states that Local planning authorities should consider:

“the desirability of sustaining and enhancing the significance of heritage assets... the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and; the desirability of development making a positive contribution to local distinctiveness” when determining these applications.

An analysis of whether harm to the significance of these heritage assets would occur will be assessed and discussed later in the report.

2 –Impact on visual amenity:

In terms of visual amenity, general design considerations are set out in Policy LP02, LP24 and LP35 of the Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, Policy 1 & 2 of the HVNDP and Chapter 12 and 16 of the NPPF, which seeks to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, respecting and enhancing the character of the townscape, heritage assets and protect amenity. LP24 also requires extensions to be *“subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”*.

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it

fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The Holme Valley Neighbourhood Development Plan guides Officers to consider the certain characteristics of their identified character areas for place shaping and good design.

The alterations are minimal removing non-historic glazing and doors to the existing historic building and altering openings or infilling to non-historic sections of the Building. An existing gateway would have new timber gates installed.

In terms of heritage amenity, it would have a modestly modernised appearance in limited sections of glazing harmonised similarly in high quality timber materials for its bifolds. There would be a slight improvement in the removal of overly engineered and modern aluminium framing compared to more natural timber frames. The removal of non-historic garage doors would not be a loss of historic fabric and be acceptable. The Listed Building would be minimally altered with its fenestration design and its additions would have modest layout alterations allowing a more efficient flow between its wings and central section. The fenestration detail, including the ironmongery and stone surrounds, can be adequately controlled by condition to ensure a high-quality design and materials. The gate would appear of high-quality design with timber finished in a muted moss green. Overall, the scheme would appear high quality with no significant alterations. As such it would not have any harm to the heritage amenity and would not require public benefits under local and national policy.

Subject to the recommended conditions, the proposal is therefore regarded as acceptable for permission in this regard as it would not significantly harm the visual amenity of the area or the heritage asset and be acceptable and accord with Policy LP02, LP24 and LP35 of the Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, the Key Design Principles of the House Extensions and Alterations SPD and Chapters 12 and 16 of the NPPF.

3 – Impact on residential amenity:

Section B and C of Policy LP24 of the Kirklees Local Plan 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 135f) of the National Planning Policy Framework 2023 states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The alterations would take place within existing openings overlooking fields. The infill glazing to the central section would face a bathroom window of no. 1 at an oblique angle separated by 16.8m. This distance would exceed requirements set out in paragraph 4.10 of the SPD. It is considered that this

infill would not significantly alter the existing arrangement in terms of privacy or overlooking to a harmful degree from a newly formed hallway and be acceptable. No other additional bulk and massing is proposed and as such the proposal would have no impact on overbearing or overshadowing.

Other Residential Properties

It is considered that the proposed development would orientated away from any other neighbouring properties not referred to above so as to prevent undue harm to these properties in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing effect.

Future Occupiers

With reference to Key Design Principle 7 of the House Extensions and Alterations SPD, the proposal would still retain a substantial, outdoor private amenity space available to future and present occupiers for excellent standards of privacy.

The proposal would therefore be in general conformance with LP24b of the Kirklees Local Plan, the Key Design Principles relating to residential amenity of the House Extensions and Alterations SPD and Chapter 12 of the NPPF.

4 – Impact on highway safety:

Turning to highway safety and parking, policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The Highways Design Guide SPD advises that development should have sufficient off street parking spaces to meet need and to ensure on street parking impact is limited.

For a 4 plus bedroom dwelling, it should have three off street parking spaces to achieve this aim. The proposal would remove two garaging spaces which are inaccessible to modern vehicles and do not meet Highways Design Guide SPD standards for internal garaging spaces. The use of existing hardstanding for parking four vehicles would have a neutral impact on parking. Bin arrangements have not been set out however the substantial plot size would adequately allow bins to be stored practically without detriment to the highway.

The gated access would be set back sufficiently from the highway on an existing driveway so as to not require a condition to have this opening inwardly to prevent impedance to the public highway.

The proposed development would not adversely affect the existing parking spaces within the site, nor intensify use to a degree harmful to the site and therefore would not cause additional harm to highway safety. This would comply with Policies LP21 and 22 of the Kirklees Local Plan, Key Design Principles 15 –16 of the House Extensions and Alterations SPD, Policy 11 of

the Holme Valley Neighbourhood Development Plan, the KC Highway Design Guide SPD and Chapter 9 of the NPPF

5 – Other matters:

Climate Change

When determining planning applications the Council will use the relevant Local Plan policies, Policy 12 of the Holme Valley Neighbourhood Development Plan, the NPPF and guidance documents/SPDs to meet targets to achieve net zero carbon emissions. A Climate Change Statement has been supplied. The provision of an Electric Vehicle Charging Point is a benefit and as such can be conditioned to satisfy the requirements of meeting carbon emission reductions and cleaner air under Chapter 14 of the NPPF, LP51 of the Kirklees Local Plan and the West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance. Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Drainage

The site is within a low probability Flood Risk Zone and does not seek to extend its off-street parking area further. Development is limited to the building footprint within a substantial soft surfaced garden therefore this would have no conflict with Policy LP28 of the Kirklees Local Plan and Key Design Principle 14 of the House Extensions and Alterations SPD.

Biodiversity

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

The small scale of the proposal would be on an existing hardsurface with no impacts to existing vegetation or biodiversity. As such, it is proposed that this would require no additional compensation or mitigation to improve biodiversity to make it acceptable in line with Chapter 15 of the NPPF, Key Design Principles 12-13 of the SPD, Policy 13 of the Holme Valley Neighbourhood Development Plan and LP30 and LP31 of the Kirklees Local Plan.

6 – Representations:

No representations had been received.

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

Application Number: 2024/90293

Officer Recommendation: Approve

Conditions and Reasons

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

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 and LP24 of the Kirklees Local Plan, Key Design Principles 1-17 of the Council's House Extensions & Alterations Supplementary Planning Document, and Policies within Chapters 2, 12 and 14 of the National Planning Policy Framework

3. Notwithstanding the submitted plans, before development commences, the proposed ironmongery details and the joinery details for the replacement windows and doors at a scale of 1:10 showing the profile and section detail at 1:5 shall be submitted to and approved in writing by the Local Planning Authority. The use of friction or egress hinges or trickle vents is not accepted. The windows shall be slim-line double-glazed, limited to 16mm maximum (at 4:8:4 ratio) with black spacer bars and be in timber. Any paint finish submitted

shall be matt finish, not gloss. Thereafter the glazing and frames shall be finished in accordance with the approved details and retained as such.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the details provided, the external stone surrounds for the new bifold openings for the dining room and the snug on the west elevations hereby approved shall be of natural ashlar stone and shall replicate the stonework of the existing host window surrounds in terms of stone type, colour, bedding and tooling, albeit with a deep enough section suitable for the span. The surrounds shall be finished in hand tooled stone to match the existing walling, and no power tool cuts or marks shall remain visible. The window stone surrounds approved by this condition shall be retained thereafter.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24 & LP35 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan as well as policies within Chapters 12 and 16 of the National Planning Policy Framework.

5. Prior to the conversion of the garage into living quarters, one electric recharging point shall be installed within the dedicated parking area of the dwelling hereby approved. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 50Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: In the interests of supporting low emission vehicles and to accord with the guidance contained in Policies LP20, LP24, LP47 and LP51 of the Kirklees Local Plan, Policy 12 of the Holme Valley Neighbourhood Development Plan, Principle 18 of the Housebuilders Design Guide and Chapters 9, 14 and 15 of the National Planning Policy Framework.

NOTE: Electrical Vehicle Charging Points -

- A standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 50A (12kW) is however more likely to be futureproof.
- Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification – Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of at least 16A (3.5kW) and have Type 2 sockets would be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.

- The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. 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
Location Plan.	Drawing no. 22/820/01.		14/02/2024
Existing Block Plan.	Drawing no. 22/820/02.		14/02/2024
Proposed Block Plan with Parking Layout.	Drawing no. 22/820/07.		23/02/2024
Existing Elevation Plans.	Drawing no. 22/820/05.		14/02/2024
Existing Floor Plans.	Drawing no. 22/820/03.		14/02/2024
Proposed Elevation and Floor Plans.	Drawing no. 22/820/06b.	B	14/02/2024
Proposed Gate Elevation and Section Plans.	Drawing no. 22/820/08.		27/02/2024
Heritage Impact Statement	Heritage Impact Statement by Paul Matthews Architectural Ltd. Job no. 22/820. Date: December 2023		14/02/2024
Climate Change Statement	-	-	14/02/2024

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. The case officer considered the application on review and sought no amendments as it met Local Plan policies on visual and residential amenity. The pre-commencement conditions were agreed with the applicant's agent.

Report Dated: 20/05/2024

