

**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:	2024/62/90514/W
Site Address:	259, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SS
Description:	Erection of detached double garage with lean-to store (modified design) (Listed Building)
Recommending Officer:	Lucy Taylor

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: 03-Jun-2024

Officer Report.

Reference: 2024/90514

Location: 259, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SS

Proposal: Erection of detached double garage with lean-to store

Site Description.

No. 259 Gillroyd Lane, and the attached property of No. 257 Gillroyd Lane, are a Grade II Listed historical agricultural building and a converted barn. Both properties are stone faced, with natural stone slate roofing tiles. Each of these properties is set within a large curtilage, with there being large garden spaces to the rear. To the front is a shared driveway, with garden space for No. 259, accessed from Gillroyd Lane.

The shared listing description is as follows:

1772 (datestone). 2 farmhouses and barn. Hammer dressed stone (thinly coursed). Quoins. Pitched stone slate roof. Gable copings on moulded footstones to west and carved footstones to east. Central stack with string course and water tabling. Occasional moulded stone brackets to south elevation. 2 storeys. House: South elevation: Ground floor: two entrances with stone surrounds and tie-stones (one blocked and one in modern porch); two 4-light stone mullioned windows (recessed) (side mullions removed); one 4-light stone mullioned window (recessed) (central mullion removed) (side lights blocked). First floor: three 4-light stone mullioned windows (recessed) (each with 1 mullion remaining). Highly decorative datestone over doorway reads: R G M 1772 North elevation: entrance with stone surrounds. Various single lights with stone surrounds (upper floor surrounds are pronounced). Barn: South elevation: large central doorway with segmental arched head and pronounced keystone (part blocked to form small doorway and single light). Rooflights to south pitch. One 2-light stone mullioned window (mullion removed); small single light to first floor. North elevation: large doorway with segmental arched head, pronounced keystone and quoins; small entrance with stone surrounds.

Description of Proposal.

Planning permission is sought for the erection of a detached double garage with lean-to store.

The garage would be sited to the north west of the host property, in front of the principal elevation. It would have a length of 6.6 metres, a width of 7 metres and a maximum height of 4 metres. The walls are to be reclaimed natural stone and the roof is to be infilled with natural stone slate tiles.

To the south east facing elevation of the garage, is a lean- to store. It is to be 5 metres in length, with a projection of 1.2 metres and a maximum height of 2.4 metres. The store is to be oak framed with a sedum green roof.

Relevant Planning History.

Application Site:

- 2012/90147 – Change of use and alterations to attached barn to form additional living accommodation and internal alterations (Listed Building) – *Granted Conditional Full Permission.*
- 2012/90148 – Listed Building Consent for alterations to attached barn to form additional living accommodation and internal alterations. *Consent Granted.*
- 2018/90780 – Erection of detached double garage with lean-to store and associated works. *Granted Conditional Full Permission.*
- 2018/90781 – Listed Building Consent for erection of detached double garage with lean-to store. *Consent Granted.*
- 2024/90515 – Listed Building Consent for erection of detached double garage with lean-to store. *Pending Determination.*

Surrounding Area:

- 257 Gillroyd Lane – 2020/90661 – Listed Building Consent for erection of replacement porch. *Consent Granted.*

History of Negotiations.

Following consultations with KC Conservation and & Design, the applicant / planning agent submitted amended plans, to remove the originally proposed porch from the proposal.

As a result of these amendments, the description of proposal was amended accordingly.

Given that the amendments sought an overall reduction in the extent of built form, it was not considered necessary in this instance to re-advertise the application.

Representations.

This application was advertised via a site notice, neighbour notification letters and within the newspaper.

Final publicity date expires: 14th April 2024.

In response to publicity, no representations were received.

Consultation Responses.

KC Conservation & Design – based on the amended plans, we can support the proposals.

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).

No. 259 Gillroyd Lane, and the attached property of No. 257 Gillroyd Lane, are a Grade II Listed historical agricultural building and a converted barn.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Documents:

- House Extensions and Alterations SPD: The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, together with Circulars, Parliamentary 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 Places
- 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 Historical Environment

Legislation:

- The Town & Country Planning Act 1990 (as amended)
- The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- The Planning and Compulsory Purchase Act 2004

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to ‘have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses’.

Assessment.

The following matters will be considered as part of the assessment of the proposal:

- 1) Principle of development
- 1) Impact on visual amenity and historic environment
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be*

approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

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”*.

In this instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on the historic environment, visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

1) Impact on Visual Amenity and Historic Environment

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration concerning design which states: *“The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *‘a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...’*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

Section 5.6 of the House Extensions and Alterations SPD refers to outbuildings, with paragraph 5.30 of the SPD setting out that outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;
- be set back behind the building line of the original building so that they do not impact on the street scene; and
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house and follow a general principle that no more than 50% of garden space should be lost.

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that, for development which affects a listed building or its setting, 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.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 of the Kirklees Local Plan 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.”*

The requirements of Section 72 & 66(1) of the Town and Country Planning (Listed Buildings & Conservation Areas) Act 1990 are also relevant.

The proposed garage and store would be located to the front of the building and therefore, have the potential to prominently impact upon the visual appearance of the host building and its heritage significance. Nonetheless the garage's design is simple, reflecting the traditional vernacular of the building and having a suitably subservient appearance. It would not block views of any important visual features of the Listed Building, being set in front of blank walls.

It's form and appearance, including the timber store as a design feature, do not reflect that of a modern garage. This reflects the ad-hoc approach to development of historic farmsteads. Furthermore, it is not considered overly large so as to visually compete with the host building.

Considering the above the garage's location to the front of the dwelling and its design, including the timber store, is not deemed to appear incongruous or harmful to the building's visual amenity.

In terms of materials, the submitted 'Design, Access & Heritage Statement' sets out that the materials proposed for the garage walls, pointing, roof and general construction of the store will all remain as previously approved under application 2018/90780 and 2018/90781, to match the existing property. The

materials are to be conditioned accordingly within the allied Listed Building Consent application.

The proposal's impact upon the building as a heritage asset is considered in depth in the allied Listed Building Consent application. In summary, the proposal is not deemed harmful to the building's heritage value. As such, the proposal is considered to comply with Chapters 12 and 16 of the National Planning Policy Framework, Policies LP2, LP24 and LP35 of the Kirklees Local Plan and Principles 1 and 2 of the House Extensions and Alterations SPD.

2) Impact on Residential Amenity

Section B and C of LP24 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 users.

Given the location of the garage and store, to the front of the host building, and considering the layout of other neighbours, the proposal is not considered harmful to the amenity of 3rd part residents.

For this reason, the proposal is considered to have an acceptable impact on residential amenity and would accord with Chapter 12 of the NPPF, Policy LP24 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

3) 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 Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The structure is considered to be set sufficiently away from the site boundary to prevent concerns of the proposal's impact on driver sightlines. In addition, the proposal is not considered to detrimentally impact upon the level of on-site parking to serve the host property of No. 259 Gillroyd Lane or the neighbouring property of No. 257 Gillroyd Lane.

In turn, the proposal would appropriately accord with Chapter 9 of the NPPF, LP21 & LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4) 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 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.

In this case, a Climate Change Statement was submitted as part of the application, which set out various mitigation measures and the plans demonstrate that solar panels would be installed to the north east facing roof elevation. Therefore, the proposal is considered to comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

5) 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: 2024/90514

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP35 & LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 15 of the Council's adopted House Extensions and Alterations SPD, Chapters 2, 4, 9, 12, 14, 15 & 16 of the National Planning Policy Framework.

NOTE: This planning consent should be read in conjunction with Listed Building Consent application 2024/90515.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
GA as Existing	23033D-02-P01	-	22.02.24
GA as Proposed	23033D-01-P02	-	22.05.24
Climate Change Statement by ADP	-	-	26.02.24
Design, Access & Heritage Statement by ADP	-	-	22.02.24

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 Planning 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.

Following consultations with KC Conservation and & Design, the applicant / planning agent submitted amended plans, to remove the originally proposed

porch from the proposal. As a result of these amendments, the description of proposal was amended accordingly.

Report Dated:

03.06.24