

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:	2024/62/92110/E
Site Address:	The Old Reading Rooms, The Village, Farnley Tyas, Huddersfield, HD4 6UQ
Description:	Change of use of domestic garage to office and alterations to roof pitch to create storage deck (within a Conservation Area)
Recommending Officer:	Elenya Jackson

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.

Emma Thompson

AUTHORISED OFFICER

Date: 18-Dec-24

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OFFICER REPORT

Site Description

The Old Reading Rooms, The Village, Farnley Tyas, Huddersfield, HD4 6UQ is a one storey detached dwelling constructed from stone which immediately abuts 'The Village' which is a main route through the centre of Farnley Tyas. The site benefits from private amenity space which is to the rear of the dwelling.

The buildings that form the street scene are not uniform in scale/appearance; However, they are all constructed out of stone.

The site is located within Farnley Tyas Conservation Area.

Description of Proposal

This application has been received for the conversion of the existing garage into an office. This would be facilitated by an increase in the height of the roof to create first floor storage.

The footprint of the building would be retained, the eaves increased 10cm to 2.5m and the maximum height increased to 4.3m From 3.5m (down from 4.5m which was received at submission)

Relevant Planning History

2001/91022: ERECTION OF CONSERVATORY (WITHIN A CONSERVATION AREA). Conditional full permission

88/01695: Conversion of former reading room with extension. Withdrawn.

88/03232: Conversion of former reading room with extension to form dwelling and erection of detached garage (within Conservation Area). Granted conditionally

88/03233: Conservation Area consent for demolition of boundary wall. Consent granted.

Representation

The application was advertised by neighbour notification letters, a site notice and a press notice which expired on 18.10.2024.

No representations have been received as a result of site publicity.

Consultation Responses

Conservation and Design: Informal discussion. Alterations requested during the course of the application to alter roof lights, reduce the height of the proposal and reduce the scale of fenestration.

Policy

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

The site is within the Farnley Tyas Conservation Area.

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP35**- Historic Environment

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

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 2024, and 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 places
- Chapter 16- Historic Environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters

- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

The site is located in the Farnley Tyas Conservation Area and across from 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, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area. This relates to Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

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 Chapter 16 of the NPPF which states that where a development proposal will 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.

Consideration of the impact on the heritage assets will be considered below

2 –Impact on visual amenity:

In terms of visual amenity and heritage amenity, general design considerations are set out in Policy LP02, LP24 and LP35 of the Local Plan, the Key Design Principles 1 and 2 of the House Extensions and Alterations SPD and Chapters 12 and 16 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

LP24 of the Kirklees Local Plan requires extensions to be *“subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details”*.

The proposal would be marginally visible from the public realm of the conservation area due to its location. The northern elevation would be visible from the public realm which would be altered from a garage door to a bifold door with a small window above.

It is considered that following amendments to the scheme, the increase in height of the proposal would be marginal and that it would still appear subservient to the host dwelling due to its set back from the public realm and its footprint remaining consistent. In addition, there is a two-storey property set behind the application structure which would still be significantly larger than the proposed alterations. A street scene plan has been provided which demonstrates how the proposal would appear in the context of the site and it is considered the alterations are of an acceptable scale. The use of matching materials would aid the proposals integration with the street scene.

It is considered that due to the nature of the proposal, there would be a neutral impact on the conservation area and as such public benefit is not required. Officers consider that due to the eastern and northern elevation being visible in the public realm, a condition is necessary requiring the approval of the proposed windows and doors to ensure they are in-keeping and appropriate with the character of the conservation area.

As such, this proposal would be compatible with the Council's duties under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), Policy LP02, LP24 and LP35 of the Local Plan, and Chapter 12 and 16 of the NPPF.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 (c), which sets out that proposal should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Design Principle 7 for outdoor space.

The proposal would remove a parking space by converting the garage. There would be no impact on the dwelling's amenity space. It is considered that the proposal would not take up a significant amount of useable amenity space and sufficient amenity space would be retained if the application was to receive approval. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

The location of the structure would remain the same and therefore would not create any overbearing or overshadowing relationship for neighbouring residents.

The proposal would introduce windows and doors into the structure. It is considered that the western elevation would be a black elevation and the northern elevation would not have a direct relationship with any neighbouring residents.

It is considered the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principles of the House Extensions and Alterations SPD.

4 – Impact on highway safety:

The proposal would result in the loss of a parking space. However, the proposal would not result in the intensification of the use of the dwelling due to

no further bedrooms being created. The property hosts sufficient parking provision without the garage should the application receive approval. Therefore, the proposal would not represent any additional harm in terms of highway safety and as such, complies with the Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

6 – Representations:

No representations have been received as a result of site publicity.

7 – Negotiations:

No alterations were requested during the course of the application.

8 – Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Details of materials to be submitted to the planning authority.

9 – Conclusion:

The application Change of use of domestic garage to office and alterations to roof pitch to create storage deck (within a Conservation Area) at The Old Reading Rooms, The Village, Farnley Tyas, Huddersfield, HD4 6UQ has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

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.

As set out above, 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: 2024/92110

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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. Notwithstanding the details on the application form and submitted plans, prior to installation, details of all windows and doors at scale 1:20 shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed in accordance with the details approved and retained thereafter retained.

Reason: In the interests of visual amenity, to preserve the character of the conservation area in accordance with LP24 and LP35 of the Kirklees Local Plan and chapter 12 and 15 the NPPF.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction/ sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	102		2.09.2024
Existing plans	100		2.09.2024
Proposed	101	B	12.10.2024
Site Section	105		5.12.2024
Climate change statement			2.09.2024

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 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.

Officers requested alterations to the scale and location of fenestration on the plans and a reduction in height. Additional plans we