

HERITAGE IMPACT ASSESSMENT/PLANNING STATEMENT

location Midgley Farm, Wickins Lane, Upperthong, Holmfirth, HD9 3RE.
application Conversion of Detached Building to Annex Accommodation.
client/applicant Mr & Mrs Cropper
job number 24/1046
date July 2024

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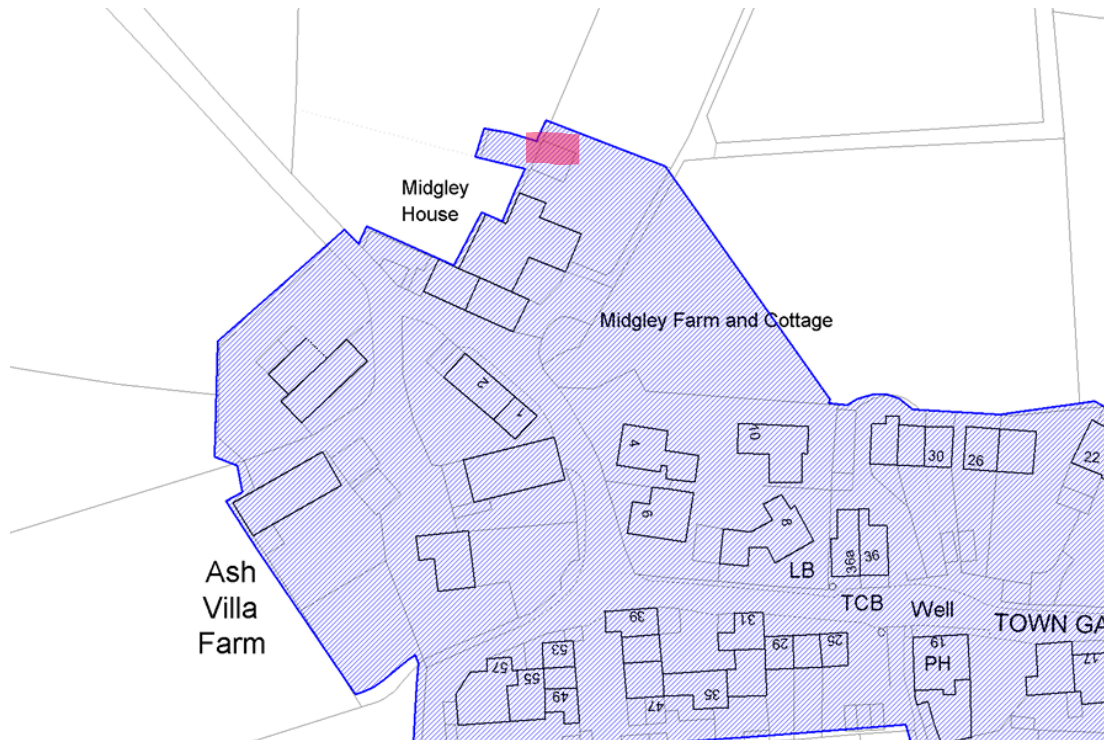
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This application seeks planning approval for the conversion of a detached building to annex accommodation at land to North of Midgley Farm, Wickins Lane, Upperthong, Holmfirth, HD9 3RE

The property is not a listed building but does fall within the Upperthong Conservation Area.

The proposed alterations are minimal, mostly internal alterations with small modest increases to openings to increase the natural light levels internally. The structure can not easily be seen from any public highway.



Its important to note the existing building is detached despite the OS plans showing it attached to the neighbouring garage that serves the residential property, Midgley Barn.

The only planning history on the public records, relating to this property are;

- 2008/90264 - Erection of Barn (within a Conservation Area) (**APPROVED**)
- 2004/95695 - Erection of Extension (modified Proposal within a Conservation Area) (**APPROVED**)
- 2001/91147 - Installation of 2 Rooflights (within a Conservation Area) (**APPROVED**)
- 93/03327 - Erection of Extensions to Farmhouse/Agricultural Storage Shed and Vehicular Access (**APPROVED**)

The proposals do not impact on the original structure and have minimal impact given the secluded location on the edge of the long-established garden area that serves the host property, Midgley Farm.

The 2008/90264 planning approval was for a for use as an 'agricultural barn'. However, the structure has never been used for agricultural purposes due to a change in approach by the

applicants shortly after completing the structure back in 2005/6. The building has been used as a workshop and a secure store associated with the applicants building business. To this day it remains as a workshop and builders store.

We understand Midgley Farm does not have a CPH (County Parish Holding) number, and therefore is not registered to keep livestock. We are informed a local agricultural contractor has mown the grass on the adjacent fields, owned by the applicant, and has cropped hay from these fields. If needs by confirmation can be provided to evidence this. The LA animal welfare dept will be able to confirm the lack of a CPH holding number for the property and no animal movements to or from the land as long as the applicant has owned the property.

The proposals are to create an ancillary annex accommodation, associated with the quiet enjoyment of the host property, Midgley Farm.

The proposals are to an existing and substantial building and improve the state and layout. Modest changes are proposed to increase the functionality, efficiency and overall comfort.

The existing structure has very small openings aside from the large opening on the ground floor store. It is proposed that one opening per room will be increased in size to create greater levels of internal natural light to minimise over reliance on artificial lighting and to allow for means of escape openings to the first-floor spaces, to comply with the Building Regulations. Currently insufficient openings are found within the entrance store, workshop and first floor store.

Visual amenity and internal comfort/light are seen as paramount criteria for habitable spaces when assessing proposals and we contest that the slight increase in opening size to theses spaces to improve the overall performance of the building far outweigh the small changes in aesthetic which still maintain the rustic and rugged appearance.

Further to the intended efficiency improvements, it is proposed that the internal walls will be lined with new insulation to bring the structure up to date with current thermal requirements and ensure a comfortable atmosphere internally.

The existing ground floor store window is to be extended at high level in response to largely inadequate light and views afforded from within the space.

A new personal door is proposed between the proposed home office and games room to ensure spaces can be adequately separated during use.

The large opening withing the games room is proposed to have the failing timber doors removed and replaced with a 4-panel bi-fold door which will greatly improve the visual amenity. This will also significantly improve the security of the building within a rural location.

Existing north-facing windows to both proposed bedrooms are to be increased to provide means of escape and additional required natural light ingress.

The existing door which currently connects both first floor rooms is to be removed and walled up to ensure spatial separation and security for the proposed store.

A new timber handrail will be installed to the existing stair.

The proposed alterations will provide a better space internally, more natural light and greater useable space.

Given the secluded location and minimal physical works, we contend there is minimal impact on the host building.

PLANNING STATEMENT

Whilst the current planning use of the subject building is an agricultural building, this application is essentially a change of use application. No certificate of lawfulness for the building, used as a non-agricultural building, has been submitted, we contend this should not be required.

Furthermore as built internal layout and external appearance differs from that approved back on the 2008/90264 planning application. This in itself is a breach of the original planning approval yet clearly, when assessing historical images the building has been insitu going back to 2009;



2009 screenshot from Kirklees Local Plan.

Planning 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 application site is located within the Green Belt and the Holme Valley Neighbourhood Area.

Applicable Kirklees Local Plan Policies;

LP1 – Achieving Sustainable Development

LP2 – Place Shaping

LP3 – Location of New Development

LP7 – Efficient and Effective Use of Land

LP24 – Design

LP26 – Renewable Energy

LP30 – Biodiversity and Geodiversity

LP51 – Protection and Improvement of Local Air Quality

LP52 – Protection and Improvement of Environmental Quality

LP60 – The Re-use and Conversion of Buildings Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan (2020-2031) was adopted on 8th December 2021 and therefore forms part of the Development Plan.

The policies contained within Holme Valley Neighbourhood Development Plan relevant to the consideration of this application are as follows;

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 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”*

National Policies and Guidance

National Planning Policy 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 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 13 – Protecting Green Belt land

Chapter 14 – Meeting the challenge of Climate Change, Coastal Change and Flooding

Chapter 15 – Conserving and enhancing the natural environment

PLANNING POLICY ASSESSMENT

Sustainable Development

NPPF Paragraph 11 and KMC 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.

Site Allocation

The site is allocated as Green Belt in the Kirklees Local Plan.

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, with one such purpose being to *‘assist in safeguarding the countryside from encroachment’*. Paragraph 152 of the NPPF states that inappropriate development should not be approved except in *‘very special circumstances’* (VSC).

All proposals for development within the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraphs 154 and 155 of the NPPF.

Paragraph 155 of the NPPF is relevant in the consideration of a change of use of a building in the Green Belt, specifically this sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Criterion (d) states that one of the other forms of development referred to is listed as the re-use of buildings provided that the buildings are of permanent and substantial construction.

Policy LP60 of the Kirklees Local Plan reiterates the first exception as stated above, by stipulating that the conversion or the 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
- b) The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape
- c) The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting.

The existing building is of substantial construction. A traditional cavity wall constructed building covered with a stone slate roof. The property is connected to mains electric and foul drainage. The building has been in situ for a number of years and already presents a degree of permanence.

Given is good condition and ease of change of use we contend a structural report, in this particular instance, is not required. There will be no additional loadings on the building or structure above and beyond those that currently exist. The substrata in the immediate locality is of a shattered sandstone and clearly capable of supporting the existing loadings which will not change as a result of this proposal.

We contend the proposals do not introduce an incongruous domestic or urban characteristic. Modest changes to openings are proposed. The building is already sited on the edge of the domestic curtilage associated with the host property Midgley Farm.

Furthermore, as no changes are proposed to the scale with minimal internal layout and design changes of the existing building and that the proposals simply seek a change of use from agricultural building to annex we contend that the proposed use would not significantly intensify the use of the site over and above what would be deemed appropriate in such a location of the edge of the domestic curtilage associated with the host dwelling, Midgley Farm. Given this, the resultant scheme would not change the character of the land. It is also relevant that the site is surrounded by residential properties to the west, east and south. In addition, the residential curtilage of the dwellings is to be kept to a minimum, including land to the East and South, which is clearly defined by existing boundary treatments. The proposed annex will be contained within the existing dwelling curtilage and will utilise the existing access to the site, therefore reducing the need to introduce a new access which could urbanise the site further.

Impact on Visual Amenity

The NPPF does offer 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”.

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...”*

Given the orientation, openings and existing boundary treatments we contend the proposed change of use does not negatively impact on the privacy of others.

In terms of materials on the property, the proposals show minimal changes. The natural course stone is being retained, some minor alterations to openings with the stone state roof covering being retained.

These existing and retained materials are sympathetic to, and reflective of other nearby/adjacent buildings and the context of the immediate locality.

Moving on to detailing, the proposed change of use is very simple in design, the layout has been arrived at following the layout and design of the existing building. This we contend should be

considered to be in-keeping with the adjacent/nearby residential properties and ensures that the proposal does not appear as an alien feature within the landscape.

Impact on Highway Safety

Given the proposed change of use will be ancillary accommodation to the host dwelling, Midgley Farm, no impact will result from the development. The occasional bedroom will be used for visiting family members/friends with the office and games rooms being used by the applicants who reside at Midgley Farm.

DESIGN AND ACCESS STATEMENT

USE

The proposed use of the property is to become an ancillary annex accommodation to the host dwelling. It's also worth noting, despite the original 2008 planning approval for the building to be an agricultural building it is not and has not been used for agricultural purposes since its original construction.

PROPOSED APPEARANCE

We contend the proposed works enhance the overall setting, safety and access.

MEANS OF ACCESS

There is no proposed change to the means of access to the site or original building.

LANDSCAPING

There are no changes to the landscaping.

ECOLOGY

There is no impact on ecology as a result of this application, the vast majority of the works are internal.

HIGHWAYS

The proposals have no impact on the highway/vehicular movements and have no intensified use. The building will be used in association with the host dwelling, Midgley Farm.

LAYOUT

The layout changes are minimal as the only internal changes are a slight increase in size to the existing W/C and a single internal personnel door to be walled up. The proposals aim to create new improved spaces with the existing layout.

The submitted plans indicate the proposed changes.

SCALE

No change

CONCLUSION

Considering the safety, access and light provision enhancement we contend the proposals provide a benefit to the current user, future Midgley Farm property owners and setting as a whole and therefore should be approved without delay.

I would be grateful if you could contact Paul Matthews Architectural prior to drafting up your recommendation for determination.

APPENDIX A

SITE/PROPERTY PHOTOS





