

**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:	<b>2024/62/92656/W</b>
Site Address:	Northgate Mount, Huddersfield Road, Honley, Holmfirth, HD9 6LN
Description:	Change of use of dwelling to commercial holiday let (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.**

John Holmes

***AUTHORISED OFFICER***

**Date:** 20<sup>th</sup> November 2024

## **Officer Report.**

**Reference:** 2024/92656

**Location:** Northgate Mount, Huddersfield Road, Honley, Holmfirth, HD9 6LN

**Proposal:** Change of use of dwelling to commercial holiday let (Listed Building)

## **Site Description.**

Northgate Mount is a large, detached house constructed from Ashlar dressed stone with a slate roof. The house is a grade II Listed Building.

The house is set within extensive wooded grounds. To the east of the application premises, beyond a woodland, is Honley High School. To the west and south east are other residential properties.

The property has a long private access drive from Huddersfield Road. At the end of the entrance to the property, there is a Gate House.

The application site is located within the Green Belt.

## **Description of Proposal.**

Planning permission is sought for the change of use of Northgate Mount from dwelling to commercial holiday let.

No physical alterations to the property are proposed by this application; the proposal is for the change of use of the building and its grounds only.

There are eight bedrooms internally. The property has one large kitchen area and other shared living accommodation and facilities that will be used by all guests at the premises. There are existing facilities such as the swimming pool, gym, games room and garden room.

Externally the premises has extensive grounds, and a generous parking and manoeuvring area to accommodate vehicles.

## **History of Negotiations / Amendments Received.**

None.

## **Relevant Planning History.**

Whilst there is some planning history at the site, none is considered to be directly relevant to the assessment and / or determination of this current planning application. The planning history relates to applications for works to

protected trees and for extensions to the existing building which date back to the 90s and 2000s.

### **Representations.**

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

Final publicity date expired: 1<sup>st</sup> November 2024.

No representations received.

### **Consultation Responses.**

KC Conservation and Design (formal) – As no physical changes are proposed to this Listed Building, the Conservation and Design team has no comments on this proposal.

KC Environmental Health (formal) – Have no objection to the proposal but would recommend the submission of a Noise Management Plan in order to protect the amenity of neighbouring properties.

KC Highways Development Management (informal) – No comments or concerns regarding this proposal with no specific highways conditions considered necessary.

### **Parish / Town Council Comments.**

Holme Valley Parish Council – Support.

### **Planning Policy Background.**

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 house is a grade II Listed Building.

The application site is located within the Green Belt.

The site is located within the Holme Valley Corridor Strategic Green Infrastructure Network.

The site is within an area identified by the Coal Authority as being at high risk of ground movement as a result of former mining activity.

### **Kirklees Local Plan:**

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP7 – Efficient and effective use of land
- LP21 – Highways and access
- LP22 – Parking
- LP31 – Strategic Green Infrastructure Network
- LP35 – Historic environment
- 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 was adopted on 8th December 2021 and therefore forms part of the Development Plan.

The site falls within Local Characteristic Area 7 – River Holme Wooded Valley.

The policies contained within the 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
- Policy 2 – Protecting and enhancing the built character of the Holme Valley and promoting high quality design
- Policy 3 – Conserving and enhancing local heritage assets
- Policy 7 – Supporting economic activity
- Policy 12 – Promoting sustainability

Key landscape characteristics of LCA7 are:

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

Key built characteristics of LCA7 are:

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.

- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

### **National Policies and Guidance:**

National planning policy and 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 6 – Building a strong and competitive economy
- 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
- Chapter 16 – Conserving and enhancing the historic environment

### **Other Guidance Documents:**

- Kirklees Highways Design Guide (2019)
- Kirklees Waste Management Design Guide for New Developments (2020)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- MHCLG: National Design Guide

### **Assessment.**

#### **1) Principle of Development**

##### **Sustainable Development:**

NPPF Paragraph 11 and 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.

The dimensions of sustainable development will be considered throughout the proposal. 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.

*Land Allocation (Green Belt):*

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'. 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.

As no changes are proposed to the scale, layout or overall design of the existing building and that the proposals simply seek the change of use of the building from dwelling to commercial holiday let it is not considered that the proposed use would significantly intensify the use of the site over and above what would be deemed appropriate in this location. Given that the building is currently a dwelling, it is not considered that the resultant scheme would change the character of the land.

The proposed commercial holiday let would be contained within the existing boundaries of the site and would utilise the existing access to the site.

Point c) of LP60 will be discussed in more detail within the visual amenity section of this report.

Therefore, for the reasons set out above, it is considered that the principle of the proposed development is acceptable, subject to being considered acceptable with regard to other material considered, addressed within the below sections of this report.

## **2) Impact on Visual Amenity and Appearance of the Area (Including Impact Upon Historic Environment)**

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'*

Developments that are considered to conform appropriately with Local Plan Policy LP24 and the design requirements as set out above, are considered to also conform with Policy 2 of the Home Valley Neighbourhood Plan – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case LCA7.

The house of Northgate Mount is a grade II Listed Building. Officers acknowledge that the neighbouring property of Northgate House is also Grade II Listed.

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'*.

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.

Furthermore, LP35 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.”*

Policies within Chapter 16 of the NPPF are of relevance, this chapter initially sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 200 of the NPPF details that applicants must describe the significance of any heritage assets affected, including any contribution made by their setting and that the LPA should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Paragraph 206 of the NPPF details that Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In the event of such harm being considered substantial the justification would need to be exceptional / wholly exceptional if such harm relates to Grade II listed buildings or buildings, parks monuments, battlefields world heritage sites with a higher degree of protection.

Planning permission is sought for the change of use of the property from a dwelling to a commercial holiday let. No physical alterations are proposed to the property by this application; the proposal is for the change of use of the building and its' grounds only.

As part of the assessment and determination of this application, a consultation was undertaken with KC Conservation and Design, who concluded that they had no comments to make on this proposal, given that no physical changes are proposed to the Listed Building of Northgate Mount.

Having regard to the nature of the proposal and response of the Conservation Team it is considered the proposal would not lead to harm to the listed building.

In summary therefore, it has been concluded that the proposals would not have a significant impact upon the visual amenities of the locality or to the heritage significance of the site. The proposed development is considered to comply with Chapters 12 and 16 of the NPPF, Policies LP2, LP24 and LP35 of the Kirklees Local Plan and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

### **3) 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.

Paragraph 191 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development. Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Policy 2 of the Holme Valley Neighbourhood Development Plan states that *‘designs should respect the scale, mass, height and form of existing buildings in the locality and the site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties’*.

No physical changes are proposed to the exterior of the dwelling of Northgate Mount as a result of its conversion to a commercial holiday let. Therefore, given this, and its setting and separation distance from neighbouring land / buildings, it is not considered that the proposal poses any detriment to residential amenity with regard to impacts of overbearing, overshadowing and / or overlooking.

Given the location and nature of the proposal, it is important to assess the potential for any noise pollution. KC Environmental Health officers, upon formal consultation, concluded that they have no objection to the proposal, but recommend the submission of a Noise Management Plan in order to protect the amenity of neighbouring properties. Therefore, upon any grant of approval, a condition shall be imposed requiring submission of this.

With the inclusion of the aforementioned condition, it is considered that the proposal would have an acceptable impact on residential amenity, therefore, complying with Policies LP24 and LP52 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12 and 15 of the NPPF.

#### **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, which seeks to ensure acceptable levels of off-street parking are retained, is also considered to be of relevance.

Policy 11 of the Holme Valley Neighbourhood Development Plan states that new development should provide off-road parking provision in line with

Kirklees Local Plan Policy LP22 (Parking) and the Council's latest guidance on highways design.

As part of the assessment of this application, an informal consultation was undertaken with KC Highways Development Management.

Highways Officers concluded that, given that there are no changes to the existing arrangement in terms of the access, and that there is parking provision for a range of vehicle sizes they have no comments or concerns regarding this proposal, with no specific highways conditions considered necessary.

Taking the above assessment into consideration the proposals are deemed to be acceptable in relation to highway safety and would accord with policies LP21 and LP22 of the Kirklees Local Plan, Chapter 9 of the National Planning Policy Framework and Policy 11 of the Holme Valley Neighbourhood Development Plan.

## **5) Other Matters**

### *Climate Change:*

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.

Considering the small-scale of the proposed development, the change of use of an existing building, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

### *Strategic Green Infrastructure Network:*

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In

addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The development is for the change of use of an existing building and would not see the removal of any existing trees or hedgerows. Therefore, the proposal is not considered to have a significant impact upon the strategic infrastructure network and is concluded to be acceptable in this regard.

## **6) 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 materials considerations. It is considered that the development is acceptable and is therefore recommended for approval.

**Recommendation: Approve**

**Decision Authorisation: Delegated Powers**

**Application Number: 2024/92656**

**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 (as amended).
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, LP7, LP21, LP22, LP31, LP35, LP51, LP52 and LP60 of the Kirklees Local Plan, Policies 1, 2, 3, 7 and 12 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 6, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.
3. Before the premise is brought into use, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken

to ensure that excessive noise does not arise from the guest(s) use of the property and the actions that will be taken if guests at the property fail to observe the required control measures. The approved Noise Management Plan shall be implemented before use commences and retained thereafter.

**Reason:** To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	TS633-2	-	17.09.24
Existing & Proposed Floor Plans	-	-	17.09.24
Site Plan	TS633-1	-	17.09.24
Planning Statement	-	-	25.09.24

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

No negotiations took place, and no amended plans were sought or submitted.

**Report Dated: 18.11.2024**

