

**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:	2025/62/90861/E
Site Address:	Albion Inn, Knowler Hill, Millbridge, Liversedge, WF15 6DP
Description:	Erection of first floor extension to detached garage to create dwelling forming annex accommodation associated with Albion Inn, Knowler Hill, Millbridge, Liversedge, WF15 6DP (Listed Building)
Recommending Officer:	Edward Cheseldine

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 26-Jun-2025

Officer Report

2025/90861 - Albion Inn, Knowler Hill, Millbridge, Liversedge, WF15 6DP

Site Description

Albion Inn is a former public house (pub), formed of coursed stone walls and a pitched roof with valley gutter. The building features sash and mullion windows. The building has been extended to the rear with a large flat roof extension. Within the curtilage is a detached garage which has been erected per permission 2018/93053. The building is Grade II listed.

List description:

Public house. Late C.17 or early C.18. Altered. Totally rendered. Pitched slate roofs. 3 storeys. Double pile plan. The front was formerly the rear of the house since it has a central stair window between ground and 1st floors. The centre mullion is missing along with one or possibly 2 transoms. 4-light windows to left and right, all floors, all with 2 mullions removed, except ground floor right which is a single light opening presumably altered. Central 2-light window to 2nd floor with mullion removed. All windows double chamfered. The present rear of the house is part obscured by recent ground floor extension leaving only one 4-light double chamfered window, with 2 mullions removed, to right. 1st and 2nd floors each have 4-light window to left and right with central blocked 2-light window to 2nd floor, all double chamfered. Recent doorway to 1st floor balcony over extension.

Application Proposal

The application is seeking planning permission for a first-floor extension to the detached garage to create annex accommodation associated with Albion Inn.

The eaves of the building will be raised by 2.20m, it will contain a cross-pitched roof clad in grey stone slates. The building will retain its existing footprint. The external walls will be limestone to match the existing.

The building will therefore be 6.30m(w) x 5.70m(l) with an eaves height of 4.85m and a ridgeline height of 6.60m.

Features include two front facing skylights and rear facing openings, rainwaters good and matching materials.

The building will serve as a garage/gym area on the ground floor and annexe accommodation on the first-floor level.

Amendments/Negotiations

It was requested a stone lintel, or wooden timber beam was placed above the garage door to break up the vertical mass of the building. Amended plans were received to include stone lintels. Additional public consultation was not conducted due to the nature of the amendments. Neighbours would not be prejudiced by this decision and any comments received would be taken into account in the assessment of the application.

Public Consultation

The application was advertised by a site notice and a press notice.

Press notice expiry date: 13-Jun-2025

Site notice expiry date: 03-Jun-2025

As a result of the publicity there were no representations.

Consultation Responses

KC Conservation & Design – Informal consultation was undertaken. As the garage is a later addition to the curtilage of the listed building, modifications are acceptable. The design of the garage extension is subsidiary and subservient. It was recommended that a lintel be placed above the garage door to provide a visual break to the appearance of the building. Design amendments were received on 18 June 2025 to provide the visual breaking, therefore overcoming conservation concerns. Conditions were recommended that the water goods are black aluminium which will be set.

Relevant Planning History

2015/91483 - Alterations to convert public house with flat over to one dwelling (Listed Building) – Full permission granted

2018/93053 - Erection of garage (within the curtilage of a Listed Building) – Full permission granted

Policy & Legislation

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 UNALLOCATED in the Kirklees Local Plan.

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 3** – Location of New Development
- **LP 7** – Efficient and Effective Use of Land and Buildings
- **LP 21** – Highway safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity & Geodiversity
- **LP 33** – Trees
- **LP 35** – Historic environment

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 2 – Achieving sustainable development
- Chapter 4 – Decision-making

- Chapter 6 – Building a strong and competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities
- 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 historic environment

Other Material Considerations

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Highway Design Guide Supplementary Planning Document (2019)

Assessment

- 1) Principle of Development
- 1) Impact on Visual Amenity
- 2) Impact on Residential Amenity
- 3) Impact on Highway Safety
- 4) Environmental Matters
- 5) Conclusion

Principle of development:

Historic Environment

The application building is within the curtilage of a grade II listed building; therefore an assessment of legislation, national and local policy will be undertaken in respect of the historic environment.

Section 66 (1) 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 or, as the case may be, the Secretary of State 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 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The application is for a roof extension to an existing building. The outbuilding was erected under planning application 2018/93053. It is therefore not an original building. It sits adjacent to the side elevation of the listed building being stepped back by 1.90m and behind the rearward elevation by 3.35m. With the garage in context the listed building is present from Knowler Hill and Knowler Way.

In terms of the preservation of the building and its setting, the architectural features of the building are set within the principal elevation. Other noted features include the valley gutter and chimney stack which are present within the side elevation of the building.

The roof of the outbuilding extension will sit below the lowest point of the valley gutter preserving the appearance of this feature. It is detached from the dwelling itself therefore, the side elevation will be retained and be partially visible.

The outbuilding appears subsidiary to the listed building, it has simple features on the front elevations, retaining its appearance as an outbuilding, with no window openings or dwelling features within the masonry. To the rear are modestly placed openings and a shallow pitched gable. Its scale is subservient with the eaves height being level with the top of the first-floor windows, whilst being stepped back from the principal elevation.

Paragraph 212 of the NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 214 goes on to state 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.”

The alterations to the outbuilding are within the curtilage of a listed building. The significance of which derives from its scale and architectural features. The outbuilding does not compete, due to its simplistic features, being subservient in scale. Features within the side elevation will be visible however

it is not considered the alterations will result in harm to the listed building or its setting.

The principle of development is considered to be acceptable when assessed against Chapters 2 and 16 of the National Planning Policy Framework and Section 16(2) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Location of New Development and Housing Targets

The creation of the annex will not contribute to housing targets as the building will remain within the curtilage of the existing dwellinghouse. The reasons why the annex will not form a new dwelling are outlined within the *Residential Amenity* section of the report.

Householder Extension

Kirklees Council adopted supplementary planning guidance on house extensions (House Extensions and Alterations Supplementary Planning Document) 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 House Extensions and Alterations Supplementary Planning Document (SPD) will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Conclusion

In respect of the above, the quantum of development is considered acceptable although a more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states, 'Proposals should promote good design by ensuring the details of all development respects and enhances the character of the townscape and heritage assets.'

Policy LP35 of the Kirklees Local Plan states, 'proposals affecting a designated heritage asset should preserve or enhance the significance of the asset.

Visual changes include an increase in the vertical mass of the outbuilding. The garage sits between the listed building and a two-storey, domestic dwelling. The dwelling is formed of mock-Tudor details and brick coursing. The garage sits 2.00m behind the front building line of the adjacent dwelling. The outbuilding will sit lower in height to the adjacent dwelling. It contains a garage door opening on the front elevation and simplistic features. Given the garage is set back and the features are not considered to be domestic, it is considered the garage will not dominate the street scene at this particular location. The rear of the building will be present from Knowler Way. Openings are modest with one central window on the gable-end. The outbuilding will retain a functional appearance; therefore, it is not considered to compete with the adjacent buildings from this aspect. The plans are therefore considered to accord with LP24 of the Kirklees Local Plan.

An assessment of the impact to heritage assets has previously been made and is considered be accord with Chapters 2 and 16 of the National Planning Policy Framework and Section 16(2) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which LP35 echoes.

Impact on Residential Amenity

Section B of LP24 states that development should:

'...minimise impact on residential amenity of future and neighbouring occupiers.'

Impact on 58 Knowler Hill

This dwelling is set to the north of the application site. In terms of privacy, there will be new rear elevation windows. The properties are currently separated by the placement of an open sided outbuilding and hedge border. In terms of new openings, a first-floor window will be installed to light a habitable room. The window does not have a direct relationship with the garden, reducing the potential for a direct overlooking view towards neighbouring outdoor amenity space. Due to the indirect relationship, the impact to the privacy of neighbouring occupiers is acceptable. Skylights are high level, outlooks are not directed towards the dwelling.

In terms of a loss of light or outlook, the outbuilding is separated from the adjacent dwelling by 2.80m. There is a 1.50m gap to the shared boundary.

Therefore, the currently light levels and outlooks of habitable rooms will be retained. Given the silhouette of the listed building, it is not considered the roof extension will result in a loss of direct sunlight within the garden space of No.58 Knowler Hill.

Amenity of future occupiers of the annex

Policy LP24 b) of the Local Plan requires development provide a high standard of amenity for future occupiers. The annex includes a habitable area, w/c/ area (no washing facilities) and sink area. The occupant will therefore be reliant on the main dwellinghouse for cooking and washing facilities.

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”*

Nationally Described Space Standards (NDSS) provide guidance for appropriate internal floor space and bedroom space. The building would have an internal floorspace of 26.60m². Outline guidance provided through the technical housing standards stipulates a 1 storey dwelling with 1 bedroom should have an internal floor space of 37m². The internal floor space would therefore not be suitable for independent living. However, as NDSS are guidelines for the occupancy levels of new dwellings, the annex would be suitable for ancillary living to the main dwellinghouse. The internal floor space of the annex is not suitable for it to become a residential curtilage on its own, therefore it will be conditioned that the annex remains within the same planning unit as Albion Inn.

Amenity of occupier of the dwellinghouse

The roof extension will not reduce the amount of private outdoor space associate with Albion Inn. The residential garden area is considered a decent size to accommodate a satisfactory level of outdoor amenity space for the main dwelling and annex.

However, the annex directly faces towards what is deemed as private outdoor space. Considering future occupiers of the proposed annex and existing dwelling, it would not be suitable, given the outlook of the annex, to be separate accommodation and should remain within the same planning unit so not to impact private outdoor amenity space.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extension SPD and Paragraph 135 (f) of the National Planning Policy Framework.

Impact on Highway Safety

Policy LP21 states all proposal should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions.

The number of bedrooms will increase by one when including the annex accommodation. There is room for two cars to park on the driveway with an additional one in the garage. The Kirklees Highways Design Guide SPD states a 4+ bedroom dwelling should have 3 off-street parking space. The maximum number of recommended spaces has been accounted for.

Environmental Impact

Ecology / BNG

Paragraphs 187, 193, 194 and 195 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers. Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024 as the proposal is for house holder development and there is no required for BNG to be provided in respect of the legislation.

The development is for works to the roof of an existing building. The property is located in an area which is known to include bats/bat habitats, therefore a cautionary note has been added to the decision notice that if bats are found

during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

Construction Site Working Times

Construction working times are covered by other regulations, therefore it is not deemed necessary to add a secondary planning condition, however a footnote may be added.

Carbon Budget

The proposal is a small scale development. 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.

Conclusion

The application for a roof extension to the outbuilding at Albion Inn has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable principle and design, and lack of harm in terms of visual amenity, residential amenity highway safety and environmental matters, the proposed development is considered to be acceptable.

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

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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the Kirklees House Extensions and Alterations SPD (2021) and the aims of chapter 12 of the National Planning Policy Framework.

4. The rainwater goods and waste pipes shall be a cast iron material in a black colour. It shall be supported by metal brackets/stone corbels and shall not be fixed to a timber fascia.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

5. The annex dwelling hereby approved shall be used by the occupants or relative of the dwelling house known as Albion Inn, Knowler Hill and shall at no time be sold, rented, or severed to be occupied as a separate independent dwelling unit.

Reason: In the interests of residential amenity to proposed and future occupiers and to achieve a satisfactory layout site in accordance with Policy LP24 b) Kirklees Local Plan and Key Design principle 6 & 16 of the House Extensions & Alterations Supplementary Planning Document.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Due to its location, a roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and

Species Regulations 2010. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

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.

Plans and specifications table:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	27 March 2025
Existing Elevations	2024/032/03A	-	27 March 2025
Existing Floor Plans	2024/032/01A	-	27 March 2025
Existing Floor Plans	2024/032/02A	-	27 March 2025
Proposed Elevations	2024/032/11B	-	18 June 2025
Proposed Floor Plans	2024/032/10A	-	27 March 2025
Existing Elevations	2024/032/03A	-	27 March 2025
Proposed Elevations	2024/032/11B	-	18 June 2025
Design and Access Statement	-	-	27 March 2025
Climate Change Statement	-	-	27 March 2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

It was requested a stone lintel, or wooden timber beam was placed above the garage door to break up the vertical mass of the building. Amended plans were received to include stone lintels.

