



PLANNING BY DESIGN

FROM CONCEPT TO COMPLETION

Design, Access & Heritage Statement

Retention of Dog Kennels to

Rear of Savile Arms

Hunsworth Lane, BD19 4DX

Prepared by **Planning By Design**

On behalf of Steven Heseltine

Date: 04 June 2025

Application

Planning By Design (The agent) has been instructed to act on behalf of Steven Heseltine (the applicant) to submit a planning application to Kirklees Council (the Local Planning Authority) for the retention of dog kennels to the rear of Savile Arms BD19 4DX (the site).

In support of this application, the following Design, Access and Heritage Statement has been constructed to demonstrate the suitability of this site for this proposal and evaluate its accordance with national and local planning policy along with supplementary design guidance.

Site Location

The application site is located to the rear of Savile Arms, Hunsworth Lane. The surrounding area is characterised by mostly residential development of various sizes and appearance. All buildings clustering around the adjacent Grade II listed Savile Arms public house are constructed with natural stone, with a traditionally designed frontage. Dry stone walls and hedgerows are also present.

The Savile Arms is listed as a Grade II building on Historic England's listed buildings register. There is a large car park to the front, side and rear of the property, with a small access road connecting these areas to the south east, beyond which runs Savile Park Road. To the north and west are residential properties. The application site is located to the north west of the property, behind a fenced-off area adjacent to the car park.

The list entry summary describes the Kings Head as:

“Public house. Early C.18. Deeply coursed tooled stone. Quoins. Stone slate roof. Two storeys. Near central door has been heightened and has chamfered reveals, and hood mould. To right is 6-light window with king mullion and hood mould, to left 5-light window, both double chamfered. To 1st floor is 4-light and 5-light window in square cut recessed surrounds, but chamfered mullions. New or rebuilt central window. Outshut to rear.”

The Proposal

The proposed development is for the retention of four enclosed dog kennels to the rear of The Savile Arms.

The kennel's house will be a single storey insulated timber framed construction with horizontal timber boarding to exterior; stained finish, a timber framed insulated roof with waterproof felt covering and timber edge trim.

No changes are being proposed to the current highway access and no design changes are being proposed to the main listed building. The proposed kennels would be accessed via the existing car park.

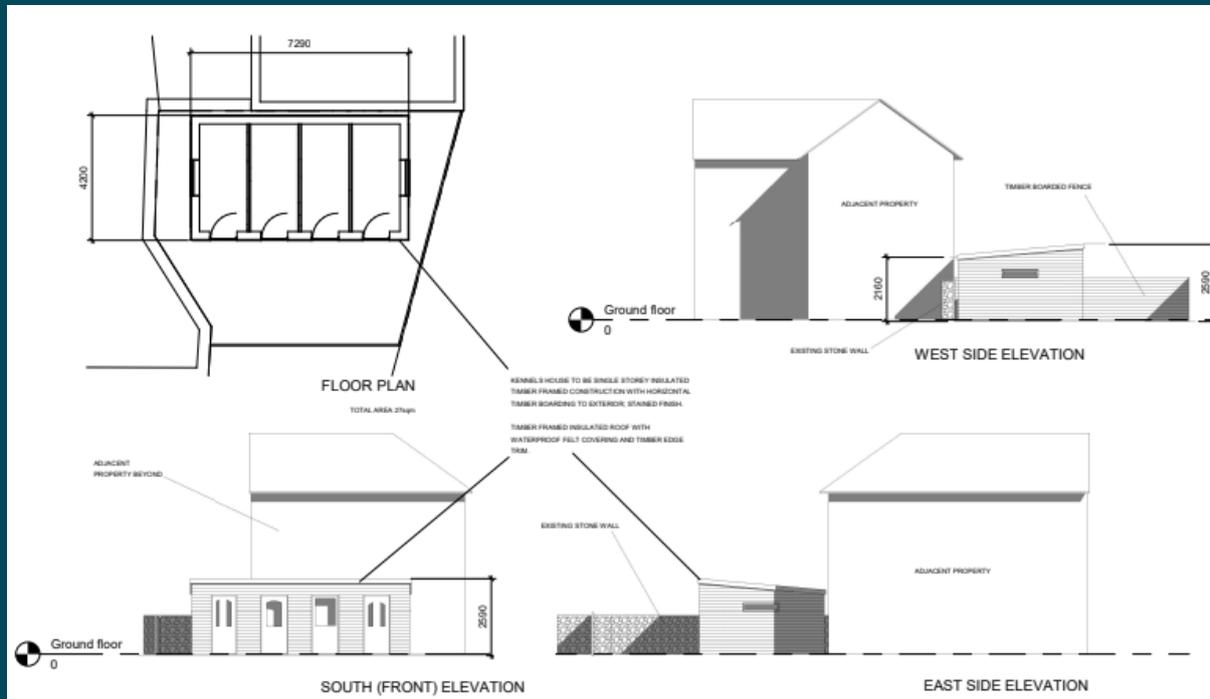


Fig 1 – Proposed plans and elevations

Planning History

In December 2023 planning consent was refused for the erection of dog kennels - application ref. 2023/62/90640/E

In February 2016, planning consent was granted - Application ref. 2015/92780 (Listed Building Consent) - for replacement windows to front and side.

In August 2015, planning consent was granted - Application 2015/91389 Advertisement consent - for the erection of illuminated and non-illuminated signs (Listed Building).

In August 2015, listed building consent was granted - Application 2015/91390 - for the erection of replacement illuminated and non-illuminated signs.

Planning Policy

National Planning Policy Framework 2024 (NPPF)

The new National Planning Policy Framework was revised in 2024 and the following paragraphs are considered to be relevant.

Paragraph 39 confirms that Local Planning Authorities should approach decisions on proposed developments in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 48 confirms that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the Development Plan, and is a material consideration in planning decisions. This paragraph also states that decisions on applications should be made as quickly as possible, and within statutory timescales, unless a longer period has been agreed by the applicant in writing.

Paragraph 56 advises that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.

Paragraph 58 advises that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Conditions that are required to be discharged before development commences should be avoided.

High quality places

Paragraph 135 states that the creation of high quality 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.

Development should:

- a) Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) Optimise the potential of the Site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Building a strong, competitive economy

Paragraph 85 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Kirklees Local Plan (adopted 27th February 2019)

LP 01 – Achieving sustainable development

When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. 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. Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the proposal or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- b. specific policies in that Framework indicate that development should be restricted.

Policy LP 24 – Design 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;
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d. high levels of sustainability, to a degree proportionate to the proposal.

Policy LP 35 – Historic environment states that development proposals affecting a designated heritage asset (or an archaeological site of national importance) 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, or all of the following are met:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

There are many listed buildings located within the town centres across the district, in particular Huddersfield and Dewsbury, and it is important that this historic character is protected by new development. Considerations of the amenity of the future occupiers is also important given measures are sometimes required to mitigate the impact of surrounding uses. This policy should be read in conjunction with the Historic Environment and Design policies included in this Local Plan.

Assessment

Principle of development:

The application seeks retrospective planning permission for the retention of four dog kennels to the rear of the Grade II listed Savile Arms public house. The principle of development must be assessed in terms of its sustainability, economic contribution, and land use compatibility.

It is considered that, subject to compliance with the Local Plan in relation to other issues (as described below), this small-scale change of use is compatible with the location and would not have any significant implications for the future operation of the business at Savile Arms.

The development supports a small-scale commercial operation ancillary to the existing public house use. Paragraph 85 of the NPPF encourages planning decisions that create the conditions in which businesses can invest, expand and adapt, placing significant weight on supporting economic growth and productivity. The proposal directly contributes to the local economy and offers diversification that helps sustain a heritage asset in active use.

Kirklees Local Plan Policy LP01 promotes sustainable development where social, environmental, and economic improvements are balanced. Given the site's existing commercial use and the scale of the kennel operation, the development is considered compatible with the character and use of the site. There is no conflict with the established land use pattern, and the proposal does not result in a material intensification of the use.

As such, the principle of the development is considered to be acceptable.

Design and Heritage

The proposed kennel building would be a relatively small-scale structure located to the rear of the existing building and would be well related to the main building group.

The kennel building is a single-storey timber-framed structure with a felt roof. It is located within the curtilage of a Grade II listed building but set back behind the main public house in a visually discreet area screened by fencing and located adjacent to the existing car park. Furthermore, the site is well contained and, owing to its nature, the development would generally only be glimpsed by someone travelling or walking past.

Paragraph 135 of the NPPF places an emphasis on good design that is sympathetic to local character and the historic environment. Importantly, the kennels are physically and visually separate from the listed structure, ensuring that there is no detrimental impact on the setting or significance of the heritage asset.

The design, scale and materials proposed would also be commensurate with and appropriate to the main building and, as such, the kennels would not appear prominent or obtrusive within the local environment. The material palette—timber cladding and roofing—ensures the kennels are of a rural appearance that is appropriate in this semi-rural context and subservient in form and scale.

Policy LP24(a) requires developments to respect and enhance the character of the townscape and heritage assets. The kennels are modest in size, subordinate to the main building, and well-contained within the site. Their design is appropriate and not out of keeping with the character of the area or the setting of the listed building.

Having regard to the small scale, the location, design and materials used, it is considered that the proposed development would not significantly impact on the character of the area. In particular, it is considered that the siting and design of the proposal would minimise its impact on the visual amenity of the surrounding area.

Heritage Impact

The Savile Arms Public House is a Grade II listed building. The official register contains the following information:

Listing NGR: SE1887727083

Public house. Early C18. Deeply coursed tooled stone. Quoins. Stone slate roof. Two storeys. Near central door has been heightened and has chamfered reveals, and hood mould. To right is 6-light window with king mullion and hood mould; to left, 5-light window, both double chamfered. To first floor is 4-light and 5-light window in square-cut recessed surrounds, but with chamfered mullions. New or rebuilt central window. Outshut to rear.

The proposed kennel would not be physically connected to the listed building and would be placed some distance away from it. No impact would be made upon its characteristics or setting. Accordingly, there would be no harmful heritage or conservation impacts arising from the proposal.

Amenity

The Council's previous refusal rests on an assertion that the dog kennels, due to their size, location and use, would cause a detrimental impact on neighbouring amenity due to sound disturbance and that the lack of acoustic attenuation details fails to demonstrate acceptability.

In assessing this issue, it is crucial to consider both the scale and context of the development as well as the actual and perceived impact on neighbouring occupiers.

The development comprises four individual, insulated dog kennels set well within the rear curtilage of the Savile Arms public house, a site already in commercial use, with an expansive car park and associated daily activity. The kennels are constructed from insulated timber with enclosed boarding, which inherently provides a degree of sound attenuation and containment. The kennels are not located immediately adjacent to residential boundaries but

are instead buffered by existing site features (car park, fences), reducing the likelihood of noise intrusion.

Policy LP24(b) of the Kirklees Local Plan requires that development proposals provide a high standard of amenity for both future and neighbouring occupiers, including the creation of buffer zones between incompatible uses, where necessary. In this instance, the location of the kennels behind the car park—set back from direct residential boundaries—fulfils the spatial buffer requirement. Furthermore, the kennels are limited in number (four), minimising the scale of any potential cumulative noise impact.

Policy LP52 concerns itself specifically with protecting sensitive receptors from environmental pollution, including noise. The policy requires that development does not result in pollution that would unacceptably affect people or the environment, and where necessary, mitigation must be proposed. Paragraph 185 of the NPPF echoes this, stating that planning decisions should ensure that new development is appropriate for its location, avoiding significant adverse impacts on health and quality of life, and mitigating potential noise where necessary.

While it is acknowledged that no formal acoustic report accompanied the original application, this omission alone should not warrant refusal where the impact can be reasonably managed by condition. Paragraph 56 of the NPPF requires that planning conditions should be used to make otherwise unacceptable development acceptable. In this case, a condition requiring the submission and approval of a scheme for noise mitigation (e.g. acoustic fencing, restricted hours of use, kennel insulation) would be both proportionate and reasonable. A well-worded condition could ensure that an acoustic scheme is submitted and implemented prior to the continued use of the kennels, thereby resolving the concern without requiring a refusal.

Moreover, no evidence has been provided by the Council that the existing kennels, which appear already operational, have resulted in substantiated noise complaints. The actual harm, therefore, remains unquantified and speculative, particularly in the context of a small number of kennels operating within a site of commercial character.

In conclusion, the impact of the kennels on residential amenity, as currently presented, is not sufficient to justify refusal, especially when mitigation could be secured by condition. The Council has not demonstrated that the noise impact would result in significant adverse effects, as required by Paragraph 185(b) of the NPPF, and the refusal lacks proportionality in light of available planning remedies.

Access

The proposal does not alter existing site access arrangements, nor does it introduce a use that would generate significant traffic above existing levels. Access is taken via the current public

house car park, which is of a generous scale and can comfortably accommodate the low level of vehicular activity associated with four dog kennels.

The existing access also benefits from good visibility, and the site is sufficiently large to allow vehicles to turn and exit in a forward gear. The kennels would be accessed via the existing car park, and as such, there are no concerns in respect of highway safety. It is not considered that the comings and goings associated with the proposal would have any significant impact on the locality.

As there is no change in access, layout, or intensity of use, it is considered that the proposal will have no detrimental impact on highway safety or parking capacity.

Conclusion

For the above reasons, we see no reason for the Council to withhold our request for planning permission and kindly request that the council make a reasonable decision on this submission in line with the developmental objectives and timescales of the National Planning Policy Framework. Should the Planning Authority have any further questions in relation to this proposal or feel that certain conditions would be necessary to accommodate this proposal, Planning By Design would welcome conversation on any of these matters.