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Planning Development

Planning Statement

The Dyehouse, 7 Harts Hole, Golcar, Huddersfield, HD7 4NN

Introduction

In February 2003, an application for the “conversion of outbuilding to form additional living accommodation and new retaining wall (within the curtilage of a listed building)” was approved at New Ing Farm, Rochdale Road, Harts Hole, Golcar, Huddersfield, HD7 4NN (LPA ref: 2002/93832).

Condition 6 on the permission states:

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as New Ing Farm.

Reason: *In the interests of the free and safe use of the highway.*

The applicant currently owns No. 7 Harts Hole (New Ing Farm), The Dyehouse and annex to No. 7, and No. 9 Rochdale Road (next door to No. 7). However, the applicant would now like to sell No. 7 but retain No. 9 and The Dyehouse. Unfortunately, The Dyehouse annex is currently tied to No. 7. The applicant would therefore like to change the use of the annex to a separate dwellinghouse, hence the submission of this application.

Site Description

The building is a single storey, detached stone-built property with a pitched roof. The western end of the building fronts directly onto Harts Hole Lane. Access to the building and shared cobbled drive, which is located directly south of the building, is via Harts Hole Lane. No. 7 Harts Hole and No 9 Rochdale Road are located south and east of the building. The application site is situated in a rural location largely surrounded by fields and open countryside.

Planning History

87/03785 – Alterations and change of use of guest house to 2 no. dwellings - Granted

2002/93832 – Conversion of outbuilding to form additional living accommodation and new retaining walls (within the curtilage of a listed building) – Approved

2002/93834 – Listed building consent for conversion of outbuilding to form additional living and new retaining walls accommodation – Granted



The Dyehouse, 7 Harts Hole

Policy Designation

The application site is located within the Green Belt in accordance with the Kirklees Local Plan.

The Proposals

This application seeks planning permission for the change of use of ancillary residential accommodation to independent dwellinghouse, and formation of works to form a parking space (within the curtilage of a listed building).

The proposals also include the following works:

- 1) An existing stone retaining wall would be repositioned to create one additional parking space. Stone cobbles would be used to surface the parking space.
- 2) A bin storage area for the new dwelling would be provided adjacent to the new parking space. The bin presentation point located adjacent to the western elevation of the building would remain as existing.
- 3) Private outdoor amenity space would be provided at the rear of the building accessed via the existing stone steps.

There would be no external or internal changes to the building fabric.

Assessment of the Proposals

Green Belt Impact

The application site is located within the Green Belt. Paragraph 154 in the NPPF states:

'Development in the Green Belt is inappropriate unless one of the following exceptions applies:

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction.'

Local Plan Policy LP60 also states:

'Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where:

- a. The building to be re-used or converted is of permanent and substantial construction;*
- b. The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;*
- c. The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety.'*

The proposals involve the change of use of the existing residential annex to one dwelling. No internal or external works to the building, (which is of substantial and permanent construction), are proposed. Access to the site from Hart's Hole would also remain unchanged. The existing stone cobbled driveway would be extended slightly to accommodate one dedicated parking space for the new dwelling. The works involved with this would be minimal and would be in keeping with the character of the surroundings. An existing area of garden at the rear of the building would be included within the curtilage of the new dwelling; however, no new boundary treatments are proposed.

Highway safety and residential amenity are addressed in later sections of this report. However, it is considered that the proposed conversion can be accommodated without any detriment being caused in this regard.

It is therefore considered that the proposed change of use to allow the building to become an independent dwelling, would not be inappropriate development in the Green Belt, and the proposals are considered to accord with paragraph 154 in the NPPF and Local Plan Policy LP60.

Highway Considerations

The reason condition 6 was originally attached to the 2002 permission was "In the interests of the free and safe use of the highway."

Local Plan Policy LP21 states:

'New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.'

The application site is located at the northern end of Harts Hole Lane (also known as Pinfold Lane). The western elevation of the proposed dwelling is located directly adjacent to the highway. As a result, visibility for vehicles exiting the site onto the lane is limited, and the access is slightly obscured from view for vehicles travelling down the lane from Rochdale Road.

However, the lane is a very lightly trafficked road. The lane is only really used by residents who live along it or by other vehicles wanting to gain access to the properties e.g. visitors, delivery drivers, refuse collectors etc. It is highly unlikely to be used as a through road by other road users. Vehicles travelling from Scapegoat Hill to Pole Moor, for example, would use Rochdale Road and vehicles travelling from Outlane to Bolster Moor, for example, would use Waller Clough Road.

Furthermore, the road slopes downhill in a northerly to southerly direction. As such, cars entering the northern end of the lane are likely to be travelling at low speeds in order to navigate the tight corner and sloping road in a safe manner.

In addition, as shown on the proposed block plan, the site can accommodate ample off-street parking for the new and existing dwellings. The new dwelling would have its own designated parking space, No. 7 (a 4-bed property) already has three parking spaces and No. 9 (a 3-bed property) already has two parking spaces. Vehicles are also able to turn within the site and exit onto the lane in a forward gear.

The current users of the annex do not have a dedicated off-street parking space (and none were allocated under the original 2002/93832 application) and instead they currently park on Harts Hole Lane immediately adjacent to the annex – thereby impeding the right visibility for cars exiting the site. As such, by providing this one bed dwelling with a dedicated off-street parking space through these proposals, this would provide net highway safety benefits comprising: (1) a dedicated off-street parking space, and (2) removal of a current obstruction to visibility splays.

It should also be noted that the existing occupants of No. 7 Harts Hole and No. 9 Rochdale Road have used the access for many years without any problems and there have been no known accidents reported in the vicinity of the application site.

It is therefore considered that the change of use of the annex to an independent dwellinghouse would not be of detriment to highway safety. The proposal is therefore considered to be acceptable and accords with Local Plan Policy LP21 and the aims of Chapter 9 in the NPPF.

Housing Supply

Paragraph 61 in the NPPF states, *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.'*

Paragraph 72 also states that, *'Planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.'*

Paragraph 73 goes on to state that, *'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area.'*

Paragraph 79 in the NPPF also states that, *'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the*

previous three years, the following policy consequences should apply: c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.'

The Local Plan now exceeds five years old and the confirmed position for Kirklees Council ¹ is that there is no longer a five-year supply of specific deliverable sites. As such, the presumption in favour of sustainable development (the tilted balance) applies in accordance with NPPF Paragraph 11d.

In addition to the confirmed inadequate housing supply position, housing delivery in Kirklees has also fallen below 95% of the Local Authority's housing requirement over the previous three years and is at 54%. Again, at this low level of delivery, the tilted balance applies as per NPPF Paragraph 11d.

As a result, the Council is obliged to grant planning permission unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits. ²

The proposals would provide one new dwelling for the local community. The works to the property have already been completed making it immediately available. The proposals are therefore considered to accord with the aims of Chapters 2 and 5 in the NPPF.

Visual Amenity

Local Plan Policy LP24 states:

'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.'

Paragraph 135 in the NPPF sets out various design objectives, including the need to ensure developments will function well and add to the overall quality of an area, are visually attractive, are sympathetic to local character and establish or maintain a strong sense of place.

The building has already been converted into a residential annex. No further external alterations to the building are proposed as part of this application. An existing stone retaining wall is proposed to be re-positioned in order to create a new, designated parking space with the existing stone cobbled driveway to be extended slightly to surface the new parking space. These works are considered to be minimal and would be in keeping with the character of the surroundings.

The proposed change of use is therefore considered to be acceptable in terms of visual amenity and complies with Local Plan Policy LP24 and paragraph 135 in the NPPF.

Residential Amenity

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.'

¹ Kirklees Housing Position Statement to Boost Supply February 2024

² Underlining our emphasis.

This is echoed in paragraph 135 f) in the NPPF. The Housebuilders Design Guide SPD also sets out what the Council considers to be high-quality residential design through a number of principles. The relevant principles in relation to this application in terms of residential amenity are as follows:

Principle 6 – Maintaining high standards of residential amenity

Principle 16 – Internal space standards

Principle 17 – Outdoor space

The building has already been converted into a residential annex. None of the existing windows overlook No. 9 Rochdale Road (the applicant's dwelling) and no windows on No. 9 overlook the existing annex. The building also contains plenty of windows and rooflights for natural light to enter the property. The adjacent dwelling (No. 9) is also single storey and as such, there would be no overshadowing impact.

The internal floor area of the proposed dwelling measures 41.9 sq.m. This is acceptable in relation to the nationally described space standards which recommends that new 1-bed single storey dwellings for one person should have a minimum floor area measuring 39 sq.m.

Private outdoor amenity space is also proposed at the rear of the property which would be accessed via existing stone steps. The size of the outdoor space proposed is considered to be proportionate to the size of the dwelling and would also consist of a functional space with plenty of natural light.

The proposals are therefore considered to be acceptable in respect of residential amenity and complies with Local Plan Policy LP24, paragraph 135 in the NPPF and Principles 6, 16 and 17 in the Housebuilders Design Guide SPD.

Heritage Impact

Local Plan Policy LP35 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.'

There is one designated heritage asset located within close proximity to the application site: No. 7 Harts Hole and No. 9 Rochdale Road (formally New Ing Farm and adjoining barn), which is a grade II listed building, and is located directly south-east of the proposed development.

The NPPF glossary defines the setting of a heritage asset as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

Main views of the listed building can currently be appreciated and experienced from Rochdale Road and land north of the site. Close up views of the building can also be appreciated within the property boundary, but views on the approach from Harts Hole are limited due to existing trees and vegetation, particularly in the summer months.

Given the proposals relate to the conversion of an existing building, the development would not materially alter the current views of the listed building. No external alterations are proposed to the

building and the alterations proposed to the retaining wall and proposed parking area are considered to be minimal. These alterations would be sympathetic in nature and in keeping with the listed building.

Whilst an area of domestic curtilage is also included within the proposals, this is located on the far (northern) side of the building to be converted, away from the listed building, and relates to an existing area of garden. As such, this would not cause any material harm to the setting of the listed building.

Paragraph 212 in the NPPF states the following:

'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.'

In this case, given the nature of the proposals, it is considered that the proposed change of use would not cause any material harm to the significance of the heritage asset. The proposals are therefore considered to be acceptable and accord with Local Plan LP35 and the aims of Chapter 16 in the NPPF.

Biodiversity Net Gain

Certain types of development are exempt from the mandatory biodiversity net gain requirements. This includes a development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m x 5m) of on-site habitat
- 5 metres of on-site linear habitats such as hedgerows

The Government guidance states that a development 'impacts' a habitat if it decreases the biodiversity value.³

The proposed change of use of the building would not impact or decrease the biodiversity value of the site as the existing on-site habitat would be completely retained and unaffected by the proposals.

The proposals are therefore considered to be acceptable with regards to biodiversity and accords with Local Plan Policy LP30 and the aims of Chapter 15 in the NPPF.

Conclusion

This application seeks planning permission for the change of use of ancillary residential accommodation to independent dwellinghouse, and formation of works to form a parking space (within the curtilage of a listed building).

As discussed in the preceding paragraphs of this report, the proposed change of use is considered to be acceptable in respect of highway matters and other material planning considerations. The proposals would provide a highway safety betterment by removing a current obstruction to visibility splays by providing a dedicated off-street parking space for the dwelling. The proposal would help with the local housing supply by providing one new dwelling.

³ Understanding Biodiversity Net Gain

The proposals are therefore considered to accord with all relevant national and local planning policy and guidance, and it is respectfully requested that planning permission is approved accordingly.

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July 2025