
Report of the Head of Planning and Development

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 10-Jun-2021

Subject: Planning Application 2021/90090 Variation condition 2 (plans) on previous permission 2017/91596 for change of use of barn to 2 dwellings, erection of rear extension to existing cottage, demolition of existing cattle shed, erection of tractor and hay store and alterations to layout Egypt Farm, Cliffe Lane, Gomersal, BD19 4EU

APPLICANT

Andrew Ratcliffe, Knight
Key Ltd

DATE VALID

30-Jan-2021

TARGET DATE

27-Mar-2021

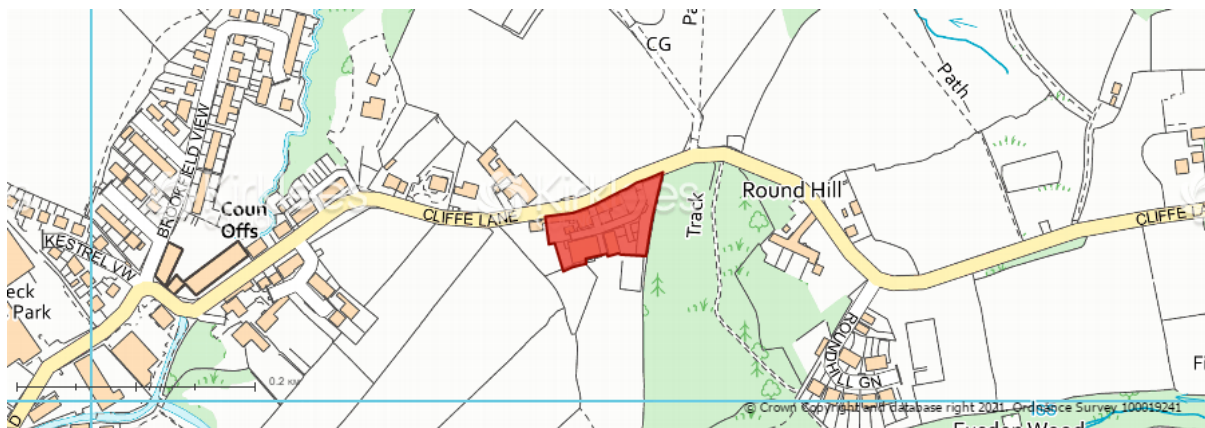
EXTENSION EXPIRY DATE

11-Jun-2021

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

**Electoral wards affected: Cleckheaton Ward
(Adjacent to Liversedge and Gomersal Ward)**

Ward Councillors consulted: Yes (referred to in the report)

Public or private: PUBLIC

RECOMMENDATION:

APPROVE

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report

1.1.1 INTRODUCTION

- 1.2 The application has been called to the Heavy Woollen Sub Committee by Ward Councillor Kath Pinnock. Cllr Kath Pinnock has requested that this application be determined at committee based upon the site history (previous refusals at the site), the proposed development may represent over development, the intensification of the site and the impact on the visual amenity of the wider area.
- 1.3 The Chair agreed to this application being brought to Sub-Committee for determination confirming Cllr Pinnock's reason for making this request is valid having regard to the Councillors' Protocol for Planning Sub-Committees.

2.0 SITE AND SURROUNDING

- 2.1 The application relates to a site at Egypt Farm, Cliffe Lane, Lane, Cleckheaton; the site covers an area of just over 0.4ha and comprises several dwellings and farm buildings. Most of the buildings are sited close to the north boundary which borders onto Cliffe Lane; to the west of the site is the current farmhouse and to the east is what appears to be the original farmhouse which is also a Grade II listed building. Attached to this building is a small single storey cottage of a later period.
- 2.2 The farm buildings include a two-storey brick-built barn which is positioned centrally along the northern boundary of the site. The barn is the building to which this application relates. The rear of the barn is adjacent to the highway. The front of the barn faces south. The barn has been converted to form two dwellings which benefit from gardens to the south as well as the use of some of the farm courtyard. The Grade II listed building known as Ye Closes (no.64) is set 16m to the east from the barn with a dwelling set in between.

3.0 PROPOSAL

- 3.1 The application is seeking permission for the variation condition 2 (plans) on previous permission 2017/91596 for change of use of barn to 2 dwellings, erection of rear extension to existing cottage, demolition of existing cattle shed, erection of tractor and hay store and alterations to layout.

3.2 The variation relates to the change of use of the barn to 2 dwellings, and the erection of tractor and hay store. The application is retrospective.

3.3 The proposed variations to the barn from the 2017/91596 permission are as follows:

- The provision of nine roof lights – four to the front and five to the rear with each dwelling benefit from two rooflights on each roof plane. These rooflights provide light to a study and bedroom within the roof space of each dwelling.
- Reconfiguration of internal layout to mean each dwelling would have four bedrooms, instead of three bedrooms as previously approved.
- The provision of two obscurely glazed windows in the western side elevation.
- The provision of a larger window on the front elevation.
- The reopening and re-use of a door on the east side elevation. A false door was included in this position on the parent application.
- The provision of a window on the east side elevation at the top of the gable to serve an en-suite
- Repositioning of the bat box.
- Alterations to the parking arrangement.
- The agricultural building will no longer be proposed.
- The provision of a pressed metal gutter to the principal elevation.

Full details on the variations can be seen on plans (20843)10_Proposed dwellings Rev C received on 20/05/2021

3.4 The application is not seeking any changes to the rear extension of an existing cottage or the demolition of a cattle shed (already demolished).

3.5 It should be noted that a wall outside the parameters of permitted development, however this is outside the red line boundary and is not to be considered under this application.

4.0 HISTORY OF NEGOTIATIONS

4.1 There have been various amendments made to this scheme:

- The amendment of the red line boundary to accord with the originally approved application.
- Three rooflights have been removed from the proposed plans to create a more balanced finish. The remaining proposed roof lights will contain a conservation style 'bar' in the interests of visual amenity and the historic environment.
- The obscurely glazing of the two windows in the west side elevation, in the interests of residential amenity.
- A proposed garage, where the previously approved agricultural building was approved, has been removed at Officer's request given it is inappropriate development in the Green Belt setting.
- A window on the east side elevation has been removed in the interests of residential amenity for neighbouring dwellings.
- The showing of designated parking on plan.

5.0 RELEVANT PLANNING HISTORY

2006/91976 change of use, alterations, and extension to farm buildings to form 7 dwellings – withdrawn.

2006/95312 change of use, alterations, and extension to farm buildings to form 6 dwellings – Approved.

2006/95313 change of use, alterations, and extension to farm buildings to form 6 dwellings - Approved.

2008/91298 re-use and adaptation of barn to form 4 apartments – Refused due to effect on character of building- cramped accommodation.

2007/95399. change of use and alterations to convert barn to 3 dwellings - Approved.

2016/20265. Pre-application enquiry for residential development.

2017/91597 Listed Building consent for the change of use of barn to 2 dwellings, erection of rear extension to cottage and alterations to layout – Approved.

2017/91596 Change of use of barn to 2 dwellings, erection of rear extension to existing cottage, demolition of existing cattle shed, erection of tractor and hay store and alterations to layout – Approved (PD right removed for classes A, B, C, D and E as well as additional windows).

6.0 PLANNING POLICY

6.1 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).

6.2 The site is set within Green Belt land as allocated on the Kirklees Local Plan (2019) and in the curtilage of a Grade II listed building.

6.3 Kirklees Local Plan (KLP):

LP1 – Presumption in favour of sustainable development

LP2 – Place shaping

LP21 – Highway Safety

LP22 – Parking Provision

LP24 – Design

LP28 – Drainage

LP30 – Biodiversity and geodiversity

LP35 – Historic Environment

LP52 – Protection and improvement of environmental quality

LP57 – The extension, alterations, or replacement of existing buildings

LP60 – The re-use and conversion of buildings

- 6.4 National Planning Policy Framework (NPPF):
Chapter 2 – Achieving sustainable development.
Chapter 12 – Achieving well designed places.
Chapter 13 – Protecting Green Belt land.
Chapter 15 – Conserving and enhancing the natural environment.
Chapter 16 – Protecting and enhancing the historic environment.

7.0 PUBLIC/LOCAL RESPONSE

7.1 6 representations were received on this application. 15 representations were received on the associated listed building consent application. All of the representations received across both applications were against the proposal. For the sake of clarity and transparency, all 15 representations from 11 individuals were received across both applications (excluding duplicates) will be summarised below. Please note that these comments were received before the latest set of plans were received.

7.2 Visual Amenity and Heritage

- The barn conversion by style, materials and design is out of character with the farm site and wider area (not a traditional design).
- The proposal would detriment the setting of a listed building and does not preserve or enhance it.
- The roof lights detriment the visual amenity and heritage importance of the barn and wider landscape as they do not respect the character of the host building or listed building. This comment references the inspectors report for application 2008/62/91298/E1 as being a reason for refusal of a previous application at the barn. This point is still applicable despite the reduction in the number of proposed rooflights from 11 to 9.
- The UPVC gutters and dry verges installed to the barn are not in keeping with the age and character of a barn nearly 170 years old.
- The formation of accommodation in the roof space takes away the character and doesn't allow the original space or atmosphere of the barn to be appreciated. The removal of the beams is a harmful to the heritage of the barn.

7.3 Residential Amenity

- The window set high up in the gable of the east side elevation overlooks neighbouring dwellings, including the listed building.
- The door in the east side elevation could cause an obstruction to people and vehicles, including agricultural machinery
- The proposed window at the ground floor level on the eastern elevation will overlook the amenity space of neighbouring dwellings.
- The two proposed windows in the west side elevation overlook neighbouring dwellings.

7.4 Highway Matters

- Insufficient parking provided for the dwellings of the proposed size.
- Emergency vehicles would have difficulties accessing the site.
- A passing place is required so vehicles can enter and exit the site in a forward gear.

7.5 Other Matters

- The proposal is directly contrary to previous refusals on the site.
- The proposal does not provide adequate provisions for bats.
- The developer has installed numerous plastic meter boxes which are not shown on the submitted drawings. This is an affront to the architectural dignity of this building.
- Gas flue positioned on the west elevation producing toxic emissions into the adjoining stable.
- No bin storage area has been provided.
- Two electric vehicle recharging point should have been installed to serve the new dwellings in a position that is accessible to electric vehicles. This has not been done.
- The application needs to be considered as if it is not retrospective.
- Several points related to the garage that has been constructed, however this is no longer a part of the proposed application and is not to be considered.
- It should be noted that a wall has been constructed which has been subject to representations, however this is outside the red line boundary and is not to be considered under this application.

8.0 CONSULTATIONS

8.1 Below are the summaries of the responses provided by statutory and non-statutory consultees. The consultation response will be discussed in more detail where relevant in assessment below.

8.2 Statutory

None

8.3 Non-Statutory

KC Conservation and Design – No objection in terms of the impact on the heritage assets as the proposals would accord with Local Plan LP35. Requested more information on the roof light details however they stated what is required to ensure the roof lights are not detrimentally harmful.

KC Ecology – No objections and no requested conditions.

KC Environmental Health – Information currently provided is insufficient in regard to ensuring the site is safe for end use as information required via condition under the original application has not be submitted to date.

KC Highways Development Management – No objections.

9.0 MAIN ISSUES

- Principle of Development
- Visual Amenity
- Residential Amenity
- Highways Issues
- Other Matters
- Representations

10.0 ASSESSMENT

Principle of Development in the Green Belt and on the Listed Building

- 1.01 Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan would be approved without delay unless material considerations indicate otherwise. Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability.
- 1.02 The application property is situated in the allocated Green Belt in the KLP. Careful consideration should be given to avoid harm to the openness and character of the Green Belt. The principle of development for the conversion of the barn was demonstrated under the parent application 2017/91596 to which this application is to vary. Given that this proposed variation does not see any additional built form (such as extensions) as to what was previously approved, the principle of development in the Green Belt is still considered to be acceptable. In this instance, the proposal is considered to accord with Policies LP57 and LP60 of the KLP as well as the purpose of Chapter 13 of the NPPF regarding the principle of development in the Green Belt.
- 1.03 The site is located within the curtilage of a grade II listed building; National policy in the NPPF chapter 16 is appropriate and states that in assessing an application consideration needs to be given to the impact of the proposals on the Heritage Asset; Policy LP35 of the KLP is also applicable. During the 2017 application it was determined that the proposed works to the barn, as well as the extension to the dwelling between the barn and listed building, would not materially harm the listed building itself or its setting. KC Conservation and Design were consulted regarding the impact of the proposed variation on the listed building. Their findings relating to the listed building are as follows:
- 1.04 'The proposed alterations will further alter the former agricultural buildings which are ancillary buildings within the setting of the grade-II listed farmhouse which dates from the early C18th and is the principal grade-II listed building. The key heritage impact test should, therefore, be the potential impact on the character and appearance of the principal listed building, as well as the impact on the character of the subject buildings. The proposed works will have no physical impact on the principal listed building while the most significant affect will be the alterations to the roof form of the prominent, much-altered barn to accommodate additional floor-space. The roof of the barn will be altered by the insertion of several roof-lights. These will have an adverse physical and visual impact on the otherwise unaltered roofscape of the prominent barn but will not significantly impact the experience or appreciation of the principal listed building.'

- 1.05 Alongside this, officers also state that as the farm has been development and become more domesticated through the provision of five new dwellings and the erection of a red brick agricultural building have contributed to some heritage character being lost. Furthermore, the form of the farm means the proposed development (notable the roof lights) and the listed building cannot be seen predominantly in the same viewpoint as they are 16m apart with a dwelling in between. It is noted that you can see the barn and listed building in the same view from surrounding fields, when you are this distance away, the roof lights which cumulatively take up 6% of each roof plane, are not considered prominent enough to materially harm the setting of the listed building.
- 1.06 With regard to the provision of living space in the roof and internal floor arrangement; These works likely do not constitute development and would not require planning permission, however even if these works required planning permission or listed building consent given the building is in the curtilage of a listed building, the test would be as to whether it materially impacts the principal listed building. The reconfiguration of the internal layout, including the removal of beams and rooms in the roof space cannot be considered to impact the principal listed building in any way whatsoever and therefore accords with LP35 of the KLP. This point is agreed with by the Conservation and Design Officer.
- 1.07 Therefore, given the conservation and design officer's comments along with the reasons set out above by the case officer, the proposal is not considered to materially harm the listed building itself or the setting of it. The principal of development is therefore considered to accord with LP35 of the KLP and Chapter 16 of the NPPF regarding heritage and the listed building.

Visual Amenity

- 1.08 Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area.

1.09 Roof Lights

- 1.10 KC Conservation and Design gave their opinion on how the proposed variations, notably the roof lights, will impact on the existing barn. The consultee stated:
- 1.11 'The roof of the barn will be altered by the insertion of a number of numbers of roof-lights. These will have an adverse physical and visual impact on the otherwise unaltered roofscape of the prominent barn but will not significantly impact the experience or appreciation of the principal listed building. It is important that the roof-lights are fitted to be flush with the roofline to reduce the visual impact on the roofscape and maintain the character of the former agricultural building. Consequently, full details of the rooflights should be provided to confirm that the windows will be 'Conservation Rooflights' which lie flush with the roof covering and do project above the tiles which would have a disproportionate and adverse visual impact on the barn.'

- 1.12 Given that the application is retrospective, officers saw the window details on site and do not believe additional details regarding the roof lights are in need of a determination. However, if the committee felt necessary, additional roof light information could be sought via a condition with three months of an approval decision being issued, then to be fitted in accordance with the approved window details within another three months.
- 1.13 The case officer agrees with the opinion of the Conservation and Design Officer. The case officer has had the benefit of conducting a site visit. The roof lights have been fitted and therefore the case officer could accurately assess their impact on the barn. The roof lights sit relatively flush with the roof tiles. Officers do not believe they can be considered to materially project above the roof plane. Furthermore, following amendments, the roof lights proposed now feature a conservation style 'bar'. The proposed 9 roof lights would cumulatively cover 6% of the roof plane with each roof light measuring at 0.6m². The roof lights would be set in reasonably balanced positions across the roof. The roof lights would contain conservation details such as the bar and sit relatively low on the roof plane (almost flush). Therefore, whilst officers accept there would be some adverse impact on the barn given the roof is undeveloped, this impact is not considered to cause disproportionate adverse visual impact above and beyond the overall improvement of bringing the barn back in to use. Furthermore, adverse impact could be used to describe any additions to any dwelling as all development has some impact. However, the roof lights, given the position and standard of the barn as a whole, do not appear out of place or character with the host dwelling.
- 1.14 The development has improved the architectural value of the barn by the revealing of barn portholes as well as removing a very poor-quality lean-to extension. Furthermore, the barn is not a high-quality example of a barn of this age. As this is a variation of plans application, Officers consider the proposed variation against the visual amenity benefits that have come through the development of the barn in its entirety. Given this, while in isolation roof lights are not typical with a barn conversion, in this instance, considering the wider benefits of the conversion and architectural quality of the barn itself, the proposed roof lights are considered acceptable regarding visual amenity. The roof lights do, in conjunction with the elements of the development that is not being varied ensure the form, scale, layout and details the development respects enhances the visual amenity of the site as per LP24.

Windows in the Western and Eastern Side Elevations

- 10.15 The proposed variation sees the formation of a windows each on the ground and first floor in the western side elevations and one window on the second floor (roof space) in the eastern side elevations. These windows are all to be obscurely glazed and would be finished with sills and lintels. These windows are modest in scale. Given this, alike the reasons set out in support of the roof lights, the impact of these windows is not considered to cause disproportionate adverse visual impact above and beyond the overall improvement of bringing the barn back in to use. In terms of style and size they respect the barns character, and whilst openings should be limited where possible on barns, given that the barn is not a particularly high-quality

example, these windows are not considered to detrimentally impact on the visual amenity of the site. A door is also proposed in the eastern side elevation. A false door was proposed in this position on the original approval which visually is no different to a working door which is being proposed. Therefore, the windows and door on the side elevations are considered to accord with policy LP24 of the KLP.

Other works

- 10.16 The proposed window to the front is slightly larger than previously approved, but it has a more traditional design, given the use of a mullion. Given this the window is not materially any more harmful than the window already approved in this position, and further respects the character of the host dwelling. This window accords with LP24 in respect to visual amenity.
- 10.17 The provision of a metal pressed gutter to the principal elevation is considered to accord with LP24 of the KLP regarding visual amenity.
- 10.18 The repositioning of the bat box has not material impact on the visual amenity of the site.

Previous Refusals and Summary

- 10.19 Officers do note that windows have been a contentious issue throughout the planning history of the site however they have never been a standalone reason for refusal on any application. The reason for the refusal for the formation of 4no. flats in 2008 was as follows:

'The proposed barn conversion does not retain the spaciousness and open character of the barns interior due to the disposition, size and compact arrangement of the internal layout. Also, the arrangement of existing and proposed window openings would detract from the original character of this traditional barn and would therefore be contrary to PPG15.'

Whilst windows are referenced within this reason for refusal, these cumulatively contributed with other key parts to the development which leads to the application refused. The windows alone were not considered to justify an additional reason for refusal.

- 10.20 The recommendation of the report, which is a balanced assessment continues the thread set out by the 2008 decision that in isolation, the provision of additional windows is not ideal to a barn. However, the barn, which is referred to by this term given its previous agricultural use, as opposed to exception architectural, is not determined to carry such significance where the provision of the modest sized, and relatively, evenly spread windows alone detriment the visual amenity of the application site and wider area. Even as a singular element, the windows do not detract from the visual amenity of the barn. When considering the variation in relation to the original approval, which is an acceptable position to take, these windows do not cause disproportionate adverse visual impact above and beyond the overall improvement of bringing the barn back in to use and therefore the proposal is considered to accord with LP24 of the KLP regarding visual amenity.

Impact on Residential Amenity

- 10.21 LP24 of the KLP seeks to ensure all development maintain a good standard of amenity for neighbours as well as future occupiers. Chapter 12 of the NPPF reiterates this.
- 10.22 Given the nature of the proposed variations, the only elements which can be considered to have the potential to materially impact on the amenity neighbour dwellings and future occupiers of the site itself are the windows to the side. However, all three of the windows proposed to the side are obscurely glazed. These windows serve an en-suite, a bathroom and a hallway. With a condition and for the glass to be obscurely glazed, with the windows to be fitted with restrictors allowing for a maximum of a 5cm opening, the windows on the side elevations cannot be considered to material impact on the residential amenity of any neighbouring dwellings or future occupiers.
- 10.23 Officers note that there is a flue facing towards the stables associated with no.58 Cliffe Lane. However, a flue can be installed under Schedule 2, Part 1, Class G of the General Permitted Development Order (2015). Given that the flue does not require planning permission, it is considered acceptable for the purposes of this assessment. Even if listed building consent was required, this would just assess the impact on the listed building, which is the other side of the dwelling and therefore would be approved.
- 10.24 For the reasons above, the proposal is considered to accord with LP24 of the KLP and Chapter 12 of the NPPF regarding residential amenity.

Impact on Highway Safety

- 10.25 Kirklees Council has not set local parking standards for residential development, however as an initial point of reference for new developments, 3 off street parking spaces should be provided for each new 4+ bedroom dwelling.
- 10.26 As per plan (20843)10_Proposed dwellings Rev C received on 20/05/2021, one dwelling will benefit from 3 parking spaces and the other from 4 parking spaces. Therefore, the off-street parking provided is considered acceptable. The removal of the agricultural building supports this provision.
- 10.27 Given the 'T' shaped nature of the access to the parking, vehicles can enter and exit the site in a forward gear.
- 10.28 The proposed parking will not materially impact on the parking of any neighbouring dwellings, notably as there is space for turning in the courtyard area of the site amongst other places.
- 10.29 Given this, the proposal is considered to accord with LP21 and LP22 of the KLP regarding Highway Safety.

Other Matters

Electric Vehicle Charging Points / Carbon Budget

- 10.30 As the application is for a variation of plans for two new dwellings, the previous condition relating to the provision of electric vehicle charging points is applicable 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. It is unclear whether these being provided however one dwelling is currently occupied and the proposed parking provisions have change under this application. Parking is proposed where the previous agricultural building would have stood and is still partially standing.
- 10.31 To accord with the fore mentions guidance and policy LP52 of the KLP, the applicant will be requested by condition to provide a vehicle charging point for each dwelling within three months of an approval being issued if that is the outcome of the case.

Kirklees Housing Land Supply

- 10.32 As set out in the Authority Monitoring Report (AMR), the assessment of the required housing (taking account of under-delivery since the Local Plan base date and the required 5% buffer) compared with the deliverable housing capacity, windfall allowance, lapse rate and demolitions allowance shows that the current land supply position in Kirklees is 5.88 years supply. The 5% buffer is required following the publication of the 2020 Housing Delivery Test results for Kirklees (published 19th January 2021).
- 10.33 As the Kirklees Local Plan was adopted within the last five years the five-year supply calculation is based on the housing requirement set out in the Local Plan (adopted 27th February 2019). Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

Ecology

- 10.34 A bat survey was undertaken to support the previous application in 2017 (2017/91596) for the change of use of the barn. Although this survey concluded that the buildings on site had negligible potential for roosting bat, mitigation and enhancement measures were detailed in the report. The condition imposed to secure these measures (Condition 12) was discharged in 2019 (2019/91911), following the receipt of a Method Statement for Minimising the Residual Risk to Roosting Bat and Inclusion of Bat Roost Features to the Existing Structure. The report specified that an integral wood-stone bat box would be fixed within the east gable of the barn.
- 10.35 The current proposals are retrospective and according to the design & access statement include several variations on the original planning approval in

relation to the barn and garage/store. Based on the photographs included within the Design & Access statement and direct from the agent, the proposed bat box has been installed on the east gable as approved. Therefore, the current proposals have no ecological implications and I have no objections on this basis.

End User Safety (Gas Protection)

10.36 Officers have received a letter entitled Development at Egypt Farm by Haigh Huddleston & Associates dated 18th February 2020 (Ref: E19/7349/MH/004). The letter details an inspection of the gas membrane. This letter was deemed to provide insufficient information. An amended version of the same document was received on 26/05/2021 and is being considered by KC Environmental Health.

10.37 This matter, as with the original approval, is recommended to be conditioned so as to ensure that the proposal provides a safe development for the end users, in accordance with the aims of chapter 15 of the NPPF.

Representations

10.38 Representations were received on this application. 15 representations were received on the associated listed building consent application. All the representations received across both applications were against the proposal. For the sake of clarity and transparency, all 15 representations from 11 individuals were received across both applications (excluding duplicates) will be summarised below. Please note that these comments were received before the latest set of plans were received.

10.39 Visual Amenity and Heritage

- The barn conversion by style, materials and design is out of character with the farm site and wider area (not a traditional design).
- The proposal would detriment the setting of a listed building and does not preserve or enhance it.
- The roof lights detriment the visual amenity and heritage importance of the barn and wider landscape as they do not respect the character of the host building or listed building. This comment references the inspectors report for application 2008/62/91298/E1 as being a reason for refusal of a previous application at the barn. This point is still applicable despite the reduction in the number of proposed rooflights from 11 to 9.
- The UPVC gutters and dry verges installed to the barn are not in keeping with the age and character of a barn nearly 170 years old.
- The formation of accommodation in the roof space takes away the character and doesn't allow the original space or atmosphere of the barn to be appreciated. The removal of the beams is a harmful to the heritage of the barn.

RESPONSE: all these matters have been addressed between points 10.08 and 10.20 above.

10.40 Residential Amenity

- The window set high up in the gable of the east side elevation overlooking neighbouring dwellings, including the listed building.
- The door in the east side elevation could cause an obstruction to people and vehicles, including agricultural machinery

- The proposed window at the ground floor level on the eastern elevation will overlook the amenity space of neighbouring dwellings.
 - The two proposed windows in the west side elevation overlook neighbouring dwellings.
- RESPONSE: all these matters have been addressed between points 10.21 and 10.24 above.**

Highway Matters

- Insufficient parking provided for the dwellings of the proposed size.
 - Emergency vehicles would have difficulties accessing the site.
 - A passing place is required so vehicles can enter and exit the site in a forward gear.
- REPOSE: all these matters have been addressed between points 10.25 and 10.29 above.**

Other Matters

- The proposal is directly contrary to previous refusals on the site.
RESPONSE: This has been addressed in points 10.19 and 10.20 above.
- The proposal does not provide adequate provisions for bats.
RESPONSE: This has been addressed in points 10.34 and 10.35 above.
- The developer has installed numerous plastic meter boxes which are not shown on the submitted drawings. This is an affront to the architectural dignity of this building.
RESPONSE: This has been noted but is not classed as development.
- Gas flue positioned on the west elevation producing toxic emissions into the adjoining stable.
RESPONSE: This has been addressed in point 10.23 above.
- No bin storage area has been provided.
RESPONSE: This has been noted but officers determine that bins can be kept adequately in the amenity space associated with the dwellings.
- Two electric vehicle recharging point should have been installed to serve the new dwellings in a position that is accessible to electric vehicles. This has not been done.
RESPONSE: This has been addressed in point 10.30 and 10.31 above.
- The application needs to be considered as if it is not retrospective.
RESPONSE: Noted. The application has been assessed in accordance with relevant national and local planning policy, taking all relevant material planning considerations into account.

11.0 CONCLUSION

- 11.1 To conclude, it is considered that the proposed variations to the application previous approved are acceptable regarding all material considerations. The proposed roof lights and additional windows rare acceptable visually in comparison to the architectural standard of the barn.

11.2 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.

11.3 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.

12.0 CONDITIONS Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. In accordance with plans.
2. Vehicle charging points provided within 3 months of decision.
3. Parking provided within 6 months of decision. (Due to demolition of building required).
4. Obscurely glazed windows with restrictors to allow for window to only open 5cm to be fitted within 3 months of the decision.
5. Unapproved roof lights to be removed within 3 months.
6. Permitted Development rights removed for classes A, B, C, D, and E as well as additional windows.
7. New hard surfacing for parking to be surfaced and drained.
8. Provision of pressed metal guttering in accordance with plans within 3 months.
9. Notwithstanding plans hereby approved, provision of pressed metal downpipes in accordance with plans within 3 months.
10. Information regarding gas protection measures to be submitted to the Local Planning Authority within 1 month of the decision notice being issued. This is to be approved in writing by the Local Planning Authority.

Background Papers

Application and history files

Link to 2017/91596 :- <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017/91596>

Link to 2017/91597:- <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017/91597>

Link to 2008/91298:- <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2008/91298>

Link to 2008/91752:- <https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2008/91752>