

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Planning (Listed Buildings and Conservation Areas) Act 1990 (as
amended) – SECTION 16**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED
BUILDING CONSENT**

Reference No: 2017/65/90024/W

Site Address: 2, Belgrave Terrace, Huddersfield, HD1 5LR

Description: Listed Building Consent for alterations to convert
coach-house into 1 dwelling, demolition of garage and
erection of 1 dwelling within a Conservation Area

Recommending Officer: Laura Yeadon

DECISION – grant listed building consent

**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.**

Teresa Harlow

AUTHORISED OFFICER

Date: 27-Mar-2018

Officer Report

Site Description

2 Belgrave Terrace is an almost detached building currently utilised as a HMO and is Grade II Listed Building located within the Greenhead Park/New North Road Conservation Area. The two storey property is set within a corner plot with Belgrave Terrace to the front and Highfields Road to the side. The amenity space for the property is a flagged garden to the front and a parking area to the side. Also to the side/rear of the property is a 1.5 storey coach house and dilapidated garage. The wider site is comprised of mainly residential properties, many of which are also Listed Buildings.

Description of Proposal

Listed Building Consent is sought for alterations to convert the coach-house into one dwelling, demolition of the garage and the erection of one dwelling.

An application for Planning Permission for the works has been submitted and runs concurrently with this application. The reference number is 2017/90023

In order to facility the development the proposed alterations are as follows:

Coach House

Internally it is proposed to have:

- Open plan ground floor with shower room
- 2 no. bedrooms and bathroom at first floor

Externally, it is proposed to:

- Remove the pebbledash render and repoint the existing wall
- Replace the corrugated metal roof with natural blue slate
- Installation of 4 conservation roof lights (2 on the front roof slope and 2 on the rear roof slope)
- Addition of a new window within the front elevation at first floor
- Installation of new metal frame casement windows and doors

Garage

It is proposed to demolish the existing garage and replace it with a one dwelling. The works would include:

- A structure on a similar footprint as the existing however overall height would be higher than existing to accommodate a first floor and the rear of the building lying flush with the Coach House
- Installation of 4 conservation roof lights (2 on the front roof slope and 2 on the rear roof slope)

- Addition of two new window openings (opaque) at within the ground floor side elevation
- Installation of new metal frame casement windows and door

History of negotiations/amendments received

Following initial concerns regarding the internal layout, visual amenity due to the large roof slope to the front of the replacement building and residential amenity due to the proximity of the windows to the proposed dwelling, a meeting was held between the Case Officer and applicant. Conservation and Design raised concerns regarding the ground floor openings within the Coach House. Following receipt of amended plans addressing the fenestration details, discussions took place between the Case Officer and Team Leader and it was considered that the proposed amended scheme was acceptable. Due to the minimal alterations to the scheme, it was not considered necessary to re-publicise the scheme.

Relevant Planning History

- 1997/92360 Listed Building Consent for partial demolition of boundary wall (within a Conservation Area)
Consent Granted
- 1998/93114 Listed Building Consent for reroofing with stone slates, replace existing dormer with 4 no. velux, render rear and gables and renew windows (within a Conservation Area)
Consent Granted
- 2016/94080 Tree works application in Conservation Area
Part granted/part refused
- 2017/90023 Alterations to convert coach house into 1 dwelling, demolition of garage and erection of 1 dwelling within a Conservation Area
Not yet determined

Representations

Final publicity date expired 17th March 2017 – one letter of representation was received with the following comments:

- The rear wall of the Coach House is badly deteriorated and would have to be pulled down and re-built for this redevelopment
- There is no gap in between this wall and my property for me to maintain my property
- Drainage from the roof gutters should be put back where it channels to 2 Belgrave Terrace drains
- During restoration the asbestos roof should be removed under health and safety rules, for my family's health
- Permission should be made for access from my property, to progress with this project as parts of the property are attached

- Someone in Kirklees should be assuring me that all affected parts of my property are put back satisfactorily

Parish/Town Council comments – not applicable

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

K.C. Conservation and Design – following the submission of amended plans in line with recommendations from consultation response – no objection

Policy

The statutory development plan comprises:

The Unitary Development Plan (UDP). This report will refer only to those policies of the UDP 'saved' under the direction of the Secretary of State beyond September 2007.

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is unallocated on the UDP Proposals Map and proposed to be retained as such on the Kirklees Publication Draft Local Plan. The site is however designated as being within the Greenhead Park/New North Road Conservation Area and is a Grade II Listed Building.

Kirklees Unitary Development Plan:

- **BE1** – Design principles
- **BE2** – Quality of design

- **BE5** – Preservation/enhancement of Conservation Areas

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 24** – Design
- **PLP35** – 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 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 7 – Requiring good design
- Chapter 12 – Conserving and enhancing the historic environment

Assessment

General Principle:

The site is located within the Greenhead Park/New North Road Conservation Area with the building subject to this application being curtilage buildings to the host Grade II Listed Building. Sections 16 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduce a general duty for the protection of Listed Buildings and Conservation Areas respectively. For development that affects a Listed Building or its setting the Local Planning Authority should 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. These principles are reinforced in Policy PLP35 of the emerging Publication Draft Local Plan.

Paragraph 128 of the NPPF sets out when determining applications the Local Planning Authority should require an applicant to describe the significance of a heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic record should have been consulted and the heritage asset assessed using appropriate expertise where necessary. The application has a supporting Design, Access and Heritage Statement which considers the impact of the scheme.

Paragraph 129 of the NPPF requires the Local Planning Authority's to identify the particular significance of a heritage asset. In this case the Local Planning Authority has identified two heritage assets; the Listed Building and the

Conservation Area. With this application being for Listed Building Consent only the impact on the Listed Building needs to be considered. The listing description is as follows:

- Belgrave Terrace 1. 5113 (North Side) Highfield No 2 SE 1317 17/154 II GV 2. Min C19. Ashlar. Pitched stone slate roof. 2 storeys. Moulded eaves cornice. Band. 3 ranges of sashes. Door with oblong fanlight, in stone frame with segmental pediment.

One of the Core Planning Principles of the NPPF is that planning should seek to secure high quality design and good standards of amenity for all existing and future occupants of land and building. Therefore, consideration needs to be extended to the objectives set out in Chapter 7 of the NPPF, Chapter 4 (Built Development) of the UDP and Policy PLP24 of the Publication Draft Local Plan.

Impact on the Designated Heritage Asset

Listed Building Consent is sought for alterations to convert the coach house into 1 dwelling, demolition of the garage and the erection of 1 dwelling within a Conservation Area.

The main considerations are the impact of the development on the established significance and setting of the host Grade II Listed Building.

Whilst the buildings are curtilage buildings to No. 2 Belgrave Terrace, the coach house is also physically attached to No. 4. The conversion of the coach house and replacement garage are considered welcome given the current redundant state and its prominent position within the Conservation Area.

The Council's Conservation and Design Officer was formally consulted as part of the scheme who supported the principle of the scheme however raised concerns regarding design. Much of the host building's utilitarian character derives from its openings and altering these to a more domestic scale and arrangement causes harm to the architectural significance of the host building. As such, it was requested that amendments were made to the fenestration details to retain the existing garage doors. The applicant amended these details and it is now considered that the bespoke manner that these openings proposed is considered acceptable and would complement the building itself and also the host Listed Building.

It can therefore be concluded that the proposed works to convert the coach house and also the introduction of an additional structure would not have a detrimental impact upon the architectural significance of the host Grade II Listed Building and would therefore comply with objectives set out in paragraphs 131 and 132 of the NPPF as well as section 17 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Considering Public Benefit

Considering the above, the proposal is deemed to cause minimal harm to the identified heritage value of the Listed Building, as per the NPPF, as a classification is required the proposal is deemed to cause less than substantial harm. The identified harm must be outweighed against the public benefit of the proposal.

The public benefits include:

- Providing 2 no. additional dwellings, close to the town centre
- The refurbishment of a redundant building
- The removal of a dilapidated garage structure
- Providing short term economic benefit during construction

Taking into account the above, it is considered that the public benefit of the proposal outweighs the limited harm. Therefore the proposal is deemed to comply with Policy PLP35 of the Publication Draft Local Plan and Chapter 12 of the NPPF.

Representations

One letter of representation was received with the comments and Local Planning Authority response listed below:

- The rear wall of the Coach House is badly deteriorated and would have to be pulled down and re-built for this redevelopment

Response: Noted

- There is no gap in between this wall and my property for me to maintain my property

Response: Noted

- Drainage from the roof gutters should be put back where it channels to 2 Belgrave Terrace drains

Response: Noted

- During restoration the asbestos roof should be removed under health and safety rules, for my family's health

Response: The demolition methods are not a material planning consideration and would need to be carried out in the appropriate manner by the developer

- Permission should be made for access from my property, to progress with this project as parts of the property are attached

Response: The developer/land owner would need to obtain the appropriate permission from the land owner of any land, outside the ownership of the applicant, if access is required

- Someone in Kirklees should be assuring me that all affected parts of my property are put back satisfactorily

Response: This matter is a civil matter between the applicant and neighbour which the Local Planning Authority cannot be involved in.

Conclusion:

The proposal is considered to represent acceptable works to a Listed Building and would comply with Policies BE1, BE2 and BE5 of the UDP, Sections 7 and 12 of the NPPF in terms of conserving the historic fabric, minimising conflict between the proposal and the heritage asset and sustaining the significance of the heritage asset. Furthermore it is compliant with Sections 16 & 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

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

grant consent

Decision Authorisation - Delegated Powers

Application Number: 2017/90024

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, to protect the established character and historic interest of the Grade II listed building, and to accord with Policies BE1 and BE2 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP35 of the Kirklees Publication Draft Local Plan as well as the aims of the National Planning Policy Framework.

3. All rooflights installed in the extension hereby approved shall be of a 'Conservation-type' and shall lie flush with the roofline with a central glazing bar and retained thereafter.

Reason: In the interests of safeguarding the significance of the heritage asset, in accordance with BE1 and BE2 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan Chapters 7 and 12 of the National Planning Policy Framework.

4. All masonry pointing /repointing to the coach house shall be carried out within the confines of the joint using a lime mortar and shall be recessed.

Reason: To ensure that the architectural detailing of the building reflects the established character and historic interest of the Grade II listed building in the interests of visual amenity and in accordance with Policies BE1 and BE2 of the Kirklees Unitary Development Plan, PLP24 and PLP35 of the Kirklees Publication Draft Local Plan Chapters 7 and 12 of the National Planning Policy Framework.

NOTE: Weatherstruck, strap or ribbon pointing is not permitted.

NOTE: This decision should be read in conjunction with the decision on planning permission consent 2017/90023

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
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Plan Type	Reference	Version	Date Received
Location plan and site plan			8th February 2017
Existing first floor plan			8th February 2017
Existing ground floor plan			8th February 2017
Existing roof plan			8th February 2017
Existing section A-A			8th February 2017
Existing section B-B			8th February 2017
Existing side elevation			8th February 2017
Existing front elevation			8th February 2017
Proposed front elevation	Rev: A		4th April 2017
Proposed side elevation	Rev: A		4th April 2017
Proposed roof plan	Rev: A		4th April 2017
Proposed ground floor plan	Rev: A		4th April 2017
Proposed section	Rev: A		4th April 2017
Proposed section	Rev: A		4th April 2017
Proposed first floor plan	Rev: A		4th April 2017
Design, Access and Heritage Statement			8th February 2017
Coal Mining Risk Assessment	Rogers Geotechnical Services Ltd - J 3809/17/EDS		15th March 2017
Bat Survey	John Gardner ARPS		21st February 2018

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer and applicant attended a meeting to discuss initial concerns regarding the scheme. Following the receipt of amended plans, a further Coal Mining Risk Assessment and also a Bat Survey, it was considered that the schemes submitted for listed building consent and planning permission were acceptable.

Report Dated: 16th March 2018

