

**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:** 2017/65/93284/W

**Site Address:** 12, Kaffir Road, Edgerton, Huddersfield, HD2 2AN

**Description:** Listed Building Consent for internal and external alterations (within a Conservation Area)

**Recommending Officer:** Anna Blaxall

**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.**

Nigel Hunston

***AUTHORISED OFFICER***

**Date: 27-Apr-2018**

## Officer Report

Application: 2017/65/93284

**Site:** 12 Kaffir Road, Edgerton, Huddersfield, HD2 2AN

**Proposal:** Listed Building Consent for internal and external alterations (within a Conservation Area)

### Site Description

The site is 12 Kaffir Road, Edgerton which is a Grade II Listed Building located within the Edgerton Conservation Area.

The 3 storey semi-detached dwelling is constructed of local mill stone grit which has a hammer dressed finish and a hipped slate roof. It dates from the mid 19th Century. The site which is set back from the road sits comfortably within a fairly modest plot, with gardens to its front and side. Access to the property is gained via a gated driveway from Kaffir Road. Both gate piers which straddle the driveway are separately listed (Grade II).

The property was divided into flats in the late 1970s and has continued to be used as such until 2007. The property is currently vacant.

### Description of Proposal

Listed Building Consent is sought for the followings schedule of works:

Garage Level		Formed Part of Applications 2008/92380
External Works	a. Garage doors to be replaced with timber door as existing - Annotated as <b>31</b> on the Basement Floor Plan (1221-15 A)	✓
	a. Store room door replaced with timber door as existing - Annotated as <b>32</b> on the Basement Floor Plan (1221-15 A)	✓
Internal Works	a. Pit in garage to be filled and resurfaced with natural stone flags as existing - Annotated as <b>30</b> on the Basement Floor Plan (1221-15 A)	✓
	a. Existing damaged stone flags replaced with matching, reclaimed - Annotated as <b>33</b> on the Basement Floor Plan (1221-15 A)	✓
	b. Existing walls and vaulting repaired, repointed as necessary and made good - Annotated as <b>34</b> on the Basement Floor Plan (1221-15 A)	✓

Basement Level		Formed Part of Applications 2008/92380
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<b>External Works</b>	a. Light-well measuring 4.75m x 3.65m formed to provide new entrance into existing flat. Retaining walls formed with rendered blockwork (Masons Mortar ready mixed Natural Hydraulic Lime based colour ref:53B) - Annotated as <b>11</b> on the Basement Floor Plan (1221-15 A)	✓ However staircase arrangement appears to have altered.
	a. Form new 2.0m entrance opening with double doors and stone surrounds to match existing - Annotated as <b>12</b> on the Basement Floor Plan (1221-15 A)	✓
	b. Formation of external staircase to provide access to basement flat, stone treads with balustrading to match existing - Annotated as <b>13</b> on the Basement Floor Plan (1221-15 A)	✓
	c. Existing concrete finish to be broken up and removed and replaced with a new waterproof membrane under paving slabs, laid to falls - Annotated as <b>27</b> on the Basement Floor Plan (1221-15 A)	✓
	d. Damaged steps to be replaced and made good - Annotated as <b>28</b> on the Basement Floor Plan (1221-15 A)	✓
	e. Iron railings to be refurbished, missing railings to be replaced to match good - Annotated as <b>29</b> on the Basement Floor Plan (1221-15 A)	✓
	f. Existing sash windows retained and restored - Annotated as <b>7</b> on the Basement Floor Plan (1221-15 A)	✓
<b>Internal Works</b>	a. 1m opening formed in existing masonry to connect proposed utility and dining/living - Annotated as <b>1</b> on the Basement Floor Plan (1221-15 A)	✓
	a. Existing partitions forming staircase enclosure, bedroom and bathroom removed - Annotated as <b>2</b> on the Basement Floor Plan (1221-15 A)	✓
	b. New partitions and staircase enclosure - Annotated as <b>3</b> on the Basement Floor Plan (1221-15 A)	✓
	c. Existing non-original partition removed to form enlarged kitchen/dining and living area - Annotated as <b>4</b> on the Basement Floor Plan (1221-15 A)	✓
	d. Division of existing caretakers hub/ meter room by means of a double skin wall to form shared storage area and utility - Annotated as <b>5</b> on the Basement Floor Plan (1221-15 A)	✓
	e. Existing kitchen removed together with non-structural partitions. New partitions formed to create two bedrooms - Annotated as <b>8</b> on the Basement Floor Plan (1221-15 A)	✓
	f. Existing non-original partitions forming toilet and bathroom areas removed to form enlarged entrance lobby - Annotated as <b>9</b> on the Basement Floor Plan (1221-15 A)	✓
	g. Existing non-original partitions forming cupboards and storage areas in hallway removed - Annotated as <b>10</b> on the Basement Floor Plan (1221-15 A)	✓
	h. New staircase to provide access to provide access to storage area, access via ground floor- Annotated as <b>14</b> on the Basement Floor Plan (1221-15 A)	✓
	i. New double skin wall to form enclosure to staircase, store and bathroom - Annotated as <b>15</b> on the Basement Floor Plan (1221-15 A)	✓
	j. Existing partition wall to be partly removed - Annotated as <b>17</b> on the Basement Floor Plan (1221-15 A)	✓
	k. 1.5m door opening formed in existing masonry wall - Annotated as <b>19</b> on the Basement Floor Plan (1221-15 A)	✓
	l. 1.7m opening formed in existing wall and glazed screen added- Annotated as <b>20</b> on the Basement Floor Plan (1221-15 A)	✓
m. Existing opening widened to 1.8m, new door installed with glazed screen to both sides - Annotated as <b>21</b> on the Basement Floor Plan (1221-15 A)	✓	

	n. New timber partition added to form a new ensuite - Annotated as <b>23</b> on the Basement Floor Plan (1221-15 A)	✓
	o. 0.9m door opening formed into new store - Annotated as <b>24</b> on the Basement Floor Plan (1221-15 A)	✓
	p. Existing door removed - Annotated as <b>25</b> on the Basement Floor Plan (1221-15 A)	✓
	q. Existing wall removed - Annotated as <b>26</b> on the Basement Floor Plan (1221-15 A)	✓
	r. Floor re-laid with a damp proof membrane, concrete and insulation. These area will be finished to the existing floor level with a stone flagged surface	✗
	s. Living area walls lined with Planton PS Membrane and lined internally with a separate metal stud an plasterboard system	✗

<b>Ground Floor Level</b>		<b>Formed Part of Applications 2008/92380</b>
<b>External Works</b>	a. Entrance steps made good and restored - Annotated as <b>1</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	a. Existing sash window retained and restored - Annotated as <b>18</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	b. Existing entrance door repaired and made good, existing fan light repaired - Annotated as <b>24</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
<b>Internal Works</b>	a. Existing division forming kitchen area removed - Annotated as <b>2</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	a. Existing bathroom / WC and all partitions removed - Annotated as <b>4</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	b. New partitions to form two new bedrooms - Annotated as <b>5</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	c. Existing staircase to be removed and made good - Annotated as <b>6</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	d. New staircase down to basement - Annotated as <b>8</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	e. Existing partition forming kitchen area removed - Annotated as <b>9</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	f. New steps and widening of the existing opening to 2m to new kitchen - Annotated as <b>10</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	g. New non-structural partitions to form new ensuite - Annotated as <b>14</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	h. New non-structural partitions along exiting hallway - Annotated as <b>15</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	i. Partitions to form two new bedrooms - Annotated as <b>16</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	j. Partition to form ensuite to bedroom 1- Annotated as <b>17</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	k. Existing door to be replaced- Annotated as <b>19</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	l. New door to existing store room - Annotated as <b>20</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
m. New door in existing opening - Annotated as <b>21</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓	

	n. Existing opening to be blocked up - Annotated as <b>22</b> on the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	o. Existing opening to be blocked up, door and frame retained – As noted within the Proposed Ground Floor and Site Plan (1221-16 C)	✓
	p. Striping out of damaged decorative ceiling plaster work as specified in Applicants email dated 30/11/17	✗
	q. Striping out of damaged skirting boards, doors, architraves, door linings. Skirting's to be replaced with 225mm deep moulded boards as specified in Applicants email dated 30/11/17	✗

<b>First Floor Level</b>		Formed Part of Applications 2008/92380
<b>External Works</b>	a. Existing sash windows to be retained and restored - Annotated as <b>18</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
<b>Internal Works</b>	a. Form new partitions between utility and bedroom - Annotated as <b>1</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	a. Existing partitions removed - Annotated as <b>3</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	b. Form new 1.2m opening in existing partition for store cupboard - Annotated as <b>5</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	c. Form new partitions between ensuite and bedroom - Annotated as <b>6</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	d. Existing opening to remain, door to be replace to swing inwards - Annotated as <b>8</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	e. Existing opening to store to be sealed - Annotated as <b>10</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	f. Form new 0.9m opening and door to existing store - Annotated as <b>12</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	g. Existing partitions and stairwell to be removed and replaced with a new staircase leading to the 2nd floor, enclosed with new partitions - Annotated as <b>13</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	h. Existing division forming kitchen area removed - Annotated as <b>14</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	i. New partitions to form two new bedrooms - Annotated as <b>15</b> on the Proposed First and Second Floor Plans Plan (1221-17 A)	✓
	j. Opening to landing to be widened, forming a 1.8m opening and made good - Annotated as <b>16</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	k. Existing division forming kitchen, dining and living area removed - Annotated as <b>17</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	r. Striping out of damaged decorative ceiling plaster work as specified in Applicants email dated 30/11/17	✗
	s. Striping out of damaged skirting boards, doors, architraves, door linings. Skirtings to be replaced with 225mm deep moulded boards as specified in Applicants email dated 30/11/17	✗

<b>Second Floor Level</b>		Formed Part of Applications 2008/92380
<b>External</b>	a. Existing dormer to be removed - Annotated as <b>2</b> on the Proposed First and	✓

<b>Works</b>	Second Floor Plans (1221-17 A)	
	a. New conservation type roof windows - Annotated as <b>3</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	b. Existing dormer to be replaced with new dormer with slate cladding, slate pitched roof and new timber sliding sash windows, to match existing - Annotated as <b>11</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	c. New glazing screen and sliding door measuring 2.6m installed to new roof terrace, terrace is to have a footprint measuring 2.6m x 1.5m - Annotated as <b>17</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	d. Existing dormer to remain, sash window to be replaced with new to match existing - Annotated as <b>18</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	e. Existing sash windows to be retained and restored - Annotated as <b>20</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
<b>Internal Works</b>	a. Form new non-structural partitions - Annotated as <b>1</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	a. Form new partition between bedroom and ensuite - Annotated as <b>4</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	b. Existing non-structural partitions to be removed - Annotated as <b>5</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	c. Existing wall to be partly demolished and widened to form an opening of 2.05m - Annotated as <b>6</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	d. Existing door to be removed and opening to be widened to form a 1.3m opening - Annotated as <b>7</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	e. Existing enclosure around non original light shaft from roof to first floor to be removed - Annotated as <b>8</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	f. Existing non original partitions to be removed - Annotated as <b>9</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	g. Existing division forming bedrooms, bathroom and store to be removed - Annotated as <b>10</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	h. Existing division forming bathroom and WC to be removed to make provision from new dining room - Annotated as <b>12</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	i. Existing opening to be widened to 2m and made good - Annotated as <b>13</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	j. New entrance door to flat - Annotated as <b>14</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	k. Existing non original partitions and door to be removed - Annotated as <b>15</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	l. Provide new door and partitions to form terrace store - Annotated as <b>16</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓
	m. Existing enclosure to staircase retained, made good and extended to increase landing area - Annotated as <b>21</b> on the Proposed First and Second Floor Plans (1221-17 A)	✓

### History of negotiations/amendments received

The application has been submitted as a consequence of a current enforcement investigation (COMP/17/0241), concerning internal and external works. The applicant was advised by Officers that Listed Building Consent needed to be submitted to the LPA, as some of the works which had been undertaken did not form part of the approved works from the previous consent, 2008/62/92380/W2. The applicant was also advised to provide the relevant details and specifications, which had been conditioned to be agreed by the Local Planning Authority, as part of applications 2008/62/92379/W2 & 2008/62/92380/W2, as these had not been discharged.

During the course of the application the agent was contacted and informed that necessary information was missing from the application and as such was asked to submit what had been omitted. This covered the following

- Submission of design and joinery sections for all new & replacement windows (types and sizes) and doors at scales of 1:20 & 1:5.
- Submission of a lime mortar mix specification
- Submission of a specification for the render
- Inclusion of stripped skirting boards, doors, architraves, door linings (as identified from enforcement site visit) within the schedule of proposed works
- Inclusion of stripped decorative ceiling plaster work (as identified from enforcement site visit) within the schedule of proposed works
- Amendments to the inaccuracies found within the supporting Design and Access Statement
- Inclusion of works which had been proposed during pre-application discussions such as, tanking and provision of injected DPC and the provision of concrete floor in basement with damp proof membrane, if still being considered by the applicant.

As a result amended plans and specification information were provided by the applicant.

### **Relevant Planning History**

#### 12 Kaffir Road, Edgerton,

Application Number	Proposal	Decision
2017/93078	Certificate of lawfulness to confirm implementation of previous planning permission 2008/92379 for refurbishment of existing 6 flats, erection of bin store and formation of additional parking area (Listed Building within a	Cert of Lawful Opps Granted

	Conservation Area)	
2008/92380	Listed Building Consent for refurbishment of existing 6 no. flats, erection of bin store and formation of additional parking area (within a conservation area)	Consent Granted
2008/92379	Refurbishment of existing 6 no. flats, erection of bin store and formation of additional parking area (listed building within a conservation area)	Conditional Full Permission

### **Representations**

This application has been publicised by means of newspaper advertisement and site notice

Final publicity date expires: 9th November 2017

No representations received.

### **Consultation Responses**

K.C. Conservation and Design: Proposal assessed and report compiled by Conservation Team Officer.

Historic England: Cited that they did not wish to offer any comment.

### **Policy**

The statutory development plan comprises the Kirklees Unitary Development Plan (Review 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 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. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

Both the UDP and the PDLP Proposal maps show the site to be located within the Greenhead Road/New North Road Conservation Area, the property is also grade II listed (List Entry Number 1223470)

### **Kirklees Unitary Development Plan (UDP):**

Relevant policies:

- **BE1** – Design principles
- **BE2** – New Development
- **BE5** – Conservation Areas
- **BE11** - Materials

### **Kirklees Publication Draft Local Plan (KPDLP): Submitted for examination April 2017:**

Relevant policies:

- **PLP 24** – Design
- **PLP 35** – Historic Environment

### **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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.

- **Paragraph 17** – Core planning principles
- **Chapter 7** – Requiring good design
- **Chapter 12** – Conserving and enhancing the historic environment
  
- **Planning Practice Guidance** – Conserving and enhancing the historic environment
- **Edgerton Conservation Area Appraisal**

## **Assessment**

### 1 - General Principle

- 1.1 Paragraph 128 of the NPPF sets out that when determining applications the Local Planning Authority (LPA) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of the 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. This application has a supporting heritage statement which collectively identifies the heritage asset affected by the proposal, assesses the significance and considers the effect of the proposal on the significance identified.

1.2 Paragraph 129 of the NPPF requires LPAs to identify the particular significant of a heritage asset which may be impacted via a proposal. In this case the LPA has identified three heritage assets within the immediate vicinity.

- Hollinhurst, 12, Kaffir Road, Edgerton [Host Property] – Grade II Listed (1134170)  
Mid C19. Ashlar. Hipped slate roof. 2 storeys and attics. Modillion eaves cornice. Band. 3 ranges of sashes in plain raised surrounds, ground floor ones with moulded cornices. Tuscan porch up 3 steps, with full entablature and blocking course. Round-arched door with keystone and moulded surround.
- Holmwood, 14, Kaffir Road, Edgerton [Adjoining Property] – Grade II Listed (1134171)  
Mid C19. Ashlar. Hipped slate roof. 2 storeys and attics. Modillioned eaves cornice. Continuous 1st floor sill band. 5 ranges of sashes with plain raised surrounds, ground floor ones with moulded cornices, 1st floor central one with moulded surround. Tuscan porch up 3 steps with full entablature and blocking course. Round-arched door with keystone and moulded surround.
- Gatepiers to No 12 Kaffir Road, Edgerton – Grade II Listed (1213697)  
Gatepiers to No 4 SE 1317 27/697 II 2. Mid C19. Ashlar. Chamfered. Moulded cornices.
- Edgerton Conservation Area  
Large residential suburb of Huddersfield characterised by mature planting in association with stone built 19th Century villas, generally in extensive grounds with gate piers and boundary walls being significant features.

- 1.3 The host dwelling is a grade 2 listed heritage asset. Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty for the protection of listed buildings & structures. Additionally, NPPF Chapter 12 outlines the principle of development and restrictions for designated historic assets. For development which affects a listed building or its setting the LPA 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 also reinforced by PLP 35 of the emerging Draft Local Plan.
- 1.4 The host property is also sited within the Edgerton Conservation Area. As such, the application needs to be compliant with Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, which sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Additionally consideration needs to be given to the objectives of UDP policy BE5 and paragraph 137 of the NPPF, which sets out that development within Conservation Areas should seek to preserve or enhance the special character and appearance.
- 1.5 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 buildings. Therefore consideration needs to be extended to the objectives set out Chapter 7 of the NPPF, Chapter 4 (Built Environment) of the UDP and PLP 24 of the emerging Draft Local Plan.

## 2 - Pre Application History

- 2.1 The application has been submitted as a consequence of a current enforcement investigation (COMP/17/0241) concerning internal and external works.
- 2.2 The investigation focused upon whether the works being carried out formed part of the original 2008 applications (2008/62/92379/W2 & 2008/65/92380/W2), and whether works had substantially commenced within the 3 year time period specified in condition 1 of the applications.
- 2.3 As part of the investigation a site visit was undertaken by officers and it was concluded that there was a correlation with the 2008 approved scheme, however some of the works were additional to those cited within the approved plans and specifications and therefore required Listed Building Consent.

- 2.4 With regards to the investigations into the compliance of condition 1, the applicant asserted that a soft strip of the property's internal fabric had been carried out before the 28th June 2011, and therefore had be implemented with the 3 year period. As a result they were advised to submit a Certificate of Lawfulness to confirm that the use, operation and activity set out in the 2008 Planning Permission application 2008/62/92379/W2 are lawful.
- 2.5 The Certificate of Lawfulness application has since been submitted (2017/93078). Officers have determined from the supporting evidence 'that on the balance of probabilities that works pursuant to the implementation of the planning permission were lawfully commenced within 3 years of the date on which permission was granted'. As such the certificate has be granted.

### 3 - Impact on Designated Heritage Asset

- 3.1 Listed Building Consent is sought for internal and external alterations as set out at the start of the report. The alteration works are partly being sought retrospectively, with some having commenced prior to submission of this application.
- 3.2 The main considerations are:
- The impact of the proposed internal and external alterations on the architectural significance and setting of the host grade II listed building
  - The impact of the proposed internal and external alterations on the setting of the neighbouring grade II listed building
  - The impact of the proposed internal and external alterations on the special character and appearance of the Edgerton Conservation Area
- 3.3 Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 places a special requirement on the Local Planning Authority in considering proposals for development to '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'. This principle is reinforced through the NPPF.
- 3.3 The host asset which are being considered in this application is considered to have the following heritage value :
- Evidential and Historical value (Illustrative)

- Example of mid- late 19th Century dwelling house of high architectural quality
- Indicates the Victorian expansion of Huddersfield Town Centre and the social history of the area.

- Aesthetic Value (Designed)
  - High architectural quality designed as a set piece, classical proportions and use of high quality local material
  - Its group value in conjunction with the adjoining semi-detached property

- 3.4 As identified in the table of works cited at the start of the report a significant proportion of the proposed works were considered and assessed as part of the 2008 applications (2008/65/92380/W), and as such were considered against the advice contained within PPSs & PPGs at the time of determination.
- 3.5 The National Planning Policy Framework was published on the 27th March 2012 and replaced the PPSs & PPGs. This change has meant that the works must now be re-assessed against the NPPF specifically, the objectives set out in Chapter 12, along with those which are additional to the scheme. There is also an obligation for consideration to be given to the emerging Local Plan, in particular PLP 24 & PLP 35.
- 3.6 There is very little difference between the objectives of the NPPF and its predecessor PPG15, thus Officers deem that where the works are, in all regards, identical to those proposed within the 2008 application (those marked with a tick on the schedule of works table provided in the Proposed Works section of this report), they can be considered acceptable. This is due to the fact that no material change has taken place in relation to their impact upon the architectural significance of the host listed building, its setting or the special character and appearance of the Edgerton Conservation Area and as such the works are considered to comply with the objectives of paragraphs 131, 132 & 137. These proposals are also considered to be acceptable in terms of compliance with the emerging Local Plan. In some instances such as the works to the windows and doors, the application of render and the works to masonry, additional information has been provided as a measure of avoiding any further conditions. These are all deemed to be acceptable.
- 3.8 With regards to those proposed works which are either a completely new consideration or have been amended in some form these consist of the following

- Striping out of damaged skirting boards, doors, architraves, door linings and decorative plaster work
- Lift and re-lay existing basement floor to include damp proof measures
- Living area walls lined with Planton PS Membrane and lined internally with a separate metal stud and plasterboard system

### 3.9 *Striping out of damaged skirting boards, doors, architraves, door linings and decorative plaster work*

3.9.1 The application seeks consent to strip out damaged skirting boards, doors, architraves, door linings and decorative plaster work at ground, first and second floor level, with the skirting boards being replaced with 255mm deep moulded boards. The applicant has confirmed that the reason for the works is that much of the fabric became damaged over the years the property was left vacant and exposed to water penetration.

3.9.2 Given the level of water damage inflicted upon the host property whilst it was unoccupied Officers are satisfied that the most sensible option is to remove all damaged fabric. It is therefore considered that whilst such works will cause some harm to the architectural significance of the host listed building this harm is outweighed by the substantial gains of having the property in a condition where it can be fully occupied and maintained.

3.9.3 The works are therefore deemed to be compliant with the objectives set out in paragraphs 131 & 132 of the NPPF as well as Sections 16 & 72 of the Planning (Listed Building & Conservation Areas) Act 1990.

### 3.10 *Lift and re-lay existing basement floor to include damp proof measures.*

3.10.1 Consent is sought to lift the existing stone flag surface in the basement and to have them re-laid with a damp proof membrane, concrete and insulation underneath.

3.10.2 Officers are supportive of the principle of the proposed works given that the existing flag stones are to be reused, thereby limiting the harm to historic fabric. However there is concern with the use of concrete as this hinders the natural movement of moisture, displacing it to the base of the walls where it can cause rising damp instead. Given these concerns it is deemed

reasonable to stipulate that a hydraulic limecrete floor slab is used in order to protect the building performance. It is felt that this could be provided by means of a hybrid floor, where by a modern concrete floor is constructed in the centre of the room with a limecrete trench, to a suitable depth, between the concrete and the surrounding walls.

3.10.3 The works are therefore deemed to be compliant with the objectives set out in paragraphs 131 & 132 of the NPPF as well as Sections 16 & 72 of the Planning (Listed Building & Conservation Areas) Act 1990.

### 3.11 *Internal lining to basement walls*

3.11.1 Consent is sought to line living area walls with Planton PS Membrane with a separate metal stud and plasterboard system.

3.11.2 Waterproofing of a historic basement to permit the formation of habitable accommodation can be a challenging exercise. There is a requirement to ensure that the cavity behind the dry envelope is well ventilated to dissipate moisture without prejudicing the architectural or historic significance of the heritage asset.

3.11.3 Officers concluded that the technical competencies of the proposed system and associated installation method would meet the necessary requirements for providing habitable accommodation, whilst safeguarding the architectural significance of the host listed building.

3.11.4 The works are therefore deemed to be compliant with the objectives set out in paragraphs 131 & 132 of the NPPF as well as Sections 16 & 72 of the Planning (Listed Building & Conservation Areas) Act 1990.

## 4– Representations

4.1 No public representations have been received. Historic England cited that they did not wish to offer comment on the scheme

## 5 – Summary

5.1 The above assessment demonstrates that the proposed works outlined are considered to represent acceptable works to a Listed Building and

works which would also preserve the character of the Edgerton Conservation Area. As such it is deemed that the application accords with policies BE1 & BE5 of the UDP and PLP14, 17, 24 & 35 of the emerging KPLDP. It is also considered to comply with Sections 7 (Requiring good design) & 12 (Conserving and enhancing the historic environment) 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, as well as Sections 16 & 72 of the Planning (Listed Building & Conservation Areas) Act 1990.

- 5.2 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.
- 5.3 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.

**Recommendation -  
Grant Consent**

**Decision Authorisation – Delegated Powers**

**Application Number:** 2017/65/93284/W

**Officer Recommendation:** Grant Consent

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.

**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 approved plans and specifications except as may be required by other conditions.

**Reason:** In the interests of visual amenity and to accord with National Planning Policy Framework Core Planning Principles (paragraph 17), Section 7 and Section 12.

3. A hybrid floor as described below shall be installed in the basement. This shall be provided by the provision of a 0.25m wide lime-crete filled trench around the perimeter of the floor. The hybrid floor shall consist of a concrete bed surrounded by a 0.25m ribbon of lime-crete to keep the concrete away from the wall. The approved damp proof membrane shall be installed prior to the installation of the hybrid floor. This shall be complete prior to residential occupation of the flats.

**Reason:** In the interest of safeguarding the building from damp and to preserve historic fabric in order to sustain the significance of the heritage asset in accordance with National Planning Policy Framework Section 7 and Section 12.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing Ground Floor, Site Plan and Location Plan	1221-11	A	26th September 2017
Proposed Ground Floor and Site Plan	1221-16	C	26th September 2017
Proposed First and Second Floor Plans	1221-17	A	26th September 2017
Proposed Basement, Terrace and Garage Plans	1221-15	A	26th September 2017
Proposed NE and SW Elevations	1221-19	-	26th September 2017
1:20 Typical Window Detail	17-06 (SK1)	-	30th November 2017
1:5 Typical Window Detail	17-06 (SK2)	-	30th November 2017
Supplementary Information – Joinery Details	NE & SW Elevation Window Codes	-	30th November 2017
Supplementary Information – Joinery	SE Elevation Window Codes	-	30th November 2017

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Details			
Supplementary Information – Joinery Details	Sliding Patio Door to dormer balcony	-	30th November 2017
Supplementary Information – Joinery Details	Window WF1	-	30th November 2017
Supplementary Information – Joinery Details	Windows WF2, WF3 & WF4	-	30th November 2017
Supplementary Information – Joinery Details	Windows WF5 & WF7	-	30th November 2017
Supplementary Information – Joinery Details	Window WF6	-	30th November 2017
Supplementary Information – Joinery Details	Windows WF8, WF9, WF10 & WF11	-	30th November 2017
Supplementary Information – Joinery Details	Windows WF12 & WF13	-	30th November 2017
Supplementary Information – Joinery Details	Windows WG1 & WG2	-	30th November 2017
Supplementary Information – Joinery Details	Windows WG3 & WG4	-	30th November 2017
Supplementary Information – Joinery Details	Windows WG5 & WG7	-	30th November 2017
Supplementary Information – Joinery Details	Window WG6	-	30th November 2017
Supplementary Information – Joinery Details	Windows WG8, WG9, WG10 & WG11	-	30th November 2017
Supplementary Information – Joinery Details	Windows WLG3 & WLG5	-	30th November 2017
Supplementary Information – Joinery	Windows WLG4	-	30th November 2017

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Details			
Supplementary Information – Joinery Details	Windows WLG6 & WLG7	-	30th November 2017
Supplementary Information – Joinery Details	Windows WLG8 & WLG9	-	30th November 2017
Supplementary Information – Joinery Details	Windows WS1, WS2, WS3, WS4, Dormer1, Dormer2 & Dormer3	-	30th November 2017
Supplementary Information – Render Specification	Thermocromex Colour 53 (25kg)	-	30th November 2017
Supplementary Information	DESIGN, ACCESS AND HERITAGE STATEMENT	-	22nd December 2017

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.

**Report Dated:**

26/4/18