

**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: 2018/65/90676/W

Site Address: 14, Upper Rotcher, Rotcher Lane, Slaithwaite, Huddersfield, HD7 5UE

Description: Listed Building Consent for erection of two storey extension and alterations

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: 12-Jul-2018

Officer Report

Site Description

14 Upper Rotcher is a small 2 storey Grade II Listed Building. The property is located to the rear of a small row of terraced dwellings numbered 11, 12, 10 and 17 Upper Rotcher. To the front and south-west of the property is a detached two storey dwelling, No. 15. Whilst Rotcher Lane is an adopted road, access to the property is off Rotcher Lane via a private road providing access to the site and No. 15. The private access then ends at the side of No. 15 and the access meets with Public Rights of Way COL/134/50 which continues under the railway lines to the south. There is a small yard to the front of the building with a small yard to the side and lean-to extension. The property is bound by retaining walls to the surrounding properties. The property is set within a tight cluster of the buildings some of which are listed with open fields to the north and the River Colne and woodland to the south.

Description of Proposal

Listed Building Consent is sought for the erection of a two storey extension and alterations.

The proposed extension would be located on the side elevation of the building replacing (demolishing) the existing lean-to shed. The extension would project to the side by 2.6 metres being set back from the front elevation by 0.55 metres lying flush with the original rear elevation of the property. The eaves height would match the existing eaves height with the ridge of the lean-to roof set down from the existing by 0.5 metres. A rooflight is also proposed within the front elevation roof slope and 2 no. rooflights within the rear elevation roof slope.

The proposed construction materials would be blue slate for the front elevation roof slope with the rear pitch being glazed, coursed natural stone for the ground floor and rear north elevation with oak cladding to the first floor of the front and side elevations.

The resultant accommodation would be a hall, staircase and bathroom with the internal accommodation reconfigured to allow for increased (and building regulations compliant) headroom and staircase and habitable living accommodation.

The alteration works would comprise of repointing of the existing facades with a lime based mortar; re-instate the rainwater goods using timber gutters and cast iron or aluminium water pipes; repair to internal floors and finishes; repair or replacement for the existing stone mullions where required.

An application for Planning Permission for the scheme has been submitted and runs concurrently with this application. The reference number is 2018/90675.

History of negotiations/amendments received

No negotiations have taken place nor have any amended plans been sought or received. During the course of the application for Planning Permission and following consultation with the Council's Ecology & Biodiversity Officer, a Bat Survey was requested. This was subsequently submitted on 26th June 2018 and an extension of time agreed to determine the application.

Relevant Planning History

2018/90675 Erection of two storey extension and alterations (Listed Building)
Not yet determined – runs concurrently with this application

Representations

Final publicity date expired 6th April 2018 – no representations received

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 – informal comments – no objection

Historic England – no comment

The National Amenity Societies – no responses

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 a Grade II Listed Building in the Green Belt on the UDP Proposals Map and proposed to be retained as such on the Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

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

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **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.

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

Assessment

Principle of development:

The site is a Grade II Listed Building. Section 16 of the Planning (Listed Building & Conservation Areas) Act 1990 introduces a general duty for the protection of Listed Buildings. For development that affects a Listed Building or its setting the Local Planning Authority shall 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 the when determining applications the Local Planning Authority should require an applicant to describe the significance of any 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. This application has a supporting Conservation, Heritage and Design Statement.

Paragraph 129 of the NPPF requires Local Planning Authority's to identify the particular significance of a heritage asset. In this case, the Local Planning Authority have identified the listing description as follows:

Late C18, early C19. Detached house. Hammer dressed stone. Quoins. Pitched stone slate roof. Coped gables. Moulded footstones. 2 storeys. South elevation has: ground floor; entrance with deep lintel and quoins. One 3-light stone mullioned window with recessed mullions. First floor; one 2-light stone mullioned window with recessed mullions. One 3-light stone mullioned window with recessed mullions. Included for group value.

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 in Chapter 7 of the NPPF, Chapter 4 of the UDP and Policy PLP24 of the Publication Draft Local Plan.

Impact on the Designated Heritage Asset

Listed Building Consent is sought for the erection of a two storey extension and alterations.

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

The proposed extension would be on the side elevation of the property and would replace an existing lean-to extension. The demolition of the original outbuilding would change the character of the building and no reference to this structure would remain in the new extension. The extension itself, due to its design would be subservient to the host building. The scheme, including the proposed alterations is considered proportionate to the host building and would not remove important architectural features of the host building from view.

The Heritage Statement submitted with the application explains how this proposed extension was designed and how this, and other works to the

building have been put forward to make the building habitable to enable its continued use as an important heritage asset in the future. It states this was to design an extension which retained the dominance of the original building, in particular the main south and east elevations, and which clearly distinguished between the original historic asset and the new extension.

In detail the HS states:

By removing the existing lean to shed and erecting an extension against the west elevation of the house within the existing yard it has enabled both a new staircase and bathroom to be provided to current standards thus releasing space within the existing building. As a result the existing ground floor Principal Room is reinstated and the kitchen, which remains in its current location, can be given a more than adequate headroom by removal of the existing bathroom floor at first floor. Rooflights of the conservation type are proposed which will provide a good level of natural lighting to the rear areas of the dwelling which currently suffer from inadequate levels of natural lighting. By opening up the kitchen, creating larger openings through the dividing wall to the living area this creates a high quality living space which retains the historic features of the original building.

Of the extension itself it continues:

To this end the roofline has been set down from the existing roofline and the front elevation of the extension set back from the existing main south elevation. The external materials are proposed as natural coursed stone to the ground storey and rear north elevation and oak cladding to the upper storey to the south and west elevations. The roof is proposed in blue slate on the front pitch while the rear pitch will be glazed which allows a high level of natural light into the stair and hall. Blue slate is evident on neighbouring buildings. The extension itself, by nature of its location, will be discreet being hidden mainly by the main building due to the position of the adjacent house at No 15.

The impact of other works is explained:

No alterations are intended to the main south and east elevations apart from essential repairs such as repointing, mullion repairs and rainwater goods. Rooflights are proposed with only a single rooflight visible from the south and these will be of a 'conservation' type. In conclusion the proposed extension will be subservient to the original dwelling and due to its external treatment and setting out, will provide clarity between the original and new. It will not alter the character and appearance of the historic building neither will it cause any detrimental impact on the green belt due to its location within the group of buildings.

To ensure that the building safeguards the architectural and historic significance of the host building it is deemed reasonable and necessary to condition that the gutters shall be timber, of an ogee profile and painted black, pointing is to be carried out within the confines of the joint using a lime sand mortar and finally; rainwater pipes shall be cast iron or aluminium and shall be painted black.

Subject to the provision if the suggested conditions it can be concluded that the proposed extension, and other works 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 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:

- Securing the optimum viable use of the building as a residential dwelling
- Allowing a building in a poor state of repair to be brought back into use
- 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 identified. Therefore the proposal is deemed to comply with Policy PLP35 of the Publication Draft Local Plan and Chapter 12 of the NPPF.

Conclusion:

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.

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

Approve

Decision Authorisation - Delegated Powers

Application Number: 218/90676

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 masonry pointing /repointing 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.

4. All gutters shall be timber, of an ogee profile and painted black.

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.

5. Rainwater pipes shall be cast iron or aluminium and shall have a black painted finish.

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.

6. All rooflights installed 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	2017-483-01B		5th May 2018
Existing ground floor plan and existing south elevation	2017-483-02A		5th May 2018
Existing first floor plan and existing section A-A	2017-483-03A		5th May 2018
Section C-C and site plan	2017-483-04B		5th May 2018
Proposed ground and first floor plans	2017-483-05A		5th May 2018
Proposed section C-C and proposed section B-B	2017-483-06A		5th May 2018
Proposed west and south elevations	2017-483-07A		5th May 2018
Proposed section A-A	2017-483-08A		5th May 2018
Conservation, Heritage and Design Statement			5th May 2018
Bat Survey	1802BAT		26th June 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.

Report Dated:

10th July 2018