

**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: 2018/65/91726/W

Site Address: Finthorpe Grange, Finthorpe Lane, Almondbury,
Huddersfield, HD5 8TU

Description: Listed Building Consent for internal and external
works to the building and works to the boundary wall

Recommending Officer: Nick Hirst

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.**

Neil Bearcroft

AUTHORISED OFFICER

Date: 20-Aug-2018

Application: 2018/65/91726/W

Site: Finthorpe Grange, Finthorpe Lane, Almondbury,
Huddersfield, HD5 8TU

Proposal: Listed Building Consent for internal and external works to the building and works to the boundary wall

Site Description

Finthorpe Grange is a historic barn and farmhouse converted into a detached dwelling. The building is constructed in stone with stone slate roofing. The farmhouse and barn are perpendicular to one another, forming an L shaped footprint. To the dwelling's rear (east) is a large garden space. Finthorpe Lane runs along the north of the dwelling, with accesses onto the road from the front and rear of Finthorpe Grange.

Finthorpe Grange is Grade 2* Listed. The following is the listing description;

FINTHORPELANE 1. 5113 (South Side) Almondbury Thorpe Farm Barn (formerly listed as The Barn, Thorpe Farm, under Thorpe Lane) SE 1715 40/57 3.3.52. II 2.*

C16 or C17. Coursed rubble. Pitched stone slate roof, catslide to north. South side timber-framed with red brick nogging. Cruck-framed. 5 bays. Collars. One truss has tie-beam at wall plate level, and the others are tenoned suggesting they may all have had tie-beams. Spurs linking crucks with wall posts. Purlins braced to cruck blades. Wall posts on south side braced to wall plate. Aisle with mistals on north side, and barn porch with gabled roof and double doors. Wing to north: probably C17, with C19 hammer-dressed stone extension further north. Timber-framed with hammer-dressed stone nogging. Pitched stone slate roof. 3 trusses; one queen-post, one with closely spaced studs, one king-post. Various C19 openings including one planked stable door.

Description of Proposal

Internal Alterations

A domestic gym is to be converted to a bedroom. A partition wall separating the gym to a WC is to be replaced by a larger partition wall.

Part of the barn is to be subdivided by a glazed screen to form a playroom. The external walls are to be insulated around the existing steel column supporting a non-original first floor/mezzanine. A structural wall is to be broken through to internally connect the playroom to a dining area.

External Alterations

Two new openings;

A single window on the front elevation, into the new proposed bedroom. It is to be adjacent to a window which it shall match.

A new door into the playroom on the rear elevation. It is to be timber.

Relevant Planning History

Application Site

98/90504: Re-use and adaption of existing barn to form dwelling and demolition of outbuilding (Listed Building) – Conditional Full Permission

98/90505: Listed Building Consent for re-use and adaption of existing barn to form dwelling and demolition of outbuilding – Consent Granted

2013/93767: Listed Building Consent for works to convert barn to living accommodation – Consent Granted

2013/93766: Alterations to convert barn to living accommodation (Listed Building) – Conditional Full Permission

2017/90146: Discharge conditions 6 (window details), 7 (external joinery), 8 (rooflights) on previous permission 2013/93766 for alterations to convert barn to living accommodation (Listed Building) – Part Approved / Ongoing

2017/93622: Variation of condition 6 (windows) on previous permission 2013/93766 for alterations to convert barn to living accommodation (Listed Building) – Variation of Condition Granted

2018/91981: Erection of detached garage and alterations to access – Ongoing (Allied application)

Surrounding Area

None relevant.

History of Negotiations

None required.

Representations

Final publicity date expired: 31.07.2018

One representation in support was received. The following is a summary of the comments made;

- The proposal is a sympathetic upgrade of the utility of the property. The details unsuitably indicate regard to the local history and evolution.

- The house is now being used residentially, which is preferable to the past 'semi-commercial' under previous ownership.
- The proposal will not harm the surrounding areas visual amenity.
- The access works are an improvement although request that consideration be given to contractor vehicles and impact on local residents during construction works.

Consultation Responses

K.C. Conservation and Design: No objection subject to condition.

Historic England: No objection.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 48 of the National Planning Policy Framework (2018). 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 (2018), 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 Green Belt on the UDP Proposals Map.

The site is Green Belt on the PLP Policies Map.

Kirklees Unitary Development Plan

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

Kirklees Publication Draft Local Plan: Submitted for examination April 2017

- **PLP24** – 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 24th July 2018, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- **Chapter 12** – Achieving well-designed places
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment

1 – General Principle

The host building is a Grade 2* Listed Building. Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 introduces a general duty for the protection of listed buildings. 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.

Paragraph 189 of the NPPF requires LPAs to identify the particular significant of a heritage asset which may be impacted via a proposal.

The heritage value of the building is considered to be its architectural style, which is a rare and well preserved example of a C16 or C17 agricultural farmstead/barn. In terms of setting, to the rear is a managed open garden, which does not mimic the original character of a farmstead. To the front this is retaining to a degree, partly due to the smaller size and close relationship to the land and building's principle elevations.

2 – Considering harm and public benefit

Internal alterations

The internal changes to the gym to bedroom do not materially impact on original fabric; the partition wall to be replaced is not original. This alteration is not deemed to cause harm to the building's identified heritage value.

The insulation will cover an original exposed stone wall, however as an internal wall the harmful impact of this is lessened. To form a habitable room, some form of treatment to the single skin wall is expected. Nonetheless, this will impact upon an original external wall (internally), with the heritage asset of this building includes its architecture.

Therefore there will be an impact upon the identified heritage significance of the building. Nonetheless, K.C. Conservation and Design does not consider the harm to be substantial, subject to suitable details on how the wall will be insulated, securable via condition. The harm to the heritage significance would therefore be less than substantial.

External alterations

The new window on the front elevation is small in scale and stated to match the appearance of an existing window. Its narrow frame mimics a traditional window from C16 C17 one would expect in such a building. The door on the rear has a standard design and is to be timber to match existing doors. It is not too close to existing doors and, leading into the barn, is a position that would not historically appear out of place.

Subject to suitable design details (frame, glazing depth etc), which can be secured via condition, their inclusion is not considered to cause substantial harm to the identified heritage value of the listed building however, through changing the original architectural appearance of the building, their inclusion will cause less than substantial harm.

Summary

Considering the impacts of the proposed development, the development is considered to cause less than substantial harm to the identified heritage significance of the heritage asset. Cumulatively the changes are not deemed unreasonable modern alterations to secure the continued use optimum use of the building by modern standards.

In accordance with paragraph 196 this must be weighed against the public benefits of the proposal. These include;

- The conversion of the barn's gym and storage area into habitable rooms will improve maintenance. This in turn will improve the keeping of the building and can be considered to contribute to securing the optimum viable use of the building.

In this situation, officers are satisfied that the public benefits of the proposal would outweigh the less than substantial harm of the proposal.

Officers are satisfied that the proposal complies with the requirements of PLP24, PLP35 and Chapter 16 of the NPPF.

3 – Representations

- The proposal is a sympathetic upgrade of the utility of the property. The details unsuitably indicate regard to the local history and evolution.

Response: This is noted. Officers concur with that the development is a sympathetic design.

- The house is now being used residentially, which is preferable to the past 'semi-commercial' under previous ownership.

Response: This is noted.

- The proposal will not harm the surrounding areas visual amenity.

Response: This is noted.

- The access works are an improvement although request that consideration be given to contractor vehicles and impact on local residents during construction works.

Response: The comments relating to highway improvement are noted. Relating construction management, given the scale and nature of the proposal against the size of the dwelling's curtilage, officers are satisfied construction management details are not required.

4 – Conclusion

Paragraph 193 discusses the nature of harm to the significance of a heritage asset and whether such harm is substantial or less than substantial. It is felt that the works are of less than substantial harm and as such paragraph 196 of the NPPF applies. This paragraph requires the planning authority to weigh the harm caused against the public benefits of the proposal which includes securing its optimum use. Whilst the alterations will cause very minor harm, they will provide for the building continuing in a long term viable use.

The Planning (Listed Buildings and Conservation Areas) Act 1990 S.16 places a duty on the Local Planning Authority that all decisions should preserve or enhance the character of a listed building. The proposed work highlighted within this report will not cause substantial harm to significance of the listed building and as such preserve the character of the listed building.

Therefore it is felt that Section 16 of the act has been met along with paragraph 196 of the NPPF.

Recommendation: Approve

Application Number: 2018/91726
Decision Authorisation: Delegated Powers
Officer Recommendation: Grant Consent

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 and to retain the significance of the heritage asset 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. Prior to the application of the insulation to the playroom, as shown the submitted Grouped Plans and Elevations, details of the method of insulation shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details before the development is first occupied and thereafter maintained as such.

Reason: To sustain the significance of the heritage asset in accordance with Policies PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and National Planning Policy Framework Chapters 12 and Section 16.

4. All new windows and external doors shall be of timber construction with a painted timber finish. Mouldings, timber sections and glazing shall be of a traditional design, details of which (to be drawn at 1:20 scale) shall be submitted to and approved in writing by the Local Planning Authority before any new windows are installed. The works shall be completed in accordance with the approved details before the development is first occupied and thereafter maintained as such.

Reason: To sustain the significance of the heritage asset in accordance with Policies PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and National Planning Policy Framework Chapters 12 and Section 16.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations			18.06.2018

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 Planning 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.

No negotiations were required as the plans as originally submitted were deemed acceptable.

Report Dated: 15.08.2018