

**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: 2018/65/91937/W

Site Address: 1-2, Whinney Bank Cottages, Winney Bank Lane,
Holmfirth, HD9 1US

Description: Listed Building Consent for replacement front door

Recommending Officer: Olivia Roberts

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: 08-Aug-2018

Officer Report

Reference: 2018/91937

Location: 1-2 Whinney Bank Cottages, Winney Bank Lane,
Holmfirth, HD9 1US

Proposal: Listed Building Consent for replacement front door

Site Description

The application relates to a grade II Listed Building in Holmfirth which was constructed in the late 18th Century. Formerly five separate dwellings, the building has since been converted to three dwellings. The dwelling which is three storeys in nature when taking into account the attic level is constructed in hammer dressed stone and is designed with a gable roof form which is finished in stone slates.

Description of Proposal

The application seeks listed building consent for a replacement front door. The existing main door which is located on the front elevation of the property will be replaced. The heritage statement submitted with the application includes a range of sample images. The heritage statement also states that the replacement door will be a stable type door and will be constructed in either wood or composite.

Documents submitted with the application –

Conservation/heritage Statement

History of negotiations/amendments received

K.C. Conservation & Design were informally consulted and note that they have no concerns regarding the replacement door subject to it being constructed in wood and painted white. A revised heritage statement was sought from the applicant to provide only the sample image of the wooden stable style door. The applicant has revised the heritage statement which states that the door will be finished in wood. A sample image of a wooden stable door has also been provided. To preserve the historic significance of the listed building, it is considered acceptable to condition that the door shall be painted white.

Relevant Planning History

2016/92551: Erection of single storey rear extension and associated alterations (Listed Building). Conditional Full Permission.

2016/92552: Listed Building Consent for erection of single storey rear extension and associated alterations. Consent Granted.

Representations

Final publicity date Expires: 24 July 2018.

A site notice was posted. The application was also advertised in the press.

No representations were received.

Holme Valley Parish Council comments: support the application, subject to the door being wood not uPVC/composite, as this is a listed building.

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 & Design – informal discussion, have no concerns with the replacement door subject to it being constructed in wood and painted white. Also noted that any glass panel included in the door should be rectangular rather than square.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 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 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 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 located in the Green Belt on the UDP Proposals Map and 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 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

Section 16 (2) Planning (Listed Buildings and Conservation Area) Act 1990 requires that in considering proposals that relate to listed buildings Local Planning Authorities must have special regard to the desirability of preserving

the building or its setting or any features of special architectural or historical interests which it possesses.

Chapter 16 of the NPPF aims to conserve and preserve the historic environment. In particular, paragraph 192 and 193 of the framework echoes the sentiments outlined within section 16 (2) of the Planning (Listed Buildings and Conservation Area) Act 1990, seeking for conservation of historic assets and their setting.

Emerging Policy PLP35 of the PDLF follows on from Chapter 16 of the NPPF.

As such, the main considerations in determination of this application are whether the proposed scheme would preserve the special architectural and historic character of the building and its setting.

Impacts on the Architectural and Historic Character of the Listed Building and its Setting

The proposal seeks Listed Building consent for a replacement front door.

The heritage assessment submitted with the application concludes that the proposal will be in keeping with the existing door and host dwelling and will not have an impact on either the visual amenity or the heritage of the listed building. It is acknowledged that the existing door fits poorly and as such offers poor insulation to the property. Whilst being similar in appearance to the existing door to preserve the historical significance of the building, the replacement door will offer improved ventilation to the kitchen which does not benefit from opening windows or extraction.

The NPPF states that proposal which result in substantial harm to or total loss of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or the proposal fulfils the criteria outlined within paragraph 192. For proposals that will lead to less than substantial harm to the significance of a designated heritage asset, which I consider to be the case here, the NPPF outlines that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The proposed replacement door will replace the existing front door at the property which fits poorly in its frame and provides little insulation to the property. The proposed stable style door will improve ventilation as the existing kitchen does not benefit from either internal ventilation or opening windows. The door will be constructed in wood to match existing which will

respect the historic value of the building. It is therefore considered that the proposal will enhance the appearance of the dwelling whilst preserving its historic significance.

K.C. Conservation & Design have been informally consulted and note that they have no concerns with a door similar to the wooden, stable style door that has been included on the heritage statement which has been submitted with the application subject to a condition being attached to ensure that the door is painted white to match existing and to preserve the historical significance of the listed building.

The building will remain in residential use, its viable optimum use which will aid to preserve its character and ensure its long term future. The proposed door will be constructed in materials which will match existing and will be in keeping with the character and style of the host property which will ensure that the historic interest of the building will be retained; accordingly, the proposal would preserve the special architectural and historic character of the building and its setting.

The development represents a sustainable and viable use of a grade II listed building that does not detract from its special architectural and historical interest. Subject to conditions, the proposed works are therefore considered to be compliant with Policies BE1 and BE2 of the UDP, PLP35 of the PDLP and the guidance contain within Chapter 16 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 – Grant Listed Building Consent

Decision Authorisation - Delegated Powers

Application Number: 2018/91937

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 in order to retain the significance of the designated heritage asset and to accord with Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan, as well as the aims of Chapter 16 of the National Planning Policy Framework.

3. The external joinery of the replacement front door shall be painted white within 2 months of the door being first fitted. Thereafter the external joinery of the door shall be retained painted white.

Reason: For the avoidance of doubt as to what is being permitted and in order to retain the significance of the designated heritage asset and to accord with Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan, as well as the aims of Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			14/06/2018
Heritage Statement		02	02/08/2018

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.

A revised heritage statement was sought from the agent to include only the wooden, stable style sample image. The revised heritage statement was

considered to be acceptable subject to it being conditioned that the door shall be painted white in colour.

Report Dated:

08/08/2018