

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: 2018/65/92242/E

Site Address: 34 , North Gate, Upper Hopton, Mirfield, WF14 8ET

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

Recommending Officer: Jennifer Booth

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.

Julia Steadman

AUTHORISED OFFICER

Date: 03-Sep-2018

OFFICER REPORT

Site Description

34 North Gate, Upper Hopton, Mirfield is a two storey terraced property with a small amenity space to the front, a garden to the rear which is split by the access lane and a single storey extension to the rear. The house is constructed with hammer dressed stone, slate roof tiles and timber framed windows. The adjoining terraced houses are also made of very similar materials. This property and the others within the road are grade II listed.

The property is surrounded by open fields, which are marked as Green Belt in the Kirklees Unitary Development Plan Proposals Map and in the Kirklees Publication Draft Local Plan.

Description of Proposal

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

The ground floor element is proposed to project 3m from the original rear wall of the dwelling and would extend across the width of the property whilst the first floor element would have the same projection although it would have a width of 4.3m with a setback of 1.6m with the common boundary with the adjoining 32 Northgate. The roof over the two storey section is proposed to be a perpendicular pitch with the single storey element having a lean to roof form.

The extension is proposed to be constructed using stone for the walling and stone slates for the roof covering.

Relevant Planning History

None for the host property. Although the two applications detailing below for the adjoining 32 North Gate are of relevance.

96/91081 – erection of two storey rear extension – granted

96/92200 – listed building consent for two storey rear extension - granted

Representations

The application was advertised by site notices, press notice and neighbour letters, which expired on 17/08/2018

As a result of the above publicity, no representations have been received.

Mirfield Town Council has been consulted although no comments have been received.

Consultation Responses

Informal consultation with K.C. Conservation & Design – support the proposals as there are similar developments in the vicinity including to the rear of the adjoining 32 North Gate subject to conditions relating to appropriate materials and the use of timber windows.

Policy

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 and within the PDLP.

Kirklees Unitary Development Plan:

- **BE1** – Design principles

Kirklees Publication Draft Local Plan Policies

- **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 16** – Conserving and enhancing the historic environment

Assessment

This application proposes alterations to a grade II listed building. Any alterations to a listed building should be assessed against the NPPF. This advises that when assessing such applications local authorities should take into account the significance of the heritage asset and minimise harm to their significance.

It is considered that the proposed extension would not adversely affect the historic character of the property. The proposed extension's size and scale together with its siting to the rear will ensure that the main house still remains the dominant feature and will still allow the narrative of the building's development to be read and understood.

In consultation with the Council's Conservation & Design Officer, it is considered that the design of the extension is similar to others within the grouping of cottages and it is proposed to have a sympathetic design with matching materials to the main house.

Therefore, it is considered that the size, scale, design and materials of the proposed single & two storey rear extension will sustain the significance of the listed building, ensuring that it complies with NPPF chapter 16.

Conclusion:

In conclusion it is considered that the proposed work outlined in this application represents acceptable works to a Listed Building and therefore complies with Chapter 16 of the NPPF (Conserving and enhancing the historic environment) 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 the enhancements can also be considered to increase the energy efficiency of the property and would comply with the aims of chapter 14 of the NPPF.

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 Consent

Decision Authorisation - Delegated Powers

Application Number: 2018/92242

Officer Recommendation: Approve

Conditions and Reasons

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 schedule except as may be required by other conditions.

Reason: In the interests of visual amenity and to accord with the aims of Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP35 of the Kirklees Publication Draft Local Plan and Chapter 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, the windows within the extension hereby approved shall be of a slim line timber construction with a painted finish using a colour from the Dulux Heritage Range or equivalent on first installation and thereafter retained.

Reason: To ensure that appropriate windows are installed within this designated heritage asset and to conserve the significance of the heritage asset in accordance with the aims of Chapter 16 of the National Planning Policy Framework.

4. All window frames shall be set back in the reveal by a minimum of 75mm on first installation and thereafter retained.

Reason: To ensure that appropriate windows are installed within this designated heritage asset and to conserve the significance of the heritage asset in accordance with the aims of Chapter 16 of the National Planning Policy Framework.

NOTE: This Listed Building Consent shall be read in conjunction with planning application 2018/62/92241.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Proposed & existing plans	361-P01 (1)	699223	10/07/2018
Photo	DSCF0376	699233	10/07/2018
Photo	DSCF0374	640771	10/07/2018
Photo	DSCF0362	699228	10/07/2018
Photo	DSCF0358	699222	10/07/2018
Photo	DSCF0360	699221	10/07/2018
Photo	DSCF0371	699218	10/07/2018
Photo	DSCF0361	699217	10/07/2018

Plan Type	Reference	Web ID	Date Received
Photo	DSCF0359	699216	10/07/2018
Photo	DSCF0375	699215	10/07/2018
Photo	DSCF0363	699214	10/07/2018
Design & access statement	26 06 18 (1)	699224	10/07/2018
Appendix 1	-	699226	10/07/2018
Appendix 2	-	699225	10/07/2018
Photo	-	699220	10/07/2018

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. As the submitted plans were considered to be acceptable, no changes were sought during the course of the application.

Report Dated 31/08/2018