



Planning (Listed Buildings and Conservation Areas) Act 1990

LISTED BUILDING CONSENT

Application Number: 2018/65/92348/W

To: Claire Parker-Hugill,
L'Arche Developments (Yorkshire) Ltd
No 3, The Old Brickworks
Top O' Th Bank
Thurstonland
Huddersfield
HD4 6UY

For: R & N Investments Ltd

The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been granted for the execution of the works referred to:-

LISTED BUILDING CONSENT FOR PARTIAL DEMOLITION AND INTERNAL
AND EXTERNAL ALTERATIONS (WITHIN A CONSERVATION AREA)

At: 92, NEW NORTH ROAD, EDGERTON, HUDDERSFIELD, HD1 5QP

In accordance with the plan(s) and applications submitted to the Council on 07-Aug-2018 subject to the condition(s) specified hereunder:-

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 Order 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: To ensure that the proposed works preserve the character and appearance of the Listed Building and to accord with the aims of Policy PLP35 of the Publication Draft Local Plan and Government policy as set out in the Chapter 16 of the National Planning Policy Framework.

3. Before any existing windows are replaced, a schedule shall be submitted to and approved in writing by the Local Planning Authority specifying which windows or window panes are to be replaced, and details of how this work will be carried out, including interventions to the frames to accommodate the thicker glazing units. Any such works shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure that the proposed works preserve the character and appearance of the Listed Building and to accord with the aims of Policy PLP35 of the Publication Draft Local Plan and Government policy as set out in the Chapter 16 of the National Planning Policy Framework.

4. The new handrail and balustrade and any new external door installed to the upper ground floor rear entrance shall be painted black before the new upper ground floor office space is first brought into use and thereafter retained as such.

Reason: To ensure that the proposed works preserve the character and appearance of the Listed Building and to accord with the aims of Policy PLP35 of the Publication Draft Local Plan and Government policy as set out in the Chapter 16 of the National Planning Policy Framework.

5. Before any works to the existing staircase commence, a record of the existing staircase between ground and first floor in its current location, including photographs and drawings, shall be undertaken, submitted to and approved in writing by the Local Planning Authority, and deposited in the local Historic Environment Record (HER)

Reason: To ensure that a record of significant parts of the fabric of the Listed Building are preserved after they are removed, and to accord with the aims of Government policy as set out in the Chapter 16 of the National Planning Policy Framework.

Note: Historical recording. Regarding condition (5) above, the relevant Historic Environment Record Officer may be able to provide advice on the form that this recording should take.

Note: This listed building consent should be read in conjunction with planning permission 2018/92347.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			07-Aug-2018
Heritage statement		A	10-Jan-2019
Heritage statement		B	11-Jan-2019
Supporting information			27-Sep-2018
Location plan, floorplans and rear elevation as existing	0060-00-01		07-Aug-2018
Floorplans and rear elevation as proposed	0060-00-02	C	10-Jan-2019
Car park – swept paths proposed	00-04	A	06-Feb-2019

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. The case officer undertook negotiations with the applicant to secure amendments to the plans and an amended heritage statement, including the retention of the old rear extension, to ensure that the development conserved the heritage value of the building.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “*submitted to and approved in writing by the Local Planning Authority*”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>. You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 27-Feb-2019

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2018/65/92348/W.

If a paper copy of the decision notice or decided plans are required please email planning.contactcentre@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: planning.contactcentre@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93
Civic Centre III
Off Market Street
Huddersfield
HD1 2JR
