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:	2018/65/92518/W
Site Address:	Sgm Structural Design Office, Springfield Lodge, 4, Thornhill Road, Edgerton, Huddersfield, HD3 3AU
Description:	Listed Building Consent for replacement guttering
Recommending Officer:	Francis Davies

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: 14-Sep-2018

Officer Report

Reference: 2018/92518

Proposal: Listed Building Consent for replacement guttering

Location: SGM Structural Design Office, Springfield Lodge, 4 Thornhill Road, Edgerton, Huddersfield, HD3 3AU

Site Description

The application relates to a two storey, grade ll listed building, constructed from natural stone and designed with a hipped roof, hosting dormer windows. As noted on the submitted location plan the redline boundary extends to the front (southeast), side (north) and rear (northwest), offering parking provision and a small amount of private amenity space.

It is noted that the application property is located in close proximity to a number of other residential properties which form part of the Edgerton conservation area.

Listed Description

Lodge. Late C19. Coursed squared limestone. Plain and fishscale tile roof. Stone ridge and end stacks. Tudor-Revival style. 2-storey octagonal entrance bay to left. Single-window range of single-storey plus attic to right. Porch of limestone with gabled tiled roof and bargeboards. Entrance has panelled door with moulded stone surround. Octagonal part has 2-light stone-mullioned windows to ground floor and first floor. All windows have hood moulds and label stops. Limestone quoins. Embattled parapet. Right part has 3-light stone-mullioned window to cellar, single-light window to ground floor and a gabled false dormer with bargeboard and pendant. All windows have hood moulds and label stops. Limestone quoins. Ornamental ridge tiles. Prominent site on junction of A4035 and road to Compton Wynyates.

Description of Proposal

The application seeks listed building consent for the replacement of existing timber guttering with aluminium guttering of a similar colour and profile. However, as stated in the design and access statement, this revised application is different from the listed building consent previously refused (2018/91570) in that the timber guttering of the single storey aspect of the building would be replaced like-for-like.

History of negotiations

This application for listed building consent is subsequent to application 2018/91570 which was refused. Following the determination of the above application pre-application advice was provided by both the planning officer

and conservation and design officer suggesting that the application may be acceptable subject to the timber guttering around the single storey aspect being retained.

Relevant Planning History

2018/91570 – Listed Building Consent for replacement guttering (within a conservation area) (Refused)

2014/92505 – Alteration and change of use to form mixed office (B1) and dwelling (C3 use) (Listed Building within a conservation area) (Conditional Full Permission).

2014/92506 – Listed Building Consent for internal and external alterations (within a conservation area) (Consent Granted)

2015/90654 – Discharge conditions 3 (window frame), 4 (window frame), 5 (rooflights) on previous permission 2014/92506 for listed building consent for internal and external alterations (within a conservation area) (Discharge of conditions approved)

2014/92496 – Non material amendment to previous permission 2014/92505 for alteration and change of use to form mixed office (B1) and dwelling (C3 use) (Listed Building within a Conservation area) (Approved)

2015/92495 – Listed building consent for installation of three windows (within a conservation area) (consent granted)

Representations

Final publicity date Expires: 13/09/2018

No public representations were received regarding this application.

Consultation Responses

KC Conservation and Design – No objections (informally consulted)

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 unallocated on the UDP Proposals Map and remains unallocated on Kirklees Publication Draft Local Plan. It is advised that the application property falls within Edgerton conservation area.

- Access considerations - None

Kirklees Unitary Development Plan:

- BE1 – Design Principles
- BE2 – Quality of Design
- BE5 – Conservation Area

Kirklees Publication Draft Local Plan (PDLP):

- 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 2 – Achieving Sustainable Development
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The application seeks listed building consent to replace the existing timber guttering with aluminium guttering to the main building. Alternatively the timber guttering on the single storey section of the building would be retained. It is advised that the property is a grade ll listed building.

Section 16 (2) Planning (Listed building and Conservation Area) Act 1990 requires that in considering proposals which relate to listed building, 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 interest which it possesses.

In addition to the above, paragraph 192 of the NPPF states that ‘in determining applications, local planning authorities should take account of:

a) The desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation.
b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) The desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be)’ (NPPF paragraph 193). The setting of a designated heritage asset is an important aspect of its significance.

The key consideration for listed building consent application is in relation to the impact on the Grade ll listed building. As such the application has been assessed by a conservation and design officer. The application has also been assessed with regard to Policies BE1 and BE2 of the Unitary Development Plan (UDP), Policies PLP24 and PLP35 of the publication draft Local Plan (PDLP) and guidance contained within the National Planning Policy Framework (NPPF).

Policy BE1 of the UDP states that new development should be of a good quality design that is both visually attractive in its own right and which creates or retains a sense of local identity. Policy BE2 states that the design of the development should ensure that it is in keeping with the surrounding development in respect of design, materials, scale, density, layout, building height and mass. The above requirements are also reflected in Policies PLP24 and PLP35 of the publication draft Local Plan.

The application proposes to replace the existing timber guttering with aluminium guttering around the main building. The existing timber guttering at the single storey section of the property would be replaced like-for-like. By way of justification it is stated that the existing timber guttering is in a poor state of repair. It is noted that the aluminium guttering would be the same colour and size as the existing guttering and that the existing fascia boards would be retained.

However, it is noted that the proposed construction materials represent a departure from the traditional building materials used in the original guttering system. Notwithstanding the above it is advised that the application seeks to amend the guttering materials of the main building. As a two storey property it is anticipated, that owing to the elevated position of the guttering, similar profile of the aluminium guttering and retention of the existing timber facia boards that the change would be imperceptible from ground level.

Alternatively, where views of the overhanging eaves and original guttering system are more visible on the single storey element of the property the guttering will be replaced like-for-like. Consequently, the proposed is not believed to materially harm the appearance of the grade ll listed building, nor it is anticipated to harm the character of Edgerton Conservation area.

On the basis of the above, it is believed that the scheme would cause less than substantial harm to the listed building through the loss of original fabric and its replacement with modern materials. This has been weighed against the public benefit of the proposal which would provide a more longlasting solution to guttering on the higher roofs of the building thus helping the maintain the heritage asset in the longer term and preventing damage or loss to other features should the guttering fail. It is considered the benefit outweighs the harm and that the proposal would comply with Policies BE1, BE2 and BE5 of the Unitary Development Plan (UDP), Policies PLP24 and PLP35 of the publication draft Local Plan (PDLP) and guidance contained within Chapter 2, Chapter 12 and Chapter 16 of the National Planning Policy Framework (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: 2018/92518

Officer Recommendation: Grant Listed Building 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 preserve the significance of the heritage asset, to ensure the satisfactory appearance of the development on completion, and to accord with Policies BE1, BE2, and BE5 of the Kirklees Unitary Development Plan, Policies PLP24 and PLP35 of the Kirklees Publication Draft Local Plan and guidance contained within Chapters 2, 12 and 16 of the National Planning Policy Framework.

Note: There is potential for a bat roost to be present on site. Bats are a European protected species under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Floor Plans, Elevations & Site Location Plan	E01	-	02nd August 2018
Site Location Plan	E10	-	02nd August 2018
Design and Access Statement	August 2018	-	02nd August 2018
Heritage Impact Assessment	August 2018	-	02nd August 2018
Existing and Proposed Photos	-	-	02nd August 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.

No negotiations were undertaken regarding this application. The scheme was considered acceptable as originally submitted.

Report Dated: 13/09/2018