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:	2018/65/93603/W
Site Address:	250, Deighton Road, Deighton, Huddersfield, HD2 1JJ
Description:	Listed Building Consent for alterations and extension to dwellings to extend office accommodation
Recommending Officer:	Laura Yeadon

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: 28-Jan-2019

Officer Report

Site Description

250 Deighton Road is a large converted dwelling with 2 further dwellings attached to the rear known as No's 248 and 248A. No. 250 is a mid-nineteenth century house which is a Grade II Listed Building and is currently occupied as an office for The Charlesworth Group. No's 248 and 248A are vacant residential properties and are not listed. There are two access points from Deighton Road which lead to parking areas to both the east and west of the properties. The surrounding area is a mixture of both residential and commercial properties with the site lying close proximity to the Local Centre of Sheepridge.

Description of Proposal

Listed building consent is sought for alterations and an extension to the dwellings to extend the existing office accommodation. An application for Planning Permission has been submitted under application number 2018/93603 and runs concurrently with this application.

Both internal and external works are proposed and these are listed below:

External works:

- Proposed single storey extension to provide new entrance and reception area. The extension would lie flush with the side elevation of No. 250 projecting a total of 2 metres being a width of 6.4 metres. The eaves height would be 3.2 metres rising to 4 metres to the ridge of the lean-to roof
- Walling up of a ground floor door and a window formed within No. 248
- Replacement timber windows where required

Internal works:

- Reconfiguration of accommodation at both ground and first floor to No's 248 and 248A to provide offices, kitchen and WC at ground floor and offices and food preparation area at first floor
- Within the ground floor of No. 250 it is proposed to remove the doors and form a new opening and support the wall with a steel beam

History of negotiations/amendments received

Following initial concerns raised by the Conservation and Design with regards to the works to the Listed Building, additional justification in the form of a further Statement received on 3rd December 2018, internal photographs on 13th December and amended proposed floor plans on 24th January 2019.

Relevant Planning History

2007/91068 Outline application for erection of a terrace containing 3 no. 2 bedroom dwellings and a pair of semi-detached 2 bedroom dwellings and change of use of building to 2 flats
Conditional Outline Permission

2007/91069 Listed Building Consent for change of use of former dwelling to 2 no. flats
Consent not required

2010/90727 Outline application for erection of a terrace containing 3 no. 2 bedroom dwellings and a pair of semi-detached 2 bedroom dwellings and change of use of building to 2 flats
Conditional Outline Permission

2018/93602 Alterations and extension to dwellings to extend office accommodation
Not yet determined

Representations

Final publicity date expired 7th December 2018 including the newspaper advertisement – no representations received.

Parish/Town Council comments – not applicable

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 and Design – initial concerns raised regarding materials and further information required with regard to further justification. Following the submission of further information and photographs, no objection subject to a condition relating to materials of construction for the extension.

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 Land on the UDP Proposals Map and also on the Kirklees Publication Draft Local Plan. No. 250 Deighton Road is a Grade II Listed Building with its description as follows:

"DEIGHTON ROAD 1. 5113 No 250 SE 1519 17/447II2. Mid C19. Ashlar. Mounded eaves cornice. Rusticated quoins. 2 paired arched sashes on 1st floor, with plain raised surrounds. Ground floor has canted bay with moulded cornice and ashlar sashes. Door with oblong fanlight and Tuscan columns with full entablature."

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 July 2018, together with Circulars, Parliamentary 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

Listed Building Consent is sought for the alterations and extension to dwellings to extend office accommodation. An application for Planning Permission has also been submitted under application number 2018/93602 and runs concurrently with this application.

The works have been detailed within the Design and Access Statement, submitted plans and also within a Statement submitted in response to comments from Conservation and Design.

The application has been considered by the Conservation and Design team and initially concerns were raised regarding to the harm to the listed building, alterations to a load bearing wall and the proposed materials of construction.

Following the concerns being raised, the Agent submitted a supporting Statement which justifies the proposal and also internal photographs of the building.

As part of consideration for Listed Building Consent, harm to the Listed Building by the proposed works needs to be weighed against the public benefits of the scheme. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development and should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Public benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting; reducing or removing risks to a heritage asset; securing the optimum viable use of a heritage asset in support of its long term conservation.

In this instance, No. 148 and 148A have been vacant for some time and bringing the buildings back into use would be heritage benefits since it would improve the Listed Building setting. Furthermore the development would help deliver the economic objectives of the NPPF (Chapter 6) albeit at a small scale.

Amendments have also been made to the plans with regard to the load bearing wall within the ground floor of the Listed Building. It was originally proposed that this would be removed however, following advice from the Conservation and Design Officer this has been amended to just creating an opening, preventing its entire removal.

Taking all the above into account and following the submission of a supporting statement and internal photographs it is considered that the proposed development would cause less than substantial harm and therefore as assessed above in terms of the public benefit of the scheme, it is considered that the proposed development is acceptable.

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 **Approve**

Decision Authorisation - Delegated Powers

Application Number: 2018/93602

Officer Recommendation: Approve

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 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 accord with Policies D2, BE1, BE2, BE11, H4, T10 and T19 of the of the Kirklees Unitary Development Plan Policy PLP13, PLP24, PLP21, PLP22, PLP35, PLP42 and PLP58 of the Publication Draft Local Plan and advice within the National Planning Policy Framework.

3. Notwithstanding the submitted plans, the extension shall be constructed from natural stone with natural slate for the roof and painted timber or metal frames for the openings.
Reason: In the interests of visual amenity and to minimise the impact on the host Grade II Listed Building and to accord with Policies D2, BE1 and BE2 of the Unitary Development Plan, Policies PLP24 and PLP35 of the Publication Draft Local Plan and advice within the National Planning Policy Framework.

NOTE This hereby approved Listed Building Consent should be read in conjunction with Planning Permission 2018/23602.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			7th November 2018
Existing site layout	18_151.0		7th November 2018
Proposed site layout	18_151.0.1		7th November 2018
Existing floor plans	18_151.1		7th November 2018
Existing elevations	18_151.2		7th November 2018
Existing elevations	18_151.2.1		7th November 2018
Proposed elevations	18_151.4B		7th November 2018
Proposed elevations	18_151.4.1A		7th November 2018
Proposed floor plans	18_151.3F		24th January 2019

Plan Type	Reference	Version	Date Received
Design and Access Statement	Revised 7th November 2018		7th November 2018
Heritage Statement of Works			7th November 2018
Statement			3rd December 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. . Following initial concerns raised by the Conservation and Design with regards to the works to the Listed Building, additional justification in the form of a further Statement received on 3rd December 2018, internal photographs on 13th December and amended proposed floor plans on 24th January 2019.

Report Dated: 28th January 2018