

**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: 2018/65/93731/W

Site Address: 35, Heys Road, Thongsbridge, Holmfirth, HD9 7SF

Description: Listed Building Consent for erection of single storey side extension, porch to front and alterations to windows

Recommending Officer: Sam Jackman

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-Apr-2019

SITE DESCRIPTION – LB

35 Heys Road, Thongsbridge is a stone 3 storey rear property, of a back to back end terraced property with a stone slate roof. The following is the listing description;

Terrace. Late C18. Hammer dressed stone. Quoins. Stone slate roof (part turned). Moulded kneelers. Three large internal ashlar stacks and one ashlar gable stack. Three storeys. Doorways have deep lintels, one is part blocked. Mainly 2 and 3-light stone mullioned windows. Some mullions removed. C20 casements. Two storey extension to left and single storey extension to right not included in the item. Rear: entrances and 4-light window to ground floor. At first and second floor level, each dwelling has one 6-light stone mullioned window each with 2 centre lights blocked. Some mullions removed.

There is a single storey stone side extension which is triangular in shape, linked to the front property and is chamfered given the historic use of the building to allow carts to travel around to the rear of the building. There is an existing porch on the principle elevation and a smaller one to the side, these are both modern additions.

DESCRIPTION OF PROPOSAL

The proposal is to replace the front porch, demolish the side porch, replace and rebuild the side extension with an enlarged foot print.

The proposal also includes reinstating the mullions to the upper floors, unblocking of the upper floor windows and replacing the upper floors windows and front door.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

The original plans showed a slightly larger front porch, with an oak framed gable, mullion windows in the side extension. The windows have changed to 2 simple windows and the end oak frame details have been reduced.

An extension of time was requested due to the submission of amended plans, which has been agreed by the agent

RELEVANT HISTORY

2018/93730 – Planning Application for extension & alterations - current

PUBLIC/MEMBERS RESPONSE

Final publicity date Expires: 28.12.18

No letters of representation have been received in respect of this application.

Holme Valley Parish Council comments - Support the application subject to Listed Building
Officer being satisfied and materials in keeping.

The amended plans were considered to have a reduced impact on neighbours than the original submission and as such were not publicised

CONSULTATION RESPONSES

K.C. Conservation & Design - It is considered that this application satisfies the relevant Local Plan and NPPF policies and therefore can be supported by Conservation and Design subject to conditions.

POLICY

The statutory development plan comprises:

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan and a grade II listed building

Kirklees Local Plan (LP) as modified :

PLP 1– Achieving sustainable development

PLP 2 – Place shaping

PLP 24 (as modified) – Design

PLP 35 (as modified) – 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 19th February 2019, 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

Principle of development:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is enshrined in policy PLP1 (as modified) of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in

the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy PLP24 (as modified) of the LP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development of the surrounding area as well as to preserve the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. Along with this is policy PLP35 as modified needs to be considered in relation to historic context of the building.

In terms of national planning Policy Chapter 16 of the NPPF needs to be considered which in paragraph 193 states: “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...*”. Chapter 16 further details that an assessment has to be made in relation to the level of harm and any harm may be outweighed by public benefit.

Sections 16 (listed buildings) of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered which places a general duty on preserving the listed buildings and their setting and any special architectural features or features of historic interest. The above policy position and guidance will be considered in the report below.

An allied planning application has been submitted under application 2018/93731 which specifically assess the impact of the development on all material considerations.

Visual Amenity and Heritage

The impact of the proposed development on Grade II listed host property and wider visual amenity are important considerations for the development and will be assessed below. The application has also been assessed by the Councils Conservation Officer.

This property is a three storey Grade II listed end terraced weavers cottage dating back to the late eighteenth century and constructed in hammer dressed stone with a stone slate roof.

The demolition of the small porch on the south east elevation is acceptable as this is a late twentieth century addition which is in poor condition and makes a negative contribution to the character and significance of the listed building.

The reinstatement of four mullions within the first and second floor window ranges is again acceptable. The new mullions should match the existing in terms of stone type, dimensions and tooling and the samples submitted on site are acceptable (see Photo). The reinstatement of historic weaver’s cottage windows which will enhance the building, and the installation of slim double glazing is not of concern this would not harm the significance of the building. Details of the proposed windows should be amended to show opener flush with the frames, which can be imposed as a prescriptive condition.

The demolition of the existing porch on the north east elevation, which, like the other porch, is clearly a much later addition to the house, is in poor condition and is out of character with the building it supported. The construction of a new porch on the same footprint is acceptable in principle. The proposed porch has been designed with a simple mono-pitch roof and a stone slate roof covering with lead flashings fixed into the mortar joints of the main building below the cill level of the first floor windows. Provided care is taken to avoid any damage to the stone quoins on the main building, with any fixings secured into the mortar joints rather than the quoin stones this would not result in harm to the significance of the building. The proposed external masonry on the porch will match the main building in terms of stone type, dimensions, coursing and tooling. The internal wall of the main house within the porch will remain exposed with its existing natural finish visible so that the historic detailing including the stone door surround can be understood.

The demolition and rebuilding of the annexe on the south east elevation. This structure is clearly part of the historic fabric and appears to be in evidence on nineteenth century maps. The front section of this structure (part of 37 Heys Road) has visible historic features within the masonry (two apparent historic apertures in the wall), whereas the rear section (part of 35 Heys Road) has little in the way of historic features and includes a large window which appears to have been inserted much later. The masonry of this annexe is in variable condition along the entire side elevation, with some areas of deteriorated stonework particularly at high level, and poor quality strap pointing and cement repairs which are likely to cause further deterioration.

The proposal to demolish and rebuild the rear part of this annexe on a slightly larger footprint is acceptable in principle due to the lack of interest in the structure and its poor condition. The proposed stonework will match the annexe in terms of stone type, size, tooling, coursing and thickness and will be toothed into the stonework of the front section of the annexe. The proposed annexe windows are distinguishable from the mullioned windows in the main building by the omission of jambs and central stone mullions, while still complementing the historic style. The proposed oak framed window structure at the north east end of the annexe is a simple intervention in a new part of the building using traditional materials and I consider it to complement the cottage well.

Any re-pointing should be carried out in flush pointed lime mortar as proposed for the annexe.

Although the demolition and rebuilding of the side annexe is proposed, the harm to the significance of the heritage asset to be less than substantial resulting simply from the loss of the historic fabric. Given the poor condition of the stonework and lack of historic features on this part of the annexe I consider the public benefits of bringing the space into a viable and sustainable use, along with the restoration of the windows of the main building and the

removal of the poor quality and out of character porches, to outweigh this harm.

Therefore, the proposal is in accordance of Policies, PLP1, PLP2, PLP 24 and PLP35 of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

Other matters:

K.C. Conservation & Design - It is consider that this application satisfies the relevant Local Plan and NPPF policies and therefore can be supported by Conservation and Design subject to conditions.

Representations:

It should be noted that no representations have been received as a result of site publicity.

Holme Valley Parish Council supports the application.

The amended plans were considered to have a reduced impact on neighbours than the original submission and as such were not publicised

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.

Decision Authorisation - Delegated Powers

Application Number: 2018/93731

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 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, to retain the significance of the designated heritage asset and to accord with Policies PLP01, PLP02 & PLP35 (as modified), of the Kirklees Local Plan and advice in the National Planning Policy Framework.

3. The external walls and roofing materials of the side extension hereby approved shall in all respects match those used in the construction of the existing building in terms of stone type, size, tooling, coursing and thickness and shall be toothed into the stonework of the front section of the annexe.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

4. The external walls and roofing materials of the porch extension hereby approved shall in all respects match those used in the construction of the host building in terms of stone type, size, tooling, coursing.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

5. The new stone mullions hereby approved shall in all respects match those used in the construction of the host building in terms of type, dimensions and tooling.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

6. The replacement windows shall reflect the windows specification received on the 23 Jan 2019. Where the windows are opening windows the openings shall be flush with the frames.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

7. The replacement door shall reflect the door specification received on the 23 Jan 2019.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

8. Any re-pointing shall be carried out in flush pointed lime mortar.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

9. When constructing the replacement porch, so as to avoid damage to the stone quoins on the host building, any fixings shall be secured into the mortar joints rather than the quoin stones.

Reason: To ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

10. The internal wall of the main house within the porch shall remain exposed with its existing natural finish visible.

Reason: So that the historic detailing can be understood to ensure that the proposed works are in keeping with the character and appearance of the Listed Building and to accord with policy PLP35 (as modified) of the Kirklees Local Plan and advice in chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan 1:1250 & Block Plan 1:500	Revised Jan 2019	23.1.19
Existing layout & elevations	January 2018	12.11.18
Proposed porch details	Revised Jan 2019	23.1.19
Proposed window details	Revised Jan 2019	23.1.19
Proposed elevation	Revised Jan 2019	23.1.19
Proposed side elevation	Revised Jan 2019	23.1.19
Heritage Statement		12.11.18

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.

The Case Officer requested amended plans during the process of the application to seek an amendment which would to reduce the impact of the development on the character of the listed Building. This decision is based on the amended/additional documents submitted.

Recommendation and Authorisation Box

Report Dated:

5.4.19

Coal – low risk