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:	2018/65/93815/W
Site Address:	2, Spinneyfield, Fixby, Huddersfield, HD2 2HX
Description:	Listed Building Consent for installation of 6 cctv cameras
Recommending Officer:	Craig McHugh

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.

Nigel Hunston

AUTHORISED OFFICER

Date: 13-Feb-2019

Officer Report

Site Description

2 Spinneyfield, formerly Longwood House, is a grade II listed building. It is a two-storey, double-fronted detached house dating from c.1854 and is constructed of hammer dressed stone with a hipped slate roof. It has sash windows to all window openings and a 4-panelled doorway with fanlight, framed by Tuscan pilasters and entablature. The house is set in grounds of approximately a third of an acre and is approached by an access road to the south off Spinneyfield. To the east, south and west the buildings setting comprises mid-20th century residential development. To the north the land falls steeply away into a small woodland within a former quarry.

Significance of the affected heritage assets

Longwood House was built by Henry Crossland, the father of the celebrated Huddersfield architect William Henry Crosland. Henry was a stonemason and quarry owner, who worked the Netheroyd Hill Quarries immediately adjacent to the house. It is designed in a classical style fashionable in the mid-19th century and as one of the few listed buildings in the area, it provide an insight into the historical development of Fixby, which expanded rapidly in the late 20th century.

Description of Proposal

Listed Building Consent for installation of 6 CCTV cameras

History of negotiations/amendments received

None required.

Relevant Planning History

2014/92310 - Erection of single storey extension and alterations, extension of drive and erection of fence and gates - CONDITIONAL FULL PERMISSION

2014/92311 - Listed Building Consent for erection of single storey extension and alterations, and demolition of coalhouse/pantry, porch/wc and part of boundary wall - CONSENT GRANTED

Consultation Responses

Officer report has been compiled by the Conservation and Design Officer.

Public/Members Response

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 30/01/2019

Publicity expiry date: 01/02/2019

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.

Access considerations

None

Kirklees Unitary Development Plan:

Relevant policies:

- BE1 – Design principles

Kirklees Publication Draft Local Plan (PDLP):

- 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

The applicant has been the victim of stone theft in the recent past and wishes to protect the property from further theft and vandalism. They have sought pre-application advice from the Local Planning Authority and have demonstrated that consideration has been given to minimising the internal and external impact of installing the cameras.
Six small discreet camera housings have been installed immediately adjacent to downpipes and painted black to match to reduce their visual impact on the elevations and reduce clutter whilst providing adequate surveillance. These units are fully reversible and can be removed without causing damage to the building in the event that they become redundant.

Conclusion

Paragraph 193 of the NPPF states that:

"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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 196 states that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

It is considered that the installation of security cameras on the external walls of the property causes slight harm by the addition of modern interventions on the exterior of this historic building, which slightly detract from its historic character. However, this harm has been mitigated by their positioning in discreet locations and the dark colour which reduces their visibility. There will be no evidence of the units in the event that they become redundant and are removed from the building. It is considered that the public benefits of safeguarding the property from potential theft or criminal damage outweighs the slight harm to its significance and therefore the proposal is supported.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that any application for development must preserve the character and appearance of the listed building.

As the proposed works are minimal and justified, it is felt that the character and appearance of the listed building overall is maintained.

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 public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation – Grant Consent

Decision Authorisation - Delegated Powers

Application Number: **2018/93815**

Officer Recommendation: **Grant Consent**

Conditions and Reasons

1. The development shall be begun not later than the expiration of three years beginning with the date on whist consent 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 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, in the interests of the significance of the heritage asset and to accord within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Photograph of front elevation (south)			21/12/2018
Photograph of rear elevation (north)			21/12/2018
Photograph of side elevation (west)			21/12/2018
CCTV Camera Detailed Drawing	IPC-D120		19/12/2018

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.

Report Dated: 13/02/2019