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:	2019/65/90418/W
Site Address:	Brookes Mill, Armitage Road, Armitage Bridge, Huddersfield, HD4 7NR
Description:	Listed Building Consent for erection of security barrier and associated works (within a Conservation Area)
Recommending Officer:	Sue Oakley

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: 02-Apr-2019

Officer Report

Site Description
The application site relates to Brookes Mill, a historically significant textile mill located approximately 3km south west of Huddersfield town and within the Armitage Bridge Conservation Area. The site consists of a number of buildings, some of which are listed and now serve a range of uses including the Northlight gallery, café, art and dance studios and some small business units and residential properties.

To the north east of the mill is the application site; a car parking area associated with the mill and within the curtilage of the listed buildings. Although within the curtilage, this car park is outside the mill complex itself and is surrounded by a low stone boundary wall on the east and north sides, with the mill buildings to the west and a mill race and sluice on higher land to the south. Further to the south is a small terrace of listed dwellings including Bankfoot House.

Description of Proposal

The applicant seeks listed building consent for the erection of a security barrier and associated works at the entrance to the lower car park facing east onto Bank Foot Lane. Along with the 7m wide security barrier with a rising arm at the car park entrance, alterations to the entrance are proposed, with a 5.5m deep curved splay being formed with a 600mm thick low stone wall built to match the existing walling.

The existing car park of 75 spaces is accessed via a simple 8m wide entrance within the stone boundary walls onto Bank Foot Lane. It has no security provision to prevent unauthorised access, unlike the other car park entrances within the mill complex.

Relevant History

2017/94092 – Planning permission for the formation of a car park extension and erection of new footbridge – Granted.

Access Considerations

None.

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: 15/03/2019

Publicity expiry date: 22/03/2019

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

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 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 16 (Conserving and Enhancing the Historic Environment)

Assessment

The applicant seeks listed building consent for the erection of a security barrier and associated works at the entrance to the lower car park facing east onto Bank Foot Lane. Along with a 7m wide security barrier with a rising arm at the car park entrance, alterations to the entrance are proposed, with a 5.5m deep curved splay being formed with a 600mm thick low stone wall built to match the existing walling, no more than 1m in height. The proposed width of the opening is increased from 8m to 11.5m.

The existing car park of 75 spaces is accessed via a simple 8m wide entrance within the stone boundary walls onto Bank Foot Lane. It has no security provision to prevent unauthorised access, unlike the other car park entrances within the mill complex which have security provision.

The proposed barrier will be manually operated at the start and end of the day, with the entrance re-organised to allow space for the operator to park safely off road at these times.

The colour of the proposed barrier is black or grey to reduce the impact on the conservation are, with warning markings painted onto the barrier for safety.

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 goes on to state 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.”

This simple intervention is considered to cause less than substantial harm to the setting of the mill buildings and significance of the conservation area by the introduction of a modern barrier and alterations of the boundary wall to the site. However the harm is minimal as this entrance is located away from the buildings which have architectural significance, and is mitigated by the continuation of natural stone walling to match the existing and the justification that the erection of a barrier will reduce anti-social behaviour on the site.

It is considered that the public benefits of protecting the site from unauthorised parking outweighs the slight harm caused by this intervention, and the use of natural stone walling to match the existing will allow the new entrance to blend in with the local vernacular.

Recommendation Grant Consent
Decision Authorisation - Delegated Powers
Application Number: - 2019/90418
Officer Recommendation: Grant Consent

Recommendation:

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
Heritage Statement 2019			11 February

			2019
Listed Building Justification Statement			11 February 2019
Proposed general arrangement of entrance	4295-06-01		11 February 2019
Proposed entrance site plan	4295-06-02		11 February 2019
Plan as existing	4295-06-03		11 February 2019
Existing site plan	4295-06-04		11 February 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 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. Negotiations have taken place over the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted plans which accurately mirror those negotiations and are felt to be acceptable.

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: 2 April 2019