

**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: 2019/65/91056/W

Site Address: Shoulder of Mutton, 9, Church Street, Slaithwaite,
Huddersfield, HD7 5AS

Description: Listed Building Consent for installation of illuminated
and non-illuminated signs (within a Conservation
Area)

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: 23-May-2019

Officer Report

Site Description

Late 18th century / early 19th century two-storey inn constructed of hammer dressed stone, with rendered front and west side elevation and stone slate double pitch roof. Fronts straight onto the pavement. Set back to the west is an attached two-storey building with loading door to the first floor. Immediately to the rear is the church yard of Slaithwaite Parish Church, which is grade II listed. To the west is a former public convenience extended in contemporary materials to create a restaurant. The inn is within the Slaithwaite Conservation Area.

Significance of the affected heritage assets

The Shoulder of Mutton Inn is a vernacular building constructed of local stone with stone slate roofs and mullioned windows. It illustrates the commercial development of Slaithwaite and makes a positive contribution to the character of the conservation area.

Description of Proposal

Listed Building Consent for installation of 4 no. illuminated, 6. no non-illuminated signs, 3 lanterns and 11 flood lights.

History of negotiations/amendments received

None required.

Relevant Planning History

99/92818 - ERECTION OF 2 NO. ILLUMINATED FASCIA SIGNS, 1 NO. ILLUMINATED PROJECTING SIGN AND 1 NO. ILLUMINATED AMENITY BOARD (LISTED BUILDING WITHIN A CONSERVATION AREA) - ADVERTISEMENT CONSENT GRANTED

99/92819 - LISTED BUILDING CONSENT FOR DEMOLITION OF EXTERNAL STAIRCASE, REPLACEMENT OF EXISTING DEFECTIVE GLAZING AND TIMBER BEADS IN 2 NO. FRONT WINDOWS AND INTERNAL ALTERATIONS. ERECTION OF 2 NO. ILLUMINATED FASCIA SIGNS, 1 NO. ILLUMINATED PROJECTING SIGN AND 1 - CONSENT GRANTED

Consultation Responses

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

No further consultations required.

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: 03/05/2019

Publicity expiry date: 13/05/2019

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).

Local Plan

- Policy LP 25 (as amended) Advertisements and shop fronts
- Policy LP35 (as amended) 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 12 (Achieving Well Designed Places)
- Chapter 16 (Conserving and Enhancing the Historic Environment)

Access considerations

None

Assessment

Paragraph 189 of the NPPF requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting, consult the historic environment record, use appropriate expertise where necessary and where there is known or potential archaeological interest, submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The applicant has engaged an agent to prepare their heritage statement, it fulfils the tests set out in Paragraph 189. The proposal is minor in nature and will not impact on the limited archaeological interest the building may hold.

Paragraph 190 of the NPPF requires that the Local Planning Authority should identify and assess the particular significance of any heritage asset that may be affected by a proposal, consider the impact of a proposal on a heritage asset, avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The significance of the Shoulder of Mutton Inn is summarised above, the proposals would not cause harm to their significance since they involve minor changes to the modern internal shop fittings only. The proposal is not considered to impact on the Slaithwaite Conservation Area

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 193 of the NPPF requires that the Local Planning Authority should give great weight to the heritage asset's conservation irrespective of the level of harm.

The proposals would not lead to the loss of any features of architectural or historic interest. Therefore it is felt that the Section 16(2) of the Act has been met, there is no harm to consider with regards to paragraph 193.

Policy LP25 Advertisements and shopfronts requires that the display of advertisements on a Listed Building or within a Conservation Area should preserve or enhance the character and appearance of the building, the area in which it is located and any features of architectural or historical interest. Proposals for new shop fronts and advertisements must be of a high standard of design and be appropriate in style, scale and materials to the building and its setting. The proposed advertisements would preserve the character and appearance of the building and the area and would not lead to the loss of any features of interest. The design is considered to be appropriate.

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 CONSENT

Decision Authorisation - Delegated Powers

Application Number: 2019/91056

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 which 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
Location Plan			29/03/2019
Existing elevation	12390- Existing Elevation AH		29/03/2019
Proposed elevation	12390- Planning Elevation AH		29/03/2019
Signage detailed plans and sections			29/03/2019
Design and Access Statement			29/03/2019
Heritage Statement			29/03/2019

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 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: 22/05/2019

