

**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: 2019/65/92920/W
Site Address: 3, Bank End, Bolster Moor, Huddersfield, HD7 4JN
Description: Listed Building Consent for installation of security
cameras
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: 27-Nov-2019

Officer Report

Site Description

3 Bank End is a Grade II listed former weaver's cottage in the middle of a terrace of six in a prominent semi-rural hillside location. This simple cottage dates back to the early to mid C19 and is constructed of hammer dressed stone with a stone slate roof and ranges of mullioned windows. This property has a later flat roofed porch built onto the front elevation.

Description of Proposal

The proposal is for the installation of two security cameras on the external walls of the building, one on the front and one on the rear of the building.

Relevant History

None.

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. Four representations have been received.

The following is a summary of the comments made:

- A porch has previously been constructed and the addition of plastic covered cameras will add to the already altered external appearance of the property and will severely impact on the heritage aspects of the six cottages.
- Plastic cased cameras are not a historic feature of the design of these cottages. They will detract from the appearance of the listed building.
- A precedent would be set on the row of cottages.
- The location of the cameras will affect the privacy of the neighbours.
- An objector queries the need for a surveillance system on a row of cottages with no history of vandalism, theft or damage. The cameras are considered unnecessary.

- The addition of CCTV cameras will have a negative effect on the row of cottages. They will attract attention. Concerns about the perception that the installation of cameras would bring.
- Fire safety.
- Concerns about the lack of maintenance of this cottage.

Date site notice expired: 12/11/2019

Publicity expiry date: 15/11/2019

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).

LP 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 proposal is for the installation of two security cameras on the external walls of the building, one on the front and one on the rear.

The proposed cameras are small with black housings, located directly below the gutters to minimise their visual impact on the elevations whilst providing adequate surveillance for the occupiers. The applicant proposes to fix the units into mortar joints so that the stonework is not damaged and they are wireless to minimise the intervention to the building. The cameras are fully reversible so that they can be removed without causing damage to the building in the event that they become redundant.

Four objections have been received for this application and the comments have been summarised below:

The following is a summary of the comments made:

- A porch has previously been constructed and the addition of plastic covered cameras will add to the already altered external appearance of the property and will severely impact on the heritage aspects of the six cottages.
- Plastic cased cameras are not a historic feature of the design of these cottages. They will detract from the appearance of the listed building.
- A precedent would be set on the row of cottages.
- The location of the cameras will affect the privacy of the neighbours.
- An objector queries the need for a surveillance system on a row of cottages with no history of vandalism, theft or damage. The cameras are considered unnecessary.
- The addition of CCTV cameras will have a negative effect on the row of cottages. They will attract attention. Concerns about the perception that the installation of cameras would bring.
- Fire safety.
- Concerns about the lack of maintenance of this cottage.

Response:

- The two proposed cameras are small and discreetly placed to minimise the visual impact on the building and black covers are proposed to further reduce their visual impact. They are not considered to make a severe impact on the heritage or detract greatly from the appearance of the listed building. The porch is not a material consideration for a listed building consent application.
- Each application is determined on its own merits so listed building consent would be required for cameras on the other listed cottages. This will ensure that a precedent is not set without justification and approval.
- The privacy of the neighbours is not a material consideration for a listed building consent application.

- The objection that cameras are considered unnecessary is a subjective comment and is not a material consideration for a listed building consent application.
- The perception that CCTV cameras will bring is not a material consideration for a listed building consent application.
- Fire safety is not a material consideration for a listed building consent application.
- The condition of the cottage is not a material consideration for this listed building consent application due to the application purely relating to CCTV camera installation.

The installation of the two small units will lead to slight harm to the character and significance of the listed building by the addition of modern equipment. This harm is weighed up against the public benefits of the proposal to improve the security and safety of the householders and these benefits are considered to outweigh the slight harm. The size, colour and location of the cameras minimise the harm by ensuring that the units are as discreet as possible.

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.”

It is considered that the installation of security cameras on the external walls of the property cause 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 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.

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: - 2019/92920
Officer Recommendation: Grant Consent

Recommendation:

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
Design, Access and Heritage Statement			24 October 2019
Location Plan			14 October 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.

Report Dated: 26 November 2019