

**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: 2019/65/93638/W

Site Address: Holmfirth Civic Hall Community Trust, Huddersfield
Road, Holmfirth, HD9 3AS

Description: Listed Building Consent for erection of roof over rear
well to create enclosed space, erection of rear fire
escape and interior and exterior alterations (within a
Conservation Area)

Recommending Officer: Alice Huxley

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.**

Emma Thompson

AUTHORISED OFFICER

Date: 09-Jan-2020

Officer Report

Site Description

Holmfirth Civic Hall Community Trust, Huddersfield Road, Holmfirth.

The application relates to Holmfirth Civic Hall located on Huddersfield Road, Holmfirth. The Grade II Listed building is coursed stone constructed with a high quality ashlar façade that dates back to 1842. Boundary treatment consists of square ashlar corner posts with moulded caps and two similar gate piers with iron overthrow.

Description of Proposal

Listed Building Consent for the erection of roof over rear well to create enclosed space, erection of rear fire escape and interior and exterior alterations (within a Conservation Area)

History of negotiations/amendments received

Negotiations between the officer and agent took place due concerns raised by Conservation and Design regarding the proposed first floor office window located behind the fire escape. Amendments were received accordingly on 01/01/2020.

Relevant Planning History

2019/93637 – Planning application for the erection of roof over rear well to create enclosed space, erection of rear fire escape and interior and exterior alterations (within a Conservation Area) – *allied application approved*.

Representations

Final publicity date Expires:

Site notice expires on 20th December 2019; press advertisement expires on 13th December 2019.

As a result of the above publicity, an objection was received highlighting that during previous works to the civic hall, a lack of care and trespassing onto third party land caused a financial impact due to damage, noise disturbance and air pollution to the occupants living on Hightown Lane.

Officer comment: This is a private matter that the Local Planning Authority cannot control.

Parish/Town Council comments:

Holme Valley Parish Council – unable to comment as the Parish Council owns this building and hence has pecuniary interest.

Consultation Responses

Conservation and Design – response incorporated below.

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).

The site is located within the Holmfirth Conservation Area.

Kirklees Local Plan (LP):

- **LP 1 – Achieving sustainable development**
- **LP 2 – Place shaping**
- **LP 24 – Design**
- **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 19th February 2019, 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 2 – Achieving sustainable development**
- **Chapter 12 – Achieving well-designed places**
- **Chapter 16 – Conserving and enhancing the historic Environment**

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

Principle of development:

The proposal will be assessed having regard to the relevant policies and Chapter 16 of the NPPF. Of particular relevance, the NPPF states that Local Authorities and Plans should take into account:

'a) the desirability of sustaining and enhancing the significance of heritage assets...' and 'c) the desirability of development making a positive contribution to local distinctiveness.'

Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

'In considering whether to grant Listed Building Consent for any works, 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.'

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

Furthermore this relates to Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

LP35 states that:

'Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm'.

This harm will be assessed and discussed later in the report.

Impact on the significance of the Building:

With regards to the proposed roof over the rear well, considering that this would be located on the least prominent elevation of the building facing the rear gardens of the dwellings on Hightown Lane and the roof would be set below ground level sloping up towards the string course below the main hall windows, it has been considered that this element of the scheme would have minimal if no impact on the significance of the building.

Regarding the proposed fire escape, although this is an external structure and fairly obtrusive, this would be located adjacent to the rear well in an area of low significance. Initially there were some concerns about the structure being sited in front of one of the windows however during a site visit, the applicant verbally confirmed that there were no plans to obstruct the window. Given this, the existing site constraints as well as the low significance of this area, the proposed fire escape is considered to be acceptable. The installation of this structure would improve safety and enable a sustainable use for the upper floor space therefore the less than substantial harm caused by this element of the scheme would on balance be outweighed by the above public benefits. Furthermore, there were also concerns raised regarding the

proposed first floor office window located behind the fire escape; Conservation and Design suggested alternatively, that a single window is inserted adjacent to the existing rear exit door in this room or a vertical window on each side of the door. A revised drawing was submitted showing a modified window in the same position with a design that harmonises well with the overall rear appearance which on balance satisfies Conservation and Designs concerns.

The application also proposes a defibrillator on the façade, adjacent to the entrance of the building. Although prominent, the public benefits of providing this life saving piece of equipment outweighs the slight harm caused to the Listed Building. Furthermore, there are no concerns about the proposed flag pole on the land to the front of the building being implemented.

With regards to the internal alterations, it has been considered that these would not cause harm to the character and significance of the building as no significant architectural features would be affected. Moreover, the works are thought to enhance the space and improve the Listed Building's viability.

Conclusively, considering the above, the proposed works would not prejudice the character of the listed building as the improvements to the internal layout and facilities as well as the proposed external works would bring with them public benefits as well as enhancing the viability of the building.

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

Approve

Decision Authorisation - Delegated Powers

Application Number: 2019/93638

Officer Recommendation: Approve

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, to protect the historic interest of the listed building and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Views as Existing and Proposed	1825-03	2	01/01/2020
Basement and Groundfloor as Existing	1825-01	1	06/11/2019
First and Second Floor as Existing	1825-02	2	01/01/2020
Groundfloor as Proposed	1825-04	1	06/11/2019
First and Second Floor as Proposed	1825-05	2	01/01/2020

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. Negotiations between the officer and agent took place due concerns raised by Conservation and Design regarding the proposed first floor office window located behind the fire escape. Amendments were received accordingly on 01/01/2020.

09/01/2020

Report Dated: