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:	2019/65/93961/E
Site Address:	Ash Cottage, 86, The Village, Thurstonland, Huddersfield, HD4 6XF
Description:	Listed Building Consent for alterations to porch and north east elevation (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: 23-Jan-2020

Officer Report

Site Description
Ash Cottage is a group of vernacular buildings which form a single dwelling within the Thurstonland Conservation Area. The main house is Grade II listed, dating back to the late C18 and constructed from hammer dressed stone walling with a stone slate roof. Attached to this are associated two storey buildings including a short terrace and barn all constructed in stone with stone slate roofs.

Description of Proposal

The applicant proposes an increase in size of the enclosed lean-to store on the south-west elevation approved on application 2019/92740, along with the insertion of a glazed panel within a vertical boarded timber door to the wash house on the north-east elevation.

Relevant History

2019/92740 - Listed Building Consent for alterations to porch and north east elevation – Consent Granted

2018/93531 – Planning Permission for demolition of existing store and porch, erection of front extension, erection of detached swimming pool and external alterations - Approved

2005/91138 – Listed Building Consent for formation of new window openings, internal and external alterations – Consent Granted

Access Considerations

None.

Consultation Responses

Kirkburton Parish Council: No comments.

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: 02/01/2020

Publicity expiry date: 18/01/2020

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).

Climate Change Emergency

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is to increase the length of the enclosed part of the lean-to extension approved on application 2019/92740, extending it into the open covered area adjacent to the entrance door to the cottage. The masonry will be in matching stone and the footprint of the structure will remain unaltered. Due to the use of material and the minimal intervention it is felt the proposal complies with the climate emergency requirements

Assessment

The proposal is to increase the length of the enclosed part of the lean-to extension approved on application 2019/92740, extending it into the open covered area adjacent to the entrance door to the cottage. The masonry will be in matching stone and the footprint of the structure will remain unaltered. The proposed additional infill is constructed in front of a blank area of wall with no architectural features.

On the north east elevation the proposal is to insert a small glazed panel into a vertical timber external door to the wash house within the cottage. This is a minor intervention into an existing door at low level and is not considered to harm the character or significance of the building.

A proposed structure within the garden is shown on the drawings and this is not a listed building consent consideration and is dealt with in a separate application.

Consultation responses
Kirkburton Parish Council: No comments.

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.”

The proposed minor addition to the approved lean-to extension is constructed in vernacular materials to match the cottage and does not obscure any architectural features. The timber door on the north east elevation is at low level and the glazed panel is small and simple in design.

As this former cottage is listed by association as part of the group it has lower significance than the main house and it is considered therefore that these sensitive interventions are acceptable. The extension of the infilled part of the lean-to is considered to cause slight harm to the character and significance of

the building by obscuring more of the cottage wall. The public benefits of creating a more useable extension, along with increasing the daylight into the wash room, are considered to outweigh the slight harm.

In addition, the proposal is not considered to harm the character and significance of the conservation area as the alterations are minimal and vernacular materials are proposed which blend in with the existing building and surrounding buildings.

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: - 2019/93961
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
Heritage and Design and Access Statement			09 December 2019
Existing and proposed plans and elevations	18.018(2-)005	D	09 December 2019
Proposed plans and site location plan – garden area	18.018(2-)003	A	09 December 2019
Proposed elevations and section garden area	18.018(2-)004	A	09 December 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: 21 January 2020