

**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: 2020/65/90371/W

Site Address: 3, Two Gates, Holme Lane, Slaithwaite, Huddersfield,
HD7 5UG

Description: Listed Building Consent for partial demolition of
existing dwelling and erection of replacement dwelling

Recommending Officer: Laura Yeadon

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: 02-Nov-2020

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2f90371>

Site Description

3 Two Gates is a semi-detached property which is located on the outskirts of the village of Slaithwaite which is also a Grade II Listed Building. The property is two storeys in height and has a lean-to extension to the side and also an attached barn to the rear. To the side of the property was a driveway which led to a single storey stone fronted garage. At the time of the site visit, excavation works had commenced and the garage had been demolished. The property itself is within land without notation on the Kirklees Local Plan with the rear elevation of the property (excluding the barn) forming the boundary with the adjacent expanse of Green Belt. Residential properties are located to the east of the site with Slaithwaite Reservoir to the north, open fields to the south and to the west with Slaithwaite Junior and Infant School to the south-east.

Description of Proposal

Listed Building Consent is sought for the partial demolition of the existing dwelling and the erection of a replacement dwelling.

Partial demolition

It is proposed that the existing side elevation extension would be demolished and replaced with a slightly larger structure and the existing south-west (side) elevation and south-east (front) elevation of the property would also be demolished.

Replacement dwelling

Following the demolition of the side extension and front and side elevations of the host dwelling it is proposed that these will be rebuilt with the addition of a larger side extension. The existing side extension is set a back from the front elevation of the property, projecting to the side by 3 metres with an eaves height of 2.8 metres and overall height of 3.8 metres. The replacement structure would be set back from the front elevation by 1 metre, projecting to the side by 3.1 metres. The eaves height would be 4 metres to match the eaves on the host property and would have an overall height of 5.3 metres with a pitched roof which would be set down from the existing ridge by 0.3 metres.

It is proposed that the external walls would be constructed of re-used natural stone with stone slates for the roof with the windows being timber, painted dark green.

Due to the extent of the works carried out within the property, it is currently supported by a full scaffold restraint system.

Planning permission has also been applied for under application 2020/90371 and runs concurrently with this application.

History of negotiations/amendments received

Relevant Planning History

2020/90370 Partial demolition of existing dwelling and erection of replacement dwelling
Not yet determined – runs concurrently with this application

2020/90321 Demolition of existing garage, erection of new garage to rear and dry stone wall
Conditional Full Permission

2020/90322 Listed Building Consent for demolition of existing garage, erection of new garage to rear and dry stone wall
Listed Building Consent Granted

1995/91622 Listed building Consent for re-use and adaptation of barn/outbuilding to form extension to existing dwelling
Consent Granted

1995/91524 Re-use and adaptation of barn/outbuilding to form extension to existing dwelling
Conditional Full Permission

1986/03534 Listed Building Consent for conversion of barn to form extension to dwelling and erection of porch
Consent Granted

1986/03533 Conversion of barn to form extension to dwelling and erection of porch (Listed Building)
Granted Conditionally

Representations

Final publicity date expired 31st March 2020 – no representations received

Parish/Town Council comments – not applicable

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

Historic England – do not wish to make comments

K.C. Conservation and Design – following initial concerns being raised amended plans have been submitted in accordance with specialist advice. Subject to the imposition of a number of conditions, the scheme is acceptable.

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 property itself is within land without notation on the Kirklees Local Plan with the rear elevation of the property (excluding the barn) forming the boundary with the adjacent expanse of Green Belt. The host property is also a Listed Building with the listing description as follows:

No 3 late C18. No 4 early C19. Two houses. Hammer stone. Quoins to No 3. Stone slate roof. Ashlar chimney to western end. 2 chimneys with square string course and water tabling. 2 storeys. South elevation: No 3: Ground floor; Two 3-light stone mullioned windows (recessed). One 2-light stone mullioned window (recessed). First floor; Three 3-light stone mullioned windows. No 4: Ground floor; One doorway with stone surrounds and tiestones (blocked). One doorway with stone surrounds to porch. One 3-light stone mullioned window. One 4-light stone mullioned window. First floor; One 10-light stone mullioned window (4 lights blocked). East elevation: Ground floor; Barn doorway and one doorway with stone surrounds and tie-stones and modern windows to extension. First floor; One 2-light stone mullioned window. North elevation: No 3: Ground floor; One doorway and one small window with stone surrounds. First floor; One window with stone surround. No 4. Ground floor; One modern window. First floor; One modern window. One 2-light stone mullioned window. West elevation: No 30 . One small window to gable apex with stone surround. Lean-to extension at western end with concrete roof. Single storey porch extension with monopitch stone slated roof at eastern end. Extension to rear of No 3 probably originally a barn.

Kirklees Local Plan:

- **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 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The application seeks Listed Building Consent for sought for the partial demolition of the existing dwelling and the erection of a replacement dwelling.

The application site is a Grade II Listed Building and the proposed works are therefore assessed against the National Planning Policy Framework and the Kirklees Local Plan. Paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also needs to be considered which places a statutory duty on preserving the building or its setting and any features of special historic interest which it possesses.

Paragraph 185 of the NPPF states that development should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and that the desirability of new development making a positive contribution to local character and distinctiveness

As described within the listing description No's 3 and 4 Two Gates form one grade II listed building. No. 3 is a former farm house with an attached barn to the rear, constructed from local stone with a stone slate roof and having traditional details such as quoin stones and mullioned windows.

The existing plans demonstrate that the house has a simple plan with rooms on the ground floor separated by a load bearing wall. The load bearing wall, western chimney stack and staircase of unknown age have all been removed from the property which is currently supported by a fill scaffold restraint system.

A Design, Access and Heritage statement have been submitted which provides some information on the staircase removed from the property and previous alterations. The Council's Conservation and Design Officer has been formally consulted on the proposed works and cites within the response that it is apparent that the staircase was of no particularly great age or architectural quality, the floor boards were narrow softwood and most internal walls have been previously re-plastered in gypsum plaster.

The details have been assessed and Officers consider that providing the basic layout of the property is retained along with features such as the chimney breasts, ceiling beams and roof trusses and the interior refitted with simple traditional internal joinery such as that found at the time the property was

purchased in 2019 then the harm of the internal works undertaken without consent can be largely mitigated. The proposed development largely meets these requirements. To this end, the chimney, to the western end of the building, is to be reinstated to ensure the character of the building is maintained, the details of which are conditioned to make sure the works and materials are acceptable.

In terms of the alterations to the barn, the alteration of the window on the north east elevation into a full opening would be an enhancement and reveal the original function of the part of the building however concerns were raised regarding the levelling of the ground floor as this would result in the loss of the hayloft and stairs and the replacement of king post truss with a queen post truss would be harmful to the significance of the listed building. This however has been addressed with the submission of an amended plan with additional plans being submitted detailing sections for the proposed first floor and wall sections and window details.

With regard to the side extension, it is considered that whilst the existing lean-to has some interest with its vaulted ceiling, it has been heavily altered and is in poor condition. The design of the proposed extension is acceptable subject to being constructed in masonry to match it is considered that the harm to the protected building would be neutral.

Paragraph 194 of the NPPF requires that any harm to the heritage assets require clear and convincing justification. The structural works including the rebuilding of the front and gable are clearly necessary and supported by appropriate justification and a suitable method statement.

Paragraph 196 requires 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. In this instance, it would bring the designated heritage asset into a long term viable use, as previously, occupied as a residential dwelling and would not result in harm to the character or appearance of the building thereby complying with the Local Plan and the NPPF.

Taking into account the proposals and amended put forward in addition to the specific details accompanying the application it is considered that the development, subject to condition which have been agreed by the applicant, meets the requirement of the National Planning Policy Framework.

Representations

None received

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: 2020/90371

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

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 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, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. Prior to occupation of the dwelling, the chimney to the western end of the existing building shall be reconstructed of ashlar masonry. No works to reconstruct the chimney shall take place until a sample of ashlar stone has been submitted to and approved in writing by the Local Planning Authority.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

4. Notwithstanding the submitted details the roof to the new extension shall be reclaimed natural stone slate laid in diminishing courses to precisely match the existing roofing materials adjacent in respect colour and texture.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

5. Before the commencement of any works to the structure of the existing roof, details shall be submitted and approved in writing by the Local Planning Authority showing any components of the roof structure (including trusses, purlins and rafters) to be replaced and setting out the method of ensuring the safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction. Such details to include structural engineering drawings and/or a method statement. The work shall be carried out fully in accordance with the method statement approved.

Reason: For the avoidance of doubt as to what is being permitted and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to accord within Local Plan Policy LP35 and the National Planning Policy Framework.

6. Rainwater goods (gutters, downpipes and hopperheads) shall be in cast-iron painted black, the sectional profile for the rainwater gutters shall be half round supported by rise and fall brackets.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

7. The window frames shall be set back in the reveal by 75 - 100mm.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

8. All facing stonework shall be bedded on and pointed with lime mortar. Before work begins, sample panel(s) of all new and reconstructed facing stonework shall be provided on site showing the proposed stone types, sizes, colour, texture and pointing mortar mix, joint thickness and finish profile. Confirmation of the materials and methods shall be approved in writing with the Local Planning Authority, the works shall be carried out in complete accordance with the approved samples thereafter. The approved sample panel(s) shall be retained on site until the work is completed and the condition is discharged.

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 and to accord within Local Plan Policy LP35 and the National Planning Policy Framework.

9. No works of demolition or alteration by way of substantial partial demolition shall begin before evidence has been submitted to the Local Planning Authority of a binding contract for the full implementation of the comprehensive scheme of development and associated planning permission for which the contract provides.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16

of the Planning (Listed Buildings and Conservation Areas) Act 1990 asset and to accord within Local Plan Policy LP35 and the National Planning Policy Framework.

10. Before work begins to install the large windows and sliding timber doors to the former barn, drawings to a minimum scale of 1:20 on elevation and 1:5 on plan and in section fully detailing the replacement windows and sliding timber doors shall be approved in writing by the Local Planning Authority. The works shall be carried out in complete accordance with the approved drawings and so retained thereafter.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

11. Prior to occupation of the dwelling, traditional timber staircases, skirting boards, internal doors and door surrounds shall be reinstated throughout the listed building. No works to the reinstate the interior shall be carried out until drawings to a minimum scale of 1:20 on elevation and 1:5 on plan and in section fully detailing the replacement staircases, skirting boards, internal doors and door surrounds have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in complete accordance with the approved drawings and so retained thereafter.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

12. Prior to occupation of the dwelling, a flag stone floor shall be reinstated to the dining area, the flag stones shall precisely match those removed from the listed building in respect of size, colour and texture. No works to relay the flag stones to the floor of the dining area shall take place until a sample of Yorkshire stone flag flooring has been submitted to and approved in writing by the Local Planning Authority.

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 Local Plan Policy LP35 and the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	1106 (PL) 01		5 th February 2020
Existing elevations and floor plans	1106 (PL) 02		5 th February 2020
Proposed elevations and floor plans	1106 (PL) 03 – Rev: E		5 th July 2020
Demolition plan	1106 (PL) 101		5 th February 2020
Floor and wall details	1106 (PL) 11 – Rev: A		5 th July 2020

Plan Type	Reference	Version	Date Received
Window details	1106 (PL) 12 – Rev: A		5 th July 2020
Structural Report	MDL-3248 dated 19 th December 2019		5 th February 2020
Design and Access Statement			5 th February 2020
Method Statement			5 th February 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. The Local Planning Authority have negotiated and advised the applicant and Agent throughout the application process with amended and additional plans being submitted.

Report Dated:

29th October 2020

Coal - none