

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:	2020/65/94197/W
Site Address:	78, Wellhouse Green, Golcar, Huddersfield, HD7 4ET
Description:	Listed Building Consent for erection of single storey extension to side (within a Conservation Area)
Recommending Officer:	Sam Jackman

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 14-Jun-2023

Officer Report – Listed Building - 2020/94197

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2F94197>

Site Description

78 Wellhouse Green, Golcar is a semi-detached weaver's cottage, a Grade II Listed Building constructed from stone with a stone tiled roof and within Wellhouse Conservation Area.

To the north is an existing lean-to extension but it is unclear if this is original or built before or after 1948. However, given the stonework it looks to be a new extension built after 1948, but may have replaced an earlier lean-to outhouse looking at the existing gable wall with cleaner stonework to the upper half.

There is a garden to the front & side with the rear elevation backing up to the hillside. There is also a timber outbuilding to the north and boundary fence along the front which are both unauthorised.

The property lies close to the highway, with the adjoining semi-detached dwelling to the south and terraced properties to the front and rear.

The listing description is as follows where the property is known as 78 Lower Wellhouse Road.

Late C18 to early C19. Two houses. Hammer dressed stone. Large quoins to east elevation. Pitched stone slate roof. Coped gables onto moulded footstones. 3 ashlar stacks. 2 storeys (ground floor back to earth). East elevation has: Ground floor; Entrance with stone surround. One 5-light stone mullioned windows; three 4-light stone mullioned windows. First floor; Two 4-light stone mullioned windows; Two 3-light stone mullioned windows (one has one light blocked). West elevation has: Two entrances with stone surrounds (one part blocked. North gable has: Ground floor; Small lean-to extension. First floor; One 3-light stone mullioned window (each side light blocked). Attic; Two single lights with stone surrounds (blocked)

Description of Proposal

The application is for the extension to an existing single storey lean-to side extension, to create an additional bedroom with new entrance lobby.

The measurements of the proposal are as follows:

- 3.4m in projection from the gable
- 5.9m in depth with a 0.95m set back from the front elevation.
- 2.6m in height to the eaves; 3.55m in overall height

The proposed extension would be built from materials to match the host property using natural stone with a stone slate roof.

History of negotiations/amendments received.

Negotiations have taken place with the applicant/agent due to the application being unacceptable in its submitted format, given its size and that in 2009, a single storey side extension was proposed and refused.

Following delays with the applicant and family, amended plans have been received to show a single storey side extension to reflect comments from our Listed Building officer.

Further discussions with the applicant regarding window arrangements have taken place, with other examples been given.

Relevant Planning History

97/91684 - Listed building consent for external and internal alterations to convert two dwellings into one - consent granted.

2009/90504 - Demolition of existing single storey extension and erection of single storey extension (Listed Building within a Conservation Area) – Refused

The proposed extension by virtue of its design and materials of construction is considered to have a detrimental impact on this Grade II Listed Building and would neither preserve nor enhance the character or appearance of the Wellhouse Conservation Area. To approve the application would be contrary to policy BE5 of the Kirklees Unitary Development Plan and national planning advice in PPG15 (Planning and the Historic Environment)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2009%2F90504>

2009/90505 - Listed Building Consent for demolition of single storey extension & erection of single storey extension (within a Conservation Area) = Consent Refused

<<https://mapping.kirklees.gov.uk/connect/analyst/mobile/#/main?mapcfg=Planning%20-%20Development%20Management>>

2020/94196 - single storey side extension – current

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice and newspaper advertisement, which expired on the 19.2.21, whereby no representations have been received.

The amended plans have been received where a site notice has been posted on the 23rd March, along with a press advert on the 24th March 2023 where both expired by the 14th April 2023, whereby no representations have been received.

The changes to the fenestration details (window arrangement) were marginal changes to the proposal's and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

Consultation Responses

K.C Conservation and Design – support amended plans

Policy

The site is unallocated on the Kirklees Local Plan a grade II Listed Building within Wellhouse Conservation Area and falls within an area with a known presence of bats.

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 21st July 2021, 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.

Legislation

The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990

Assessment

Principle of development:

The key issue for consideration in this case is the impact on the significance of the listed building.

Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.”*

Listed Buildings are designated heritage assets and Paragraph 194 of the NPPF states that: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.”*

Paragraph 199 of the NPPF state 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 200 of the NPPF goes on to state that: *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

Policy LP35 of the Kirklees Local Plan echoes this guidance and 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.”* It goes on to require proposals to retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that the proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

An allied Planning application has been submitted under application 2020/94196, which specifically assess the impact of the development on a variety of other material planning considerations.

The site is designated within Wellhouse Conservation Area and is a grade II Listed Building. 78 Wellhouse Green is grade II listed building along with the adjacent property 76 Wellhouse Green. It is a vernacular building dating from the late 18th to early 19th century. It is constructed of local hammer-dressed stone with quoin stones to the front corner. It has a stone slate roof and has coped gables with stone kneelers. There are stone surrounds to doors and stone surrounds and mullions to windows, indicative of the building's use for domestic weaving.

The proposed development directly impacts the north elevation, which has a small lean-to extension to the ground floor, one 3 light stone mullioned window to the first floor (one light blocked) and two single lights with stone surrounds (blocked) to the attic.

76 and 78 Wellhouse Green are good examples of vernacular dwellings of the late 18th or early 19th century. They illustrate the working arrangements of the textile industry prior to its full mechanisation in the mid-19th century. They make a positive contribution to the character and appearance of the Wellhouse Conservation Area.

In 2009 a similar application was submitted which in principle was considered to be acceptable. However, due to the detailed design of the proposal with regards to obscuring the quoins of the existing dwelling, fenestration detailing with a central door and 3 large rooflights and materials of construction with artificial stone slate roof and with double glazed windows, it was considered that the extension would have had a detrimental impact on the character and appearance of the conservation area and Listed Building, contrary to policy BE5 at the time.

The application as amended is of a similar size to the 2009 application, however, the front elevation has been set back 0.9m to reveal the quoins, the fenestration details reflect the existing extension with a single window to the right of the entrance and with only 1 roof light. Materials proposed are natural stone with a stone slate roof.

The extension is considered to relate well to the host building and have an acceptable impact on visual amenity in general. It is now a modest proposal in a quality design that would provide an organic addition to the host dwelling and improve on the appearance of the existing smaller side extension. The detailing would ensure that the overall impact would be neutral to the significance of the listed building.

Given the above, subject to conditions, it is considered that the proposal would comply with Kirklees Local Plan Policies LP24 and LP35 and Chapter 16 of the National Planning Policy Framework.

Representations:

It should be noted that no representations have been received as a result of site publicity.

The final amended plans were considered to make marginal changes to the proposal's design and as such were not publicised on the basis it was considered the plans as advertised adequately alerted the public to the nature of the proposed development.

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: 2020/94197

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 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 preserve the significance of the listed building and to accord with Policies LP24 & LP35 of the Kirklees Local Plan and to accord with policies within Chapter 16 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building, re-using the existing slates and natural stone where possible.

Reason: In the interests of the significance of the listed building and to accord with Policies, LP24 & LP35 of the Kirklees Local Plan, and policies within Chapter 16 of the National Planning Policy Framework.

4. All new window surrounds for the heads, cills and jambs shall be natural stone reusing the existing ones where possible.

Reason: In the interests of visual amenity and sustaining the architectural significance of the listed building to accord with Policies LP24 and LP35 of the Kirklees Local Plan and to accord with policies within chapter 16 of the National Planning Policy Framework.

5. The existing windows shall be re-used where possible, otherwise the replacement windows frames shall be of timber construction with a painted finish. Mouldings, timber sections and glazing shall be of a traditional design, details of which (to be shown at a scale of 1:20) shall be submitted to and approved in writing by the Local Planning Authority before any new windows frames are installed. The works shall be completed in accordance with the approved details before the development is first occupied and thereafter retained as such.

Reason: In the interests of the significance of the listed building and to accord with Policies LP24 & LP35 of the Kirklees Local Plan, and policies within Chapter 16 of the National Planning Policy Framework.

6. Window frames shall be recessed a minimum distance of 75mm from the face of the building.

Reason: In the interest of visual amenity and to sustain the significance of the heritage asset, to comply with Policies LP24 & LP35 of the Kirklees Local Plan, and policies within Chapter 16 of the National Planning Policy Framework.

9. Any pointing/repointing shall be recessed and undertaken using a lime mortar.

Reason: In the interest of visual amenity and to sustain the significance of the heritage asset, to comply with Policies LP24 & LP35 of the Kirklees Local Plan, and policies within Chapter 16 of the National Planning Policy Framework.

7. The rooflight shall be a Conservation rooflight, to ensure it sits entirely flush to the roof plane and retained as such thereafter.

Reason: In the interests of visual amenity and sustaining the architectural significance of the listed building to accord with Policies LP24 and LP35 of the Kirklees Local Plan and to accord with policies within chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing & proposed layout & elevations / location plan	20 J 41.01	E	8.6.23
Heritage Statement			12.6.23

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 Case Officer requested amended plans during the process of the application to seek an amendment which would reduce the impact of the development on the visual amenity and the impact on the grade II Listed Building.

Report Dated: 14.6.2023

Coal - none