

**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: 2021/65/90322/W

Site Address: Gill Birks Farm, 5, Gill Birks, Meltham, Holmfirth, HD9 4DZ

Description: Listed Building Consent for erection of extension and alterations to attached garage/workshop to extend living accommodation (Listed Building within a Conservation Area)

Recommending Officer: Craig McHugh

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.

Nick Grimshaw

AUTHORISED OFFICER

Date: 24-Mar-2021

Officer Report

Site Description

Gill Birks Farm is a farmhouse with attached former barn, having an L shaped footprint. The building is constructed of hammer-dressed stone with a stone slate roof. Within the right-angle formed by the 'L' is surfaced parking, with the surrounding land being garden. Access is taken via an unadopted lane that also serves 9 Gill Birks which is to the east – besides this property, the site is surrounded by open fields and a golf course.

Gill Birks Farm falls within the Wilshaw Conservation Area, the farmhouse is grade II listed, the former barn is a structure attached to the farmhouse and therefore forms part of the listed building. The proposed alterations relate to the former barn. This is also constructed of hammer dressed stone with a stone slate roof and has quoin stone to its north east and north west corners.

Door and windows openings have been altered prior to listing, they incorporate some original elements such as stone jambs and surrounds paired with newer concrete lintels.

Two garage doors have been inserted in the east elevation.

Description of Proposal

Listed Building Consent for erection of extension and alterations to attached garage/workshop to extend living accommodation (Listed Building within a Conservation Area)

The works comprise the following alterations to the former barn:

- A two-storey extension to the north gable end
- Internal alterations
- Installation of five new rooflights
- Alterations to the entrance on the east elevation to include a canopy porch
- Alterations to garage doorway to form a large glazed window
- Two new window openings with new timber windows on the west elevation and infilling one existing window opening
- Two replacement timber windows on the south elevation

A related planning application (2020/91235) for variation of condition 2 (plans and specifications) has recently been approved. The proposed alterations are also of a similar nature to those previously approved under applications 2019/90739 and 2020/91236.

History of negotiations/amendments received

A revised Design & Access Statement was received on 04/03/2021.

Relevant Planning History

Plan_Ref	Proposal	Decision
86/00374	Listed Building Consent for extension to porch to form toilet, erection of new chimney, part re-roofing and formation of new windows & gable wall	CONSENT GRANTED
86/00567	New chimney and gable wall	GRANTED CONDITIONALLY
86/01749	Conversion of storage space into self-contained	PERMITTED DEVELOPMENT
89/06769	Erection of bay window extension to dining room (Listed Building)	REFUSED
89/06768	Listed Building Consent for bay window extension	REFUSED
91/00917	ERECTION OF 2 STOREY EXTENSION	CONDITIONAL FULL PERMISSION
91/00918	LISTED BUILDING CONSENT FOR ERECTION OF EXTENSION (WITHIN CONSERVATION AREA)	CONSENT GRANTED
2011/91539	Listed Building Consent for replacement of modern Georgian style door with a traditionally styled stable type door (within a Conservation Area)	CONSENT GRANTED
2019/90738	Erection of extension and alterations to attached garage/workshop to extend living accommodation (Listed Building within a Conservation Area)	CONDITIONAL FULL PERMISSION
2019/90739	Listed Building Consent for erection of extension and alterations to attached garage/workshop to extend living accommodation (within a Conservation Area)	CONSENT GRANTED
2020/91235	Erection of extension and alterations to attached garage/workshop to extend living accommodation (Listed Building within a Conservation Area) (modified proposal)	CONDITIONAL FULL PERMISSION
2020/91236	Listed Building Consent for erection of extension and alterations to attached garage/workshop to extend living accommodation (within a Conservation Area)	CONSENT GRANTED
2020/93674	Variation of condition 2. (plans and specifications) on previous permission no. 2020/91235 for erection of extension and alterations to attached garage/workshop to extend living accommodation (Listed Building within a Conservation Area)	REMOVAL OR MODIFICATION OF CONDITION(S)

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.

No representations have been received.

Date site notice expired: 12/03/2021

Publicity expiry date: 12/03/2021

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).

Local Plan

- LP35 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)

Access considerations

None.

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 proposed materials for the extension and alterations, natural stone, aluminium and timber are considered to have comparatively low carbon footprints and are readily recyclable at the end of their life.

Assessment

Significance of the affected heritage assets

Paragraph 189 of the NPPF requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting, consult the historic environment record, use appropriate expertise where necessary and where there is known or potential archaeological interest, submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The applicant has provided a heritage statement. The Historic Environment Record holds no further information relevant to the application.

Paragraph 190 of the NPPF requires that the Local Planning Authority identify and assess the particular significance of any heritage assets affected and take this into account when considering the impact of the proposal on a heritage asset.

The proposed works affect the grade II listed Gill Birks Farmhouse, which is a good example of a vernacular building. The former barn is attached to the farmhouse and therefore forms part of the listed building. The former barn has been substantially altered, as noted in the list description. The farm makes a positive contribution to the character and appearance of the Wilshaw Conservation Area.

Impact of the proposed alterations

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 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.

LP 35 of the Local Plan requires that proposals affecting a designated heritage asset should preserve or enhance the significance of the asset.

Paragraph 193 of the NPPF requires 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.

The most significant aspect of the proposed alteration is the extension to the north gable of the former barn. This will be set in from the quoin stones to the north east corner of the building. The walling will be reclaimed natural stone. The roof will be natural stone slates. As per the recent approval 2020/93674, the walling and roofing materials should be conditioned to match the existing. The fenestration will be contemporary in design with aluminium frames. The north elevation incorporates large bifold doors to the ground floor and sliding doors and a glass balustrade to the first floor. The extension will read as a modern addition, subservient to the existing building. The north elevation is not visible from any publicly accessible vantage points. It will not have an adverse impact on the significance of the listed building or its setting.

The alterations to doorways, window openings and to replace existing timber windows all concern openings that have previously been altered. They will not have an adverse impact on the significance of the listed building or its setting.

Subject to the use of conservation style rooflights, the additional rooflights will not have an adverse impact on the significance of the listed building or its setting. As per the recent approval 2020/93674, conservation style rooflights should be conditioned.

The interior of that part of the former barn to be altered is not of interest. The works will not have an adverse impact on the significance of the listed building.

In summary, the works will cause no harm to the significance of the listed building, which primarily resides in the farmhouse.

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 – GRANT CONSENT

Decision Authorisation - Delegated Powers

Application Number: 2021/90322

Officer Recommendation: GRANT CONSENT

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 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.

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.

Reason: In the interests of visual amenity, to preserve the significance of designated heritage assets and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

4. The hereby approved rooflights shall be of a conservation style and shall be installed flush with the roofline so they do not protrude above.

Reason: In the interest of visual amenity and so as to sustain the significance of the heritage asset, and those surrounding, to comply with LP24 and LP35 of the Kirklees Local Plan as well as Chapters 12 and 16 of the National Planning Policy Framework

NOTE: The Council's Environment Officer has previously commented on application 2020/93674 that a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Design & Access Statement			04/03/2021
Heritage Statement			29/01/2021
Proposed Plans and Elevations Opt1	1667 (PL) 02G		29/01/2021
Existing Plans and Elevations	1548 (0-) 01C		29/01/2021

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.

Report Dated:

24/03/2021
