

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: 2021/65/92757/E

Site Address: 30, North Gate, Upper Hopton, Mirfield, WF14 8ET

Description: Listed Building consent for erection of single storey
rear extension and alterations

Recommending Officer: Jennifer Booth

DECISION – LISTED BUILDING CONSENT GRANTED

**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.**

Paul Dowd

AUTHORISED OFFICER

Date: 28-Sep-2021

OFFICER REPORT

Site Description

30 North Gate is a mid-terrace dwelling situated in a semi-rural location at Upper Hopton, which is on the outskirts of Mirfield. The original dwelling houses were built in the early nineteenth century as part of a row of cottages. The property is Grade II listed building, which was listed in July 2005. The front of the property is hammer-dressed stone with one, three-light window at ground floor and two, two-light windows at first floor. The roof is stone slate with brick chimneys. There are recent extensions to the rear elevations, including the one to the rear of the application property. This is a two-storey rear extension with a flat roof. The rear extension was built in the early 1980s from block and render.

The house backs onto open fields, with similar properties to either side and there is a stone-built dwelling on the opposite of the road.

Description of Proposal

The applicant is seeking listed building consent for a single-storey rear extension.

The proposed extension would be located to the rear of the dwelling, at the side of the existing two-storey extension. It would have a projection of 3.5m and a width of 2.6m with a lean-to roof form, which would incorporate roof lights.

The walls are proposed to be blockwork and render, with stone slates for the roof covering

Relevant Planning History

Concurrent application for planning permission under 2021/92756.

Representations

The application was advertised by site notice and press notice, which expired on 26/08/2021.

Following the above publicity, no representations were received.

Mirfield Town Council was consulted, although no comments were received.

Consultation Responses

None.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 Green Belt on the Kirklees Local Plan proposals map

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.

Kirklees Local Plan Policies

- **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 20th July 2021, and 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 16 – Conserving and enhancing the historic environment

Assessment

The NPPF seeks a presumption in favour of sustainable development and seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings, as well as taking account of the character of different areas and the way they function.

The host property is a listed building. Paragraph 197 of the NPPF highlights, amongst other things, the desirability of new development making a positive contribution to local character and distinctiveness. Policy LP35 of the Kirklees Local Plan (KLP) states that development affecting a designated heritage asset should preserve or enhance the significance of the asset.

The listing for the dwelling confirms that it is a Grade II listed building, which dates from the mid-19th century. It is likely that it is a former weaver's cottage, as it has small openings in terms of the windows and doors. The building forms an attractive feature at the front, which has been well preserved. However, the rear elevation has undergone some unsympathetic extension in the 1980s. The works proposed now are also to be sited to the rear, infilling the area between the existing flat roofed extension and the adjoining neighbour's extension. Given the modest scale and position of the single storey extension proposed, there would be less than substantial harm to the character of the listed building.

The proposal was discussed with the Conservation & Design Officer at the formal pre-application stage and officers are satisfied that the single-storey extension proposed would be in keeping with the house and would be acceptable in terms of its effect on the listed building.

Conclusion:

The proposals are, therefore, considered to be acceptable in terms of the listed building and in compliance with KLP policy LP35 and the advice within chapter 15 of the NPPF.

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.

As set out above, 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 it is, therefore, recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2021/92757

Officer Recommendation: Approve

Conditions and Reasons

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP35 of the Kirklees Local Plan, and the aims 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.

Reason: In the interests of visual amenity and to accord with Policy LP35 of the Kirklees Local Plan, and the aims of chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Web ID	Date Received
Location plan	-	883338	06/07/2021
Existing plans	-	883340	06/07/2021
Proposed floor plans	-	883336	06/07/2021
Proposed elevations	-	883337	06/07/2021
Heritage statement	-	883536	06/07/2021

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 Planning Authority has, 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.

As the submitted plans were considered acceptable, no changes were sought.

Report Dated

01/09/2021