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:	2021/65/93101/W
Site Address:	3, Fernside Avenue, Almondbury, Huddersfield, HD5 8NR
Description:	Listed Building Consent for internal and external repair and refurbishment work
Recommending Officer:	Sue Brooks

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: 09-Nov-2021

Officer Report

Site Description

3 Fernside Avenue is one of a pair of three-storey weavers' cottages dating back to the early or mid-nineteenth century, situated in the village of Almondbury. This Grade II listed building is constructed from hammer dressed stone with a stone slate roof and ranges of small, mullioned windows on the three floors of the south-east facing front elevation. The rear elevation is simpler, with pairs of mullioned windows on each floor and a lower level of architectural detailing.

Description of Proposal

The proposal is for internal and external repair and refurbishment work to bring the property back into habitable use.

History of negotiations / amendments received

Amendments were requested, along within the clarification of details, and these are summarised below:

- Bin store re-located to the rear of the building and shown on a revised site plan
- Design of window two amended and shown on a revised elevation drawing
- Amended details of the proposed windows were submitted
- Details of the proposed external doors were submitted
- Detail of the proposed beams were submitted

Relevant History

None.

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 alterations include the replacement of the existing late 20th century timber framed windows, which are in a poor condition. The proposed replacements incorporate double-glazed units with an 8mm gap and Low E glass. These measures will improve the thermal performance of the windows. In addition, a new heating system and energy efficiency improvements such as internal wall insulation are proposed. It is therefore felt that the proposal complies with the climate emergency requirements.

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. One representation has been received, supporting the proposal.

The following is a summary of the comments made:

- This appears to be a very thorough restoration of part of an important group of early C19 former weaver's cottage within the Almondbury Conservation Area.

Date site notice expired: 29/09/2021

Publicity expiry date: 18/09/2021

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).

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 July 2021, 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).

Assessment

The proposal is for internal and external repair and refurbishment work to bring this vacant property back into habitable use.
The building is currently vacant and in a state of disrepair, with some poor-quality repairs externally and little of significance remaining internally. The building does however retain characteristic architectural features of a 19th century weaver's cottage and makes a strong contribution to the character and history of Almondbury, where it is situated in prominent location within the village.
The existing storm proof timber framed windows were fitted in the late 20th century and are in a poor condition, and therefore their replacement is proposed. The new windows are timber framed fixed light and casement windows with simple chamfered beads and flush openers, incorporating slim double-glazed units. As the existing windows are not historic, the use of double-glazing is considered acceptable.
The rectification of previous poor quality fabric repairs is supported, including the careful removal of cement render and strap pointing, with re-pointing in lime mortar and stone repairs where necessary.
Breathable internal wall insulation is proposed to the internal face of the external walls to improve the thermal performance of the building. As there is very little of significance internally, this intervention is acceptable. Again, the rebuilding of the twentieth century staircase within the property does not affect the historic fabric and is not of concern.
Deflection of the ceiling beams on the ground and first floor was noted in a structural report. The proposal is to provide additional support with steel beams inserted alongside the historic beams. Where visible, the new beams will be clad to reduce their visual impact, and this will provide adequate support for the floors above while retaining the historic fabric.
The proposals above will ensure that the building is brought back into a viable use and provide residential accommodation of a high standard. It will enhance the building by removing poor quality interventions, reinstating traditional details and carrying out essential repairs.

One representation has been received, supporting the proposal, and this has been summarised below:

- This appears to be a very thorough restoration of part of an important group of early C19 former weaver's cottage within the Almondbury Conservation Area.

Response: Comments noted, although the building is not within the Almondbury Conservation Area.

Conclusion

Paragraph 199 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 202 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 proposal enhances the heritage asset by carrying out essential repairs and removing harmful interventions. The insertion of double-glazing causing less than substantial harm, however, the public benefits of carrying out repair and restoration work which brings this building back into a viable use outweighs this slight harm.
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.

The proposed restoration and repair of this building will enhance the character and appearance of the listed building.

This application has been assessed against relevant policies in the development plan and other material considerations. The public benefits outweigh the slight harm, and this application is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers
Application Number: - 2021/93101
Officer Recommendation: Grant Consent

Conditions:

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 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. New windows shall be timber in a white painted finish, with mouldings and timber sections simple in design and profile with chamfered glazing beads. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. Opening casements shall be set flush with the frames with butt hinges and all new window frames shall be set back in the reveal by 75-100mm and shall not be fitted flush with the external wall. **External stone sills shall not be dressed to form a chamfer.**
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion in order to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

4. Notwithstanding the details provided, new external doors shall be constructed in timber with a painted finish, with mouldings and timber sections to match the details of the timber front door at 1 Fernside Avenue. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. All new external door frames shall be set back in the reveal as existing and shall not be fitted flush with the external wall.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion in order to retain the significance of the designated heritage asset and to accord with

Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Heritage Impact Assessment			3 August 2021
Design and Access Statement			3 August 2021
Site Plan	FA-BTP-01-SP-DR-A-3822-108	2	8 November 2021
Existing floor plans	FA-BTP-00-ZZ-DR-A-3822-105		3 August 2021
Proposed floor plans	FA-BTP-01-ZZ-DR-A-3822-106	1	9 November 2021
Existing elevations	FA-BTP-00-E-DR-A-3822-107		3 August 2021
Proposed elevations	FA-BTP-00-E-DR-A-3822-108	4	8 November 2021
Window details	FA-BTP-01-ZZ-DR-A-3822-117	1	4 November 2021
External door details	FA-BTP-01-ZZ-DR-A-3822-118	1	8 November 2021
Location Plan	FA-BTP-01-LP-DR-A-3822-100		3 August 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 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: 9 November 2021