

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:	2021/65/93492/W
Site Address:	Midway House, 51 & 53, Huddersfield Road, Meltham, Holmfirth, HD9 4AF
Description:	Listed Building Consent for demolition of existing extensions and alterations to offices to form 2 dwellings and formation of parking (within a Conservation Area)
Recommending Officer:	Stuart Howden

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: 01-Jul-2022

Officer Report

Site Description

Midway House, 51 & 53 Huddersfield Road, Meltham, Holmfirth, HD9 4AF

Midway House is a Grade II listed three-storey end of terraced building. This weaver's house, dating back to the early 19th Century, is constructed from hammer dressed stone with ranges of mullioned windows, a stone slate roof and a symmetrical façade. To the rear of the building is a relatively long single storey extending element. Vehicular access to the site is off Huddersfield Road to the west of Midway House, and this access leads to a courtyard area to the rear of the building. This access is shared with other properties.

The site is within the Meltham Conservation Area and is adjacent to the Grade II listed building of 55,57,59,61 Huddersfield Road.

Description of Proposal

Listed building consent is sought for demolition of existing extensions and alterations to offices to form 2 dwellings and formation of parking.

It is proposed to convert the building into two residential dwellings, and to facilitate this external and internal alterations are proposed.

As well as the demolition of the rear extensions, this also includes a conservation rooflight on the rear roof pitch as well as new openings to the rear at ground floor level.

Further to this, the repositioning of the front boundary wall at the side of the front garden is proposed to improve sight lines for vehicles exiting the rear yard and to provide a bin collection area.

Internally, the reconfiguration of the layout is proposed so as to accommodate two dwellings within the building.

The change of use itself is not for consideration under this listed building application. However, this will be assessed under the planning which has been submitted alongside this application for Listed Building Consent (LPA ref: 2021/93491).

History of negotiations/amendments received

Revised plans were also submitted omitting a second floor window and replacing with a rear rooflight and such a change is considered acceptable. A revised site plan and Heritage Statement were also submitted.

As this additional information did not materially alter the siting, form and appearance of the building, it was not considered necessary to re-consult following the receipt of this (i.e. no third party would be prejudiced).

Relevant Planning History

2020/92846 – Outline application for erection of residential development and demolition of outbuilding – Withdrawn.

2020/92847 – Alterations to convert offices to 2 dwellings, demolition of extensions and formation of parking – Withdrawn.

2020/92848 – Listed building consent for alterations to convert offices to 2 dwellings, demolition of extensions and formation of parking – Withdrawn.

2021/93491 – Demolition of existing extensions and alterations to offices to form 2 dwellings and formation of parking – Pending consideration. This application was submitted alongside this Listed Building Consent Application currently being assessed by Officers.

2021/93604 – Outline application for erection of residential development – Pending consideration.

2021/93622 – Partial demolition, change of use and alterations to form dwelling – Pending consideration.

Representations

Final publicity date expires:

Site Notice expired on 7th October 2021; Press Notice expired on 15th October 2021.

No comments were received.

Consultation Responses

Meltham Town Council: No comments received.

Historic England: No objections raised.

KC Conservation and Design: No objections subject to conditions.

National Amenity Societies: No comments received.

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).

Kirklees Local Plan (LP):

- **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 20th 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 16** – Conserving and Enhancing the Historic Environment

Other Considerations:

- Kirklees Housebuilders Design Guide SPD (2021)
- Kirklees Highways Design Guide SPD (2019)
- Waste Management Design Guide for New Developments (Version 5, October 2020)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including the impact upon the historic environment)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – 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.”*

In terms of the demolition of the rear extension element, to create space for amenity and parking, the Council’s Conservation Officer outlines that the northern most element of this extension was constructed in the late 20th Century and the Conservation Officer considers this element to have a low level of significance. Officers concur and like the Conservation Officer, consider that the demolition of this element is acceptable and would not cause harm to the significance of the listed building.

The single storey extension element attached to the rear of the main body of the dwelling appears to date back to the 19th Century. The Conservation Officer notes that this element retains architectural features such as the ashlar door surrounds, gutter corbels, stone slate roof and chimney stack. The Conservation Officer states that the Heritage Assessment provides justification for the demolition of these extensions by fully assessing their levels of significance and concluding that they have low to medium value. The Conservation Officer states that their removal will reveal the preserved stone elevations of the weaver’s house, enhancing the significance of this heritage asset and revealing the original fabric. Officers concur with this assessment.

The Conservation Officer has requested conditions in relation the demolition of the extension and the treatment of the rear wall and these can be attached should consent be granted.

In terms of the external alterations to the building, no alterations are proposed to the principal elevation. A conservation roof light is proposed on the rear roof pitch above a new en-suite. The Conservation Officer has stated that this will provide natural light and ventilation into the space without causing damage to the architectural detailing of the former loading doorway on the rear elevation.

It will be conditioned that the rooflight is a conservation rooflight as advised by the Conservation Officer.

The reinstatement of an existing infilled doorway on the rear elevation is proposed to provide access to one of the two units, with the doorway into the extensions reinstated as an external doorway. New timber external doors are proposed, and whilst there are no objections to this, the Conservation Officer has requested that details of these are submitted for approval. The Conservation Officer has also requested that these are of a timber vertical boarded condition, and these are set approximately 100mm into the reveal. Such a condition has been attached.

The repositioning of the front boundary wall at the side of the front garden is proposed to improve sight lines for vehicles exiting the rear yard and to provide a bin collection area. The existing wall is aligned with the gable end of the building and is approximately 1m high, constructed in coursed hammer dressed stone with quoins at the front corner and stone slab copings. It is proposed to set the wall 1m to the east, into the front garden, with the removal of a small section of the symmetrical front boundary wall. This wall is constructed from large vertically bedded ashlar slabs and this alteration will lead to slight harm to the significance of the listed building by altering a historic boundary feature. However, it is understood that a bin collection area is required at the front of the building, and this will provide this without cluttering the footway of Huddersfield Road.

In terms of the internal works, the Conservation Officer has stated that the barrel-vaulted cellar, the stone staircase which leads up to the second-floor level, and the window surrounds are the only internal historic features of note which survive. The Conservation Officer goes on to note that the interior of the building has been largely altered to suit its commercial use and consists predominantly of modern partitions. The Conservation Officer concludes that the proposed reconfiguration of the internal layout is therefore acceptable as it retains the surviving historic features within the building without impacting on the historic fabric.

Given the above, it is considered that the proposal would cause less than substantial harm to the significance of the Grade II listed building of Midway House due to the changes to the front boundary and the loss of the 19th Century element of the rear extension.

As outlined in Paragraph 202 of the NPPF, 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.

It is considered that the harm caused by the demolition of the mid-19th Century addition is outweighed by the public benefits of revealing the historic fabric of the original weaver's house. Further to this, the proposal would return the building into a residential use and give the building a viable and sustainable use, and the movement of the front wall would improve the safety of access.

These public benefits combined are considered to outweigh the less than substantial harm to the significance of Midway House and Meltham Conservation Area identified.

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.

Conclusion:

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
Consent**

Grant Listed Building

Decision Authorisation - Delegated Powers

Application Number: 2021/93492

Officer Recommendation: Grant Listed Building 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 Order 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: To ensure that the proposed works preserve the character and appearance of the Listed Building and to accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

3. Within 3 months of the demolition of the rear extensions, the external masonry of the building shall be cleaned. This cleaning shall not take place until full details of the specification of cleaning methods have first been submitted to and approved in writing by the Local Planning Authority. A 1sq.metre sample panel of cleaning shall be prepared on site and approved in writing by the Local Planning Authority before stone cleaning commences. Thereafter the stone cleaning undertaken shall be in accordance with the agreed details.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4. Any holes in the external masonry, from the removal of redundant equipment and the demolition of the extensions, shall be infilled with stone to match the existing, in terms of tooling, coursing, stone type and size.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Re-pointing shall be carried out using a 1:3 NHL3.5 hydraulic lime well graded sharp sand mortar unless otherwise agreed in writing by the Local Planning Authority. No power tools shall be used to remove any existing mortar and the mortar shall be flush pointed.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply

with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

6. The two new external doors at the rear of the building shall be of a timber vertical boarded construction and shall be set approximately 100mm into the reveal. No works to install the external openings shall take place until design (at 1:20 scale) and joinery details (at 1:5 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

7. The roof light hereby consented on the rear roof slope shall be a CR01-2 conservation rooflight or similar style.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework

NOTE: In relation to condition 5, weatherstruck, strap or ribbon pointing is not permitted

NOTE: The applicant is reminded that the carrying out of unauthorised work to a listed building is an offence, punishable by a fine, imprisonment or both, as detailed in Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

NOTE: This decision notice does not grant Listed Building consent for the advertisements displayed on building, including the hanging sign to the front of the building, on Drawing No. 3510-02. A separate listed building consent application will be required for these.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form	-	-	2 nd September 2021
Location Plan a scale of 1:1250	-	-	7 th September 2021
Existing Floor Plans	2015-011	-	2 nd September 2021
Existing Elevations	2015-02	-	2 nd September 2021
Amended Proposed Floor Plans	2015-04	B	6 th October 2021
Amended Proposed Elevations	2015-05	B	6 th October 2021
Proposed Site Plan	2015-06	B	22 nd October 2022
Proposed Site Plan	2015-08	A	2 nd September 2021

Plan Type	Reference	Version	Date Received
Design and Access Statement incorporating Heritage Statement by Northern Design Partnership dated September 2020	-	-	2 nd September 2021
Heritage Assessment - Updated by Archaeological Research Services dated November 2020	2020/170	-	17 th December 2021
Topographical Survey	NDP/369/SP	-	2 nd September 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.

Officers requested a highways statement for the allied planning application, and this was later submitted by the applicant's agent and was considered satisfactory. Revised plans were also submitted omitting a second floor window and replacing with a rear rooflight and such a change is considered acceptable.

Report Dated: