

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: 2021/65/94154/W

Site Address: 6, Rowley Hill, Common End Lane, Lepton,
Huddersfield, HD8 0JF

Description: Listed Building Consent for conversion of existing
garage in to living space and replacement of garage
door

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: 17-Dec-2021

Officer Report

Site Description

6 Rowley Hill is one of a pair of Grade II listed, two-storey cottages, 6 and 8 Rowley Hill, which are constructed in coursed stone with mullioned windows, heavy quoins and a stone slate roof with stone kneelers. Attached to the north of 8 Rowley Hill is a two-storey converted stone barn and the proposal is within this part of the building. The building was historically on the northern edge of the Rowley Hill settlement

Description of Proposal

The proposal is for the conversion of the existing garage within the barn into living accommodation, and the replacement of the existing garage doors with a pair of timber and glazed doors.

History of negotiations / amendments received

None.

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 garage door with French doors and side light windows. This work is not considered to have any impact on carbon emissions and therefore it is felt that climate emergency requirements are not relevant in this instance.

Consultation Responses

Kirkburton Valley Parish Council: No comment.

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: 16/12/2021

Publicity expiry date: 10/12/2021

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 the conversion of the existing garage within the barn into living accommodation, and the replacement of the existing pair of timber garage doors with a pair of hardwood timber and glazed French doors with glazed side lights, with the frame painted to match the existing windows on this elevation.

As an attached building which is within the curtilage of the cottages, the barn is included in the listing, although the significance of this element of the building is felt to be lower. Although there are original apertures within the external fabric of the barn, modern timber window and door frames have been inserted and the interior has been converted into residential accommodation, with associated alterations, which lowers the significance of the building.

The proposed internal alterations are minimal and do not harm the significance of the building. The existing garage doors are constructed from vertical boarded timber, and as a modern insertion they make no contribution to the character and significance of the listed building. Their replacement with a simple pair of glazed doors in timber will make a neutral impact as the materials are traditional and the frames will be painted to match the existing. Therefore, the proposal is considered to be acceptable.

Consultation responses

Kirkburton Valley Parish Council: No comment.

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 is not considered to harm the significance of the listed building and is therefore acceptable.

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 proposal preserves the character and appearance of the listed building and is considered acceptable.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that there is no harm and therefore this application is recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2021/94154

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. Notwithstanding the details submitted, the new doors and windows shall be timber framed in a painted finish and chamfered glazing beads. Double-glazed units shall have no more than an 8mm gap and shall have black spacer bars within the units. The frame shall be set back in the reveal by 75-100mm 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 Statement			1 November 2021
Design and Access Statement			1 November 2021
Proposed plan			1 November 2021
Location Plan			1 November 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. The submitted plans and information is felt to be acceptable.

Report Dated:

17 December 2021
