

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:	2021/65/94324/E
Site Address:	Red House Museum, 281, Oxford Road, Gomersal, BD19 4JP
Description:	Listed Building Consent for change of use of existing museum and cart shed to commercial short term residential accommodation for holiday letting (within a Conservation Area)
Recommending Officer:	Callum Harrison

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.

Emma Thompson

AUTHORISED OFFICER

Date: 10-Mar-2023

Listed Building Consent

2021/94324 - Red House Museum, 281, Oxford Road, Gomersal, BD19 4JP

Site Description

The former Red House Museum is a Grade II* listed house which has connections to the Bronte family and is understood to predominantly date to around the mid-18th century with elements dating to 1660. This two-storey house is constructed primarily from red brick with coursed stone to the rear, and a double pile stone slate roof. It has undergone quite significant alterations over the years, including a 1920's extension and the rebuilding of the rear elevation in the late 20th century.

A detached single-storey stone-built cart shed is situated to the west of the house and is within the extensive grounds and is curtilage listed; alterations to this are included within this application. Also within the curtilage of the listed building is a large stone barn which is also curtilage listed. The entire site is located within the Gomersal Conservation Area. The site is bound by dwellings to the south, the highway to the east, a car park to the north and open land to the west.

The wider area is characterised by period properties with substantive character, which is varied. The uses are also mixed, with residential and commercial properties found within the vicinity.

Description of Proposal

The proposed description of development is the change of use from museum to holiday let and internal alterations. The main building would be developed and turned in to accommodation with five bedrooms. The cart shed would be split up in to four flats for holiday let. It should be noted that the applicant seeks the entire Red House Museum building (building 01) to one party at a time, making this building a one bedroom holiday rental units.

The development would utilise the existing vehicular access with parking proposed to the courtyard areas of the outbuilding. Precise details of the proposed works can be found on the submitted plans, however it is noted here that no extensions are sought.

History of Negotiations

This application follows a formal pre-application advice application. During the lifespan of this application, officers have continuously conversed with the applicant to overcome issues and understand the exact nature of the development. Matters discussed and addressed with the applicant include impact on the listed building, the setting of the listed building, how the work would be conducted and the future the management of the development.

Representations

The application was advertised by neighbour letters, a site notice and in the press. Final publicity expired on 9th February 2022, 5 representations were received across the planning application and listed building consent application. Of the 5 comments received, 2 were in objection to the development, 1 was in support and 2 were general comments. The comments relating to the listed building / heritage have been summarised as follows:

- An Archaeological Recording should be conducted.
- The development would provide the best opportunity to sympathetically renovate the site and ensure its best used for the future.
- In the event that the proposed change of use did not proceed it is feared that the site would move out of public ownership and access to the site could be lost for ever.
- Officers should consider the historical and literary associations in Kirklees' rich heritage legacy. It should be treated as a valuable community and national asset with public access guaranteed.

Consultation Responses

Historic England – No objections.

West Yorkshire Archaeology Advisory Service – No objection subject to a condition for an appropriate level of archaeological and architectural observation and recording to be carried during prior to and during the conversion/alteration works (a building record).

KC Conservation and Design – No objections.

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 lies within the Gomersal Conservation Area and is Grade II* listed and within close proximity to other listed buildings.

The elevation of the Red House to grade II* was accompanied by the following explanation by Historic England:

- Architecture: the house contains some good survival of the Georgian period, including a staircase, fireplaces and windows, embedded in a late-17th century core.
- Function/Industrial Interest: the architectural of the house, barn and coach house reflects the function and development of this hub for the emerging and developing woollen cloth industry through the 17th, 18th and 19th centuries.
- Historic Interest: Mary Taylor, a radical feminist of the mid-18th century was born and bought up in the house.

- Literary Interest: Charlotte Bronte based the house 'Briarmains' and the 'Yorke' family in her novel 'Shirley' on the Red House and the Taylor family, with whom she stayed as a friend of Mary Taylor.

LP 1 – Achieving Sustainable Development

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 12 – Achieving Well-Designed Places

Chapter 16 – Conserving and Enhancing the Historic Environment

Assessment:

- 1) Principle of Development
- 2) Impact on Character and Significance of Listed Building
- 3) Representations
- 4) Conclusion

1. Principle of Development

As the application is for Listed Building Consent, the only issues that fall to be considered are the impact the development would have on the character and significance of the Listed Building. Under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities must, in considering whether to grant listed building consent for any works 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. In this context preservation means not harming the interests of the building as opposed to keeping it unchanged.

Paragraph 194 of the NPPF states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Authorities are required to take account of both the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. Paragraph 202 sets out 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. These paragraphs of the NPPF are considered a key consideration in the decision making process.

Furthermore, Chapter 16 of the NPPF as a whole states that in determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. If harm would result this should not be allowed without a proportionate justification. This approach is supported by policy LP35 of the Local Plan. Local Plan policy LP24 along with Chapter 12 of the NPPF are also relevant in terms of the design being appropriate considering the heritage matter.

2) Impact on Character and Significance of Listed Building

The former Red House Museum is a Grade II* listed house which has connections to the Bronte family and is understood to predominantly date to around the mid-18th century with elements dating to 1660. This two-storey house is constructed primarily from red brick with coursed stone to the rear, and a double pile stone slate roof. It has undergone quite significant alterations over the years, including a 1920's extension and the rebuilding of the rear elevation in the late 20th century. A detached single-storey stone-built cart shed is situated to the west of the house and is within the extensive grounds and is curtilage listed;

The Red House

The significance of this building is high in terms of its historical connections, surviving historic fabric, architectural character and communal values. However, many alterations have been carried out in the past, with external extensions and rebuilding, and internal alterations. Elements of the historic plan form are understood to be fairly intact, although in most areas the surviving historic detailing is minimal. This building has undergone significant changes in the past, with a stone extension added to the east end and internal partitions constructed. However, it retains interest as an ancillary building to the main house. The proposal is to remodel this building to create four small holiday lets. Given the extensive works to this property overtime, the works included in the change of use are deemed to have minimal interventions to the historic fabric and significance of The Red House.

The Cart Shed

The proposal is to replace the existing timber bi-fold cart doors with glazed screens set into dark frames to minimise their visual impact. The existing doors are recent replacements although characteristic of historic cart doors in terms of design and materials. The introduction of some glazing is accepted to provide natural light within the space with minimal interventions to the historic fabric. However, officers would suggest that the screens are re-designed to incorporate timber to allow interpretation of the historic character

and function of the cart shed. As such a conditions is applied requiring full details to be submitted for approval and would suggest that the new doorways are set back into the openings, ideally behind the external structure, to minimise fixings into the historic masonry and reduce the prominence of any glazing.

New windows and doors are proposed to the Coach House, and this is acceptable as the existing are not original. A new window opening is proposed to the rear of flat 2 in the position of an infilled opening, and flat 1 which is part of a modern extension.

The subdivision and fit out of the coach house are proposed to create living accommodation. The proposed lightweight partitions replace existing modern partitions which were installed as part of the museum fit out and sit directly onto the stone flags. Elements of historic interest will be retained undisturbed, such as trusses and masonry walls. As such, there will also be a minimal impact on the historic fabric of the building.

General

Officers note that the West Yorkshire Archaeology Advisory Service Society have requested the carrying out of an archaeological and architectural observation and recording. In relation to the recommended archaeological and architectural recording the NPPF paragraph 205 states that local authorities “should require developers to record and advance understanding of significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”. Kirklees Local Plan Policy LP35 reiterates the national policy and states that if development is acceptable “the developer will be required to make adequate provision for excavation and recording before or during development”. Considering the age and interest of the property, the refurbishment of the Red House could realistically uncover and potentially destroy important archaeological evidence of the form, date, construction use of this part of this grade II* dwelling. As such, officers agree with the West Yorkshire Archaeology Advisory Service Society and shall condition that an appropriate level of archaeological and architectural observation and recording shall be carried during prior to and during the conversion/alteration works (a building record). Subject to the conditions noted above, the scheme accords with Paragraph 205 of the NPPF and Local Plan Policy LP35 with regard to heritage.

Conclusion

The buildings on site have been vacant for several years and the proposal is for the change of use from its former use as a museum to short term holiday accommodation. The proposal will provide a viable sustainable use with clear public benefits given the building is to be let publicly. The viable use proposed would ensure the protection and enhancement of the important heritage

asset with the minimal interventions to the historic fabric and significance. As such, it can be clearly stated that the less that substantial harm would be outweigh by the public benefit of providing access to the heritage assets and securing the financial future so the building remained preserved for the future. This accords with paragraphs 194, 195 and 202 directly, as such, the impact on the character and significance of the Listed Building is considered acceptable.

3. Representations

5 representation were received across the planning application and listed building consent application. Of the 5 comments received, 2 were in objection to the development, 1 was in support and 2 were general comments. The comments relating to the listed building / heritage have been summarised as follows:

- An Archaeological Recording should be conducted.
- The development would provide the best opportunity to sympathetically renovate the site and ensure its best used for the future.
- In the event that the proposed change of use did not proceed it is feared that the site would move out of public ownership and access to the site could be lost for ever.
- Officers should consider the historical and literary associations in Kirklees' rich heritage legacy. It should be treated as a valuable community and national asset with public access guaranteed.

Officer Response: All of the points above have been considered. An archaeological recording will be conditioned whilst the positive comments have been taken onboard also.

4. 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 Listed Building Consent**

Conditions and Reasons:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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. Prior to any works to any windows commencing, full details of the method and extent of repair shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include joinery details at a scale of 1:5 and window elevations at a scale of 1:20. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4. Prior to any works to any internal doors of the Red House commencing, joinery details at a scale of 1:5 and door elevations at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Prior to any works to any external doors of the Red House commencing, joinery details at a scale of 1:5 and door elevations at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

6. Prior to any works to provide new cart entrance doors or screens in the coach house commencing, sections at a scale of 1:5 and elevations at 1:20 of the new entrance doors or screens shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved drawings and retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

7. External fixings included but not limited to, new rainwater goods and soil stacks and mechanical and electrical fittings, shall be fixed into mortar joints and not directly into the masonry. Any redundant fittings shall be carefully removed, with fixing holes infilled with lime mortar to match the existing colour and finish of the background.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

8. The infilling of the doorway to room 104 in The Red House shall be recessed to allow the historic opening to remain legible. The historic architraves and door surrounds shall also remain in place. These shall be retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

9. Prior to any works commencing to the floor of The Red House where historic floorboard remain, full details of the proposed treatment of these surfaces shall be submitted to and approved in writing by the Local Planning Authority. Where historic floorboards survive within The Red House, no screed shall be applied to these areas.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

10. Prior to any new or replacement mechanical or electrical interventions being fitted, details of all mechanical and electrical interventions shall be submitted to and approved in writing by the Local Planning Authority. Mechanical and electrical interventions included but not limited to are CCTV, extractor vents and flues. Works shall then take place in accordance with the approved details and retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

11. Prior to any hard landscaping, a hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include surface types, areas of restored setts, details of proposed entrance gates and boundary treatments, and any alterations to existing boundary walls. Works shall then be carried out in accordance with the approved details and retained thereafter.

Reason: To preserve the significance and setting of the listed building in accordance with Policy LP35 of the Kirklees Local Plan and Chapters 16 of the National Planning Policy Framework.

Plans and Specifications Table:-

Plan Type	Reference	Version	Date Recieved
Existing Floor Plans	001	1	16/11/2021
Existing Floor Plans	002	1	16/11/2021
Existing Roof Plans	003	1	16/11/2021
Location Plan	004	1	23/11/2021
Proposed Floor Plans	005	1	16/11/2021
Proposed Floor Plans	006	1	16/11/2021
Proposed Floor Plans	007	1	16/11/2021
Proposed Floor Plans	008	1	16/11/2021
Proposed Floor Plans	009	1	16/11/2021
Proposed Floor Plans	010	1	16/11/2021
Existing Elevations	011	1	16/11/2021
Proposed Elevations	012	1	16/11/2021
Existing Floor Plans	013	1	16/11/2021
Existing Floor Plans	014	1	16/11/2021
Existing Site Plans	015	1	16/11/2021
Proposed Site Plan	016.1	B	16/11/2021
Supp Info – Visibility Splays	017	1	13/02/2023
Heritage Impact Assessment	21-026	1	19/11/2021
Design and Access Statement	5198130 Issue 3	1	19/11/2021
Window Condition Report	No Ref (dated 22 July 2021)	1	19/11/2021
Noise Report	PC-21- 0127-RP1 Rev A	1	16/11/2021
Tree Report	10877	1	16/11/2021
Visibility Splays	017	1	13/02/2023

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 has, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. This application follows a formal pre-application advice application. During the lifespan of this application, officers have continuously conversed with the applicant to overcome issues and understand the exact nature of the development. Matters discussed and addressed with the applicant include impact on the listed building, the setting of the listed building, how the work would be conducted and the future the management of the development.

