

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:	2022/65/93047/W
Site Address:	13, Cuckoo Lane, Honley, Holmfirth, HD9 6AS
Description:	Listed Building Consent for building repairs and demolition and replacement of unsafe structures (within a Conservation Area)
Recommending Officer:	Sue Brooks

DECISION -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.

Helen Bower

AUTHORISED OFFICER

Date: 19-Jan-2023

Officer Report

Site Description

13 Cuckoo Lane is a Grade II listed cottage dating to the early 19th century and situated on a steep hillside within the Honley Conservation Area. This end terraced property is constructed from hammer dressed stone which has been partially rendered, with a stone slate roof and ranges of mullioned windows along with some single windows with stone surrounds. To the exterior of the property is an external stone staircase with a metal railing, leading from the Cuckoo Lane level to the lower garden at lower ground floor level. This staircase was constructed in recent years.

Description of Proposal

The applicant proposes the following repairs and alterations to the building:

- Structural repairs to the queen post truss
- Demolition and rebuilding of the existing outbuilding
- Exposing and capping off existing underground drain near the outbuilding
- Fixing anchor blocks and straps to the rear elevation at first and attic floor levels
- Demolition of external stone stair and replacement with a lightweight steel access stair
- Rebuilding of front chimney stack and repair chimney stack on the party wall line
- Removal and reinstatement of render to existing front and rear elevations
- Patch re-pointing to side elevation following fixing of anchor blocks and straps
- Replacement of precast stone lintel over the back door

History of negotiations / amendments received

The following amendments were requested from the applicant, along with further information to clarify the details within the application:

- Demolition and rebuilding of the existing outbuilding – rendered blockwork was initially proposed and following advice this was amended to coursed natural stonework with a stone slate roof, and lead flashings set below the window cill on the main elevation. Drawings of the amended proposal were submitted.
- Demolition of external stone stair and replacement with a lightweight steel access stair – Details of the proposed staircase were requested and submitted.

- Removal and reinstatement of render to existing gable elevations and chimney stacks – the render specification and colour has not been submitted and shall be required by condition.

Relevant Planning History

2006/92497 - Listed Building Consent for construction of external staircase, rebuild external wall with formation of new door and windows, take off and re-lay existing stone slates, new external staircase and internal alterations – Consent Granted.

2007/93728 – Listed Building Consent for internal alterations and formation of new window openings – Consent Granted.

2021/91020 - Listed Building Consent for installation of replacement windows (within a Conservation Area) – Consent Granted.

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 proposal is for structural and remedial repairs to the building, along with some areas of rebuilding. 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

Holme Valley Parish Council: No observation, defer to Kirklees Conservation Officers.

The officer report has been compiled by the Conservation and Design Officer.

Representations

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 31/10/2022

Publicity expiry date: 28/10/2022

Policies

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses'.

Kirklees Local Plan

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

- LP 1-Achieving Sustainable Development
- LP 2 – Place Shaping
- 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.

- Chapter 2 Achieving sustainable development
- Chapter 12 Achieving well-designed places
- Chapter 16 Conserving and enhancing the historic environment

Assessment

The applicant proposes the following repairs and alterations to the building:

- Structural repairs to the queen post truss
- Demolition and rebuilding of the existing outbuilding
- Exposing and capping off existing underground drain near the outbuilding

- Fixing anchor blocks and straps to the rear elevation at first and attic floor levels
- Demolition of external stone stair and replacement with a lightweight steel access stair
- Rebuilding of front chimney stack and repair chimney stack on the party wall line
- Removal and reinstatement of render to existing front and rear elevations
- Patch re-pointing to side elevation following fixing of anchor blocks and straps
- Replacement of precast stone lintel over the back door

Truss repairs

Structural repairs are proposed to the queen post roof truss to address movement and displacement caused by timber decay at the truss ends. The proposal is to affix bespoke fabricated metal plates as shown on drawing 21_188_003 P1. This sympathetic repair is necessary to provide stability and strength, with minimal interventions and no loss of historic fabric.

Chimneys

Both chimneys are rendered, with stone caps. The application proposes the dismantling of the chimney on the east facing gable and rebuilding as existing and rendering in lime render. This stack is out of alignment with cracking along the joints and it appears to be unstable. Its rebuilding is an acceptable measure to address the instability and prevent further damage to the building fabric. Repairs are proposed to the chimney stack on the party wall, with the replacement of the cracked cement render with lime render, and with new flashings installed. This will prevent further deterioration and improve the performance of the building by introducing a breathable render.

Wall repairs and rendering

Remedial measures are proposed to address evidence of historic and current structural movement within the building and prevent further movement and instability. Concrete anchor blocks are proposed, cast into the masonry of the west elevation and attached to restraint straps fixed to the floor joists at first and attic floor levels. The anchor blocks will be set within the external wall of the west elevation and will not be visible externally.

Both the east and west elevations are currently rendered in cement render, which is cracking and failing and therefore its removal and replacement with lime render is proposed. Removing the existing impermeable coating will reduce dampness with the building fabric, and the introduction of lime render will improve the performance of the building by allowing moisture to evaporate.

Re-pointing

Some areas of patch re-pointing are required on the north elevation, to be carried out following the installation of straps and anchors. A lime mortar mix and flush finish is required via the imposition of an appropriately worded condition.

Door lintol

On the west elevation, the stone lintol above the rear door is fractured and replacement with a hi-specification concrete lintol is proposed. As this elevation is rendered and the new lintol will not be visible, this is an acceptable intervention to prevent further instability of the elevation.

External staircase

An external flight of stone steps is situated within the garden, constructed following approval of Listed Building Consent 2006/92497, and providing access from the top level of the garden to the lower level. Settlement has occurred to the structure, and it is now pulling away from the adjoining retaining walls and is in an unstable condition.

As a recently built structure it has no significance, although it has been constructed in vernacular materials to reflect the character of the cottage and immediate area where stone is the predominant construction material. A simple black painted steel railing runs alongside the steps and around the top landing.

The application proposes its replacement with a lightweight galvanised steel access stair to continue to provide external access to both levels of the garden without requiring substantial engineering works to support a heavy structure. The view of the existing steps is fairly limited from outside the garden, with the top section of the stone supporting wall and metal railings visible from Thirstin Road to the west. The demolition of the existing stone structure will reveal the dry-stone retaining wall behind, with only the top section of the proposed steel staircase, which is similar in design to the existing railing, visible from outside the site. As the existing structure is unsafe, its demolition is supported, with a lightweight and permeable replacement steel staircase providing access to the lower garden level with minimal engineering works required to support the structure.

Outbuilding

The existing outbuilding attached to the east elevation is constructed in coursed natural stone with a shallow pitched single stone slab roof. It is suffering from longstanding movement and subsidence and is pulling away from the external wall of the cottage. The applicant proposes to demolish it

and construct a new structure on the same footprint, with natural coursed external stonework and a pitched stone slate roof.

The outbuilding makes a low contribution to the significance of the building. It does not appear to be original to the cottage as the walls are not tied into the main elevation, and the design and materials indicate that it is likely to have been added in the late 19th century. Demolition of the structure will lead to slight harm by the removal of a historic structure, however as it is in an unstable condition with inadequate foundations its removal and rebuilding is accepted. A replacement structure in vernacular materials will have a neutral impact on the character and significance of the cottage and is therefore acceptable.

Summary

The proposed works are necessary to address defects which are causing instability and deterioration. The proposal will ensure that the building is preserved and enhanced without the loss of any architectural features of interest, while also preserving the character of the conservation area.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Consultation responses

Holme Valley Parish Council: No observation, defer to Kirklees Conservation Officers.

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.”

Discreet repairs to the building, along with the replacement of cementitious render with breathable lime render, will ensure the conservation of the building and therefore complies with Paragraph 199 above. The outbuilding has low significance as this is a later addition, and its replacement with a traditional stone structure will lead to a low level of harm. The external staircase is a recent intervention with no significance, and it is in poor condition. Its replacement with a steel staircase will lead to less than substantial harm. However, this harm is low as it is an external structure which has no impact on the structure of the listed building, and visibility of it from outside the site is limited.

The overall proposal is necessary to address building defects and ensure that the structural integrity of the listed building is maintained. The public benefits of preventing further deterioration and improving the building performance outweighs the less than substantial harm.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority 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.

The proposed works are necessary to address building defects and ensure that the structural integrity of the listed building is maintained. Existing defects and poor detailing are rectified, with hidden interventions where possible. The proposed works are fully justified, and therefore it is felt that the architectural and historic interest of the listed building is preserved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

This proposal preserves the character and significance of the conservation area by ensuring that essential repairs are carried out to the listed cottage which will prevent further deterioration and ensure that the building retains a viable and sustainable use. The replacement of external stone steps with a steel staircase will have a slight negative impact on the character of the conservation area, however, views of this will be limited from outside the site and the replacement structure is necessary to provide access to the lower garden level with minimal engineering works required to support the structure.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation

Grant Consent

Decision Authorisation - Delegated Powers

Application Number: 2022/93047

Officer Recommendation: Grant 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 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: To ensure the satisfactory appearance of the development on completion 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.

3. Re-rendering of the gables and chimney stacks shall be carried out using a self-coloured lime render in an off white or light stone colour. A sample panel of the proposed render shall be prepared on site and approved in writing by the Local Planning Authority before re-rendering commences. The works shall be carried out in accordance with the approved sample panel thereafter.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24, LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the National Planning Policy Framework.

4. Re-pointing and new 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. All mortar shall be removed using hand tools only. The use of power tools is not permitted. The mortar finish shall be flush pointed. There shall be no Weatherstruck, strap or ribbon pointing finish.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24, LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Design, Access and Heritage Statement			14 September 2022
Floor plan drawings and repair details	21_188_001	P2	20 September 2022
Elevation drawings and repair details	21_188_002	P1	20 September 2022
Roof truss repair details	21_188_003	P1	20 September 2022
Outhouse proposed rebuilding details	21_188_004	P2	11 January 2023
External stair details proposed	21_188_005	P3	11 January 2023
Proposed staircase example photograph			16 December 2022
Location Plan			14 September 2022

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:

11 January 2023