Planning (Listed Buildings and Conservation Areas) Act 1990

REFUSAL OF LISTED BUILDING CONSENT

Application Number: 2022/65/93161/W

To: Mr David Crowther
28, Woodside Road
Beaumont Park
Huddersfield
HD4 5JR

For: Mrs Linda Crowther

The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been refused for the execution of the works referred to:-

LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING WALL AND COAL STORE AND FORMATION OF VEHICULAR ACCESS (WITHIN A CONSERVATION AREA)

At: 35, LEA LANE, NETHERTON, HUDDERSFIELD, HD4 7DP

In accordance with the plan(s) and applications submitted to the Council on 23-Sep-2022. The reasons for the Council's decision to refuse consent for the development are:

The proposed demolition of the front boundary wall and formation of a parking area would erode the only surviving boundary wall to the group of Listed Buildings, alter historic gate posts along this terrace, with off-road parking resulting in the loss of the enclosed front garden and additional visual clutter which would fail to preserve the special interest of the group of Listed Buildings at '25, 27, 29, 33 and 35, Lea Lane'. This would cause less than substantial harm to the significance of the listed building. The public benefits submitted do not outweigh the harm to the designated heritage asset and therefore the proposal would fail to comply with LP35 of the Kirklees Local Plan, Chapter 16 of the National Planning Policy Framework and would be incompatible with the Council's duties under Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	35 Lea Lane	Original	09/09/2022
Existing Block Plan.	-	Amended	20/01/2023
Proposed Block Plan	-	Amended	20/01/2023
Heritage Statement.	Dated 28.03/2023.	Amended.	28/03/2023

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 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 applicant was approached regarding the application's likely refusal but wished it to be determined on the basis of the submitted scheme. For the reasons set out in the reason for refusal, the development would not improve the visual or historic amenity of the group of Grade II Listed Buildings at '25, 27, 29, 33 and 35, Lea Lane'.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at the Planning Inspectorate website. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website. You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: **12-Jul-2023**

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
