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:	**2022/65/94086/W**
Site Address:	Rose Hill Manor, 161, Birkby Hall Road, Birkby, Huddersfield, HD2 2BS
Description:	Listed Building Consent for repair to damaged ceiling [within a Conservation Area]
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 04-Apr-2023

Officer Report

Site Description

Rose Hill Manor is a substantial detached villa situated on the northern edge of the Edgerton Conservation Area. The building was constructed in the late 19th century and is designated as Grade II* listed for its fine interior partly designed by the renowned architects Edgar Wood and J Henry Sellers, with high quality decorative plasterwork, fine joinery and fitted furniture.

Description of Proposal

The application proposes the repair of the first-floor plaster ceiling within bedroom three following damage caused by water ingress.

History of negotiations / amendments received

The confidential quote submitted with the application indicates that the replacement of the entire ceiling is proposed. Following negotiations, the applicant confirmed that replacement would be limited to the collapsed section, with the remaining ceiling inspected from above and repaired where there is evidence of loose plasterwork.

A repair methodology was requested and submitted and provides sufficient information to enable the application to be assessed and supported.

Relevant Planning 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 proposal is for repairs to a first-floor ceiling within the building. 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

Historic England and the National Amenities Societies have been consulted due to the Grade II* listed status of the building and they have made no comments on the proposal.

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: 20/02/2023

Publicity expiry date: 17/02/2023

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 is 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 application proposes the repair of the first-floor plaster ceiling in bedroom three, where damage caused by water ingress has resulted in the collapse of a section of the ceiling with cracks visible across a wider area.

As a Grade II* listed building with a fine interior including high-quality plaster ceilings, it is essential that historic fabric is retained and repaired. Although this ceiling is not identified in the list description as one of the most decorative in the building, it is of a high quality with decorative profiled ribs forming octagons and diamond patterns and a run cast moulded cornice.

Following negotiations and clarification, the applicant confirmed that the extent of ceiling replacement would be restricted to the failed section outlined in red on the supporting first-floor plan, with loose areas taken back to a hard edge. The proposed repair methods use traditional materials and techniques, with templates made from the surviving fabric to inform the design and profiles of the repaired areas. Where necessary, damaged laths will be replaced.

Where areas of wider plasterwork have become detached from the substrate or disrepair is identified, consolidation will be carried out from above as detailed in the submitted methodology statement.

The proposal will ensure that essential repairs are carried out to the building to maintain the significance and architectural interest of the interior, while retaining historic fabric as far as possible by carrying out discreet repairs where the ceiling can be accessed from above.

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."

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 ceiling repair will ensure the conservation of this Grade II* listed building and preservation of the internal architectural detailing by reinstating an area of plasterwork that is beyond repair and ensuring that replacement of historic fabric and visible interventions are kept to a minimum.

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.

As the proposed building repair works are internal, this proposal preserves the character and significance 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) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

This application has been assessed against relevant policies in the development plan and other material considerations. As there is no harm to the significance of the building, it is recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers
Application Number: - 2022/94086
Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development shall be begun within three years of the date in which this 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. Notwithstanding the information submitted, the extent of ceiling removal and reinstatement shall be limited to the area outlined in red in the supporting first floor plan unless otherwise submitted to and approved in writing by the Local Planning Authority.
Reason: In the interest of preserving the historic and architectural interest of the designated heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, 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
Supporting Statement			6 January 2023
Ceiling repair methodology			31 March 2023
First floor plan showing extent of proposed ceiling repair			22 December 2022
Location Plan			22 December 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 to clarify and minimise the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted information on the plans and specifications schedule which accurately mirrors those negotiations and is felt to be acceptable.

Report Dated: 03 April 2023