

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:	2023/65/90573/W
Site Address:	Hill Farm, Chain Road, Slaithwaite, Huddersfield, HD7 5TZ
Description:	Listed Building Consent for installation of new window, external steps and associated external works including demolition of boundary walls
Recommending Officer:	Katie Chew

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.

John Holmes

AUTHORISED OFFICER

Date: 26-Sep-2023

Officer Report

Site Description

Hill Farm, Chain Road, Slaithwaite, Huddersfield, HD7 5TZ

The application site relates to Hill Farm which comprises of a main farmhouse, 2 attached small cottages, a detached cottage, polytunnel and a stable block. The main farmhouse and detached cottage are both Grade II Listed. The site is accessed via a track off the north side of Chain Road in Slaithwaite.

Description of Proposal

The application seeks Listed Building Consent for the installation of new window, external steps and associated external works including demolition of boundary walls.

New windows are proposed within the rear elevation of the host dwelling, one of which was previously approved under application reference 2015/93385. These windows reflect the size and design of existing windows within this elevation.

To the front of the existing cottage, a new stepped walkway of approximately 2.6m in height, is proposed with black ironwork handrails to provide access to the first-floor entrance door of the property.

Other associated external works include the demolition of the garden wall along the south side of the existing access to allow an increased width for improved vehicle manoeuvring.

History of negotiations/amendments received

Following comments received from both Officers and the Conservation & Design (C&D) team, further details were requested to be provided in respect of the new openings and windows, stairs and handrails. It was also relayed that C&D Officers raised concerns in respect of the demolition of the garden wall along the south side of the existing access.

Amended plans were received which sought to reduce the overall level of demolition of the garden wall which was welcomed by C&D Officers. No additional details were provided in respect of the windows, stairs, new openings or handrails and therefore conditions are to be imposed should planning permission be granted.

Relevant Planning History

2023/90572 – Erection of detached double garage with attic study/gym room, external steps and associated external works (Listed Building). Refused 21st September 2023.

2016/90370 – Discharge Condition 3 (windows and doors) on previous permission 2015/93385 for Listed Building Consent for internal and external alterations. Approved 31st March 2017.

2015/93385 – Listed Building Consent for internal and external alterations. Approved 10th December 2015.

2011/92614 – Listed Building Consent for alterations and repairs to stabilise the structure of two derelict dwellings. Approved 20th December 2011.

Representations

Final publicity date expires:

Press Notice – Expired 16th April 2023.

Site Notice – Expired 6th April 2023.

No representations have been received to date.

Consultation Responses

KC Conservation & Design – Comments received 3rd April 2023. Whilst Officers deem the introduction of external steps and the installation of new window openings to be acceptable, they do request further details to be provided on these matters. In terms of the removal of boundary walling, Officers object to this element of the scheme as the loss of boundary treatment in this location would see a substantial change to the character of the farmstead, and thus would have a harmful impact on the character and setting of the listed Cottage and The Hill.

Officer note: Following receipt of amended plans which seek to retain some of the yard walls which were originally proposed to be removed. The Council's Conservation & Design Officers were re-consulted and noted that they welcomed the retention of some of the yard walls and deem the proposals in this respect to now be acceptable.

West Yorkshire Archaeology Advisory Service – Comments received 19th April 2023. The farmhouse and adjacent cottage are nationally important heritage assets as is demonstrated by their status as listed buildings. Having assessed the exterior of both buildings and the interior of the cottage WYAAS consider that the proposed works would have a limited impact on the surviving building remains and will reinstate some features that have been lost over the years such as the wooden bridge/stairs that provide access to the upper floor of the cottage. The proposed works are therefore considered to enhance the condition of these two buildings. No objections.

Parish/Town Council

N/A.

Local Ward Members

Councillor McCarthy – Emailed Officers on the 22nd June 2023 requesting an update on the application and requested advice on what the applicant would need to do to make this a more acceptable scheme.

Officer note: Officers responded back to Councillor McCarthy on the 29th June 2023 outlining the proposed changes that had been sent to the applicant's agent. No further queries were raised by the Councillor.

Planning Policy Background

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'.

The application site is located within the Green Belt, Bat Alert Area and comprises of two Grade II Listed Buildings. It is also important to note that Public Right of Way COL/127/40 runs adjacent to the site and provides access to Hill Farm. Furthermore, to the rear of the properties is the Wildlife Habitat Network Combined.

Kirklees Local Plan (LP):

- 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) updated 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. Most specifically in this instance, the below chapters are of most relevance:

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

Legislation

- Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Principle of Development:

The key issue for consideration in this case is the impact on the significance of the listed building.

Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.”*

Listed Buildings are designated heritage assets and Paragraph 194 of the NPPF states that: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.”*

Paragraph 199 of the NPPF state 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 200 of the NPPF goes on to state that: *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

Paragraph 202 of the NPPF states that when a proposed development would lead to harm, it is necessary to achieve public benefits that outweigh the harm to the heritage asset.

Policy LP35 of the Kirklees Local Plan echoes this guidance and states that: *“Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The listing description of the cottage is as follows:

“SE 01 SE 5/317

MELTHAM ROAD (OFF) Marsden

Cottage attached to East of The Hill

II

GV

Early C19. Hammer dressed stone. Quoins. Pitched stone slate roof. 2 storeys. South elevation has: Ground floor; Entrance with stone surround. One 7-light stone mullioned window (centre light blocked). First floor; Cast iron plaque with Gothic motif of unknown origin. One 8-light stone mullioned window (3 lights blocked); Reset into one of lights is datestone which reads 'IF 1754'. Loading door with bridge (timber)".

The listing description of the adjacent building 'The Hill' is as follows:

"SE 01 SE 5/316

MELTHAM ROAD (OFF) Marsden

The Hill

II

GV

Rebuilt 1842 (datestone on north elevation). Hammer dressed stone. Pitched stone slate roof (bitumen covered). Stone brackets. 2/3 storeys. South elevation has: Ground floor; Doorway with stone surround. One 4-light stone mullioned window. First floor; One 6-light stone mullioned window. North elevation has: Second floor; Two 2-light stone mullioned windows. At first floor level triangular plaque (possible former door lintel re-set) has inscription: M X J H F 1616 REBUILT IN 1842".

The application relates to Grade II 'The Hill' and Grade II Cottage Attached to East of The Hill. The Hill is located to the west of the site and is understood to have been rebuilt in 1842. To the east of the site is the attached Cottage which is understood to have been constructed in the early 19th century and appears on the first edition 1854 OS mapping.

The proposed works to Cottage are for the addition of stepped access to the loading door, the installation of an additional window and works to the boundary walls and associated works.

Given the nature of the proposals the Council's Conservation & Design Officers were consulted. C&D Officers raised no objections to the proposed external steps up to the cottage as there is evidence of there being a stepped access to this loading door in the past, as outlined within the submitted Heritage Statement. Therefore, the principle of these steps is acceptable. However, Officers did request further details and information to be provided for the steps and associated handrails and also what methods are to be used to fix the new steps. Clarification was also sought as to whether the existing door would

require replacement or if simple repairs were to be undertaken. Whilst these comments were circulated to the applicant's agent, no information in relation to these details were forthcoming. Nevertheless, a pre-commencement condition could be imposed should planning permission be granted, requiring the submission of these details prior to their installation.

The proposals also seek to install 1 new window within the rear elevation of the dwellinghouse. As above, the Council's C&D Officer raised no objections to the provision of this new window however, further details are required in respect of the proposed new openings and joinery details of the new windows. Again, this could be covered by a pre-commencement condition should planning permission be granted, which requires the submission of these details prior to their installation.

In terms of works proposed to the boundary walls, it is outlined within the supporting plans and within the Heritage Statement that a large section of the existing drystone walls located along the south side of the existing access are to be removed. These walls form small holding pens to the detached outbuilding to the south of the site. These boundary walls are visible on historic mapping from 1854, and therefore their removal would see a substantial change to the character of the farmstead. The C&D's Officers concerns were relayed back to the applicant's agent who sought to amend plans to retain more of the yard walls, this change is welcomed by Conservation & Design.

In conclusion, as outlined above, the proposals are not considered to harm the visual amenity of the local area, or the setting and significance of the host, and adjacent Grade II Listed Buildings. The proposals are therefore considered to accord with Local Plan Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Officer note: It is also important to note that an allied full planning application (reference 2023/90572) has recently been refused at the site.

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.

The works proposed within this application would preserve the significance of the Listed Building and would accord with both local and national heritage policies.

Recommendation:

Grant Listed Building Consent.

Decision Authorisation - Delegated Powers

Application Number: 2023/90573

Officer Recommendation: Grant Listed Building 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 Policies LP2, LP24 and LP35 of the Kirklees Local Plan, as well as policies within Chapters 12 and 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans and information, full details of all new and replacement window and door installations hereby approved (joinery details at 1:5 and elevations at 1:20) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Submitted information shall include materials, profiles, colour, opening light configuration, depth within the reveals. The work shall be carried out in complete accordance with the approved details and shall be retained 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 LP2, LP24 and LP35 of the Kirklees Local Plan, as well as policies within Chapters 12 and 16 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans and information, full detailing of the steps and associated handrails hereby approved (submitted at a scale of 1:10-1:20) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Submitted information shall include the method of fixing the new steps to the host property. The works shall be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: To ensure the satisfactory appearance of the development on completion and to preserve and enhance the setting and significance of the designated heritage asset, to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	21 st February 2023
Proposed Plans	02	A	2 nd August 2023
Proposed Elevations and Views	03	A	2 nd August 2023
Heritage Statement – Supporting Information	-	-	6 th March 2023
Climate Change Statement – Supporting Information	-	-	21 st February 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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Following comments received from both Officers and the Conservation & Design team, further details were requested to be provided in respect of the new openings and windows, stairs and handrails. It was also relayed that C&D Officers raised concerns in respect of the demolition of the garden wall along the south side of the existing access. Amended plans were received which sought to reduce the overall level of demolition of the garden wall which was welcomed by C&D Officers. No additional details were provided in respect of the windows, stairs, new openings or handrails and therefore conditions are to be imposed should planning permission be granted.

Report Dated:

22/09/2023