Planning (Listed Buildings and Conservation Areas) Act 1990

LISTED BUILDING CONSENT

Application Number: 2023/65/91174/W

To: Michael Owens,
Fibre Architects Ltd
Buckden Mount
8, Thornhill Road
Edgerton
Huddersfield
HD3 3AU

For: D Waterson

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

LISTED BUILDING CONSENT FOR THE CONVERSION AND ADAPTION OF AN EXISTING LISTED BARN TO FORM A NEW DWELLING WITH ASSOCIATED CAR PARKING AND EXTERNAL WORKS [LISTED BUILDING].

At: 749, NEW HEY ROAD, OUTLANE, HUDDERSFIELD, HD3 3YL

In accordance with the plan(s) and applications submitted to the Council on 18-Apr-2023 subject to the condition(s) specified hereunder:-

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission 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 Order 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 that the proposed works preserve the character and significance of the Listed Building and to accord with the aims of Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, all replacement windows and doors within the historic Listed Building shall be constructed in timber.
Reason: To ensure that the proposed works preserve the character and significance of the Listed Building and to accord with the aims of Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4. Prior to the commencement of any works on the windows or doors (internal or external) joinery details for all windows, and external and internal doors shall be submitted at a scale 1:10 for approval in writing by the Local Planning Authority. The details shall include all proposed ironmongery. Thereafter the works shall be completed in accordance with the approved details and be retained.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

5. Prior to the commencement of works, details including annotated plans showing the retention of the extant stone flags, stone sets and stone cobbles within the Listed Building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works undertaken to the extant stone flags, stone sets and stone cobbles shall be in accordance with the details so approved.
Reason: This is a pre-commencement condition where such details are required before works commence for the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

6. Prior to the commencement of any works, full details shall be submitted for approval by the Local Planning Authority in writing showing details of the retention and incorporation of the extant historic stable dividers, cast iron columns and associated elements within the historic stables. Thereafter the works shall be completed in accordance with the approved details be retained.
Reason: This is a pre-commencement condition where such details are required before works commence for the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

7. Prior to the commencement of works to the roof, detailed plans shall be submitted to the Local Planning Authority for approval in writing and shall show the repair, retention and replacement of timbers and the build-up of insulation within the roof. Details should be submitted at a scale of 1:10 – 1:20. Thereafter the works shall be completed in accordance with the approved details and retained.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

8. Prior to the commencement of works to any stairs or stairwells, joinery details shall be submitted at a scale of 1:10 to the Local Planning Authority for approval in writing. Thereafter the works shall be completed in accordance with the approved details and retained.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

9. Prior to the commencement of any works for the repair, rebuilding or repointing of the host building, mortar specifications shall be submitted for approval in writing by the Local Planning Authority. Samples shall be provided on request. Thereafter the works shall be completed in accordance with the approved details and retained.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

10. All insulation to be used within any part of the works of the historic listed barn, shall ensure that it is entirely permeable. There shall be no use of ‘Kingspan’, ‘Celotex’, other similar foiled-backed PIR board or any other impermeable materials.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

11. Notwithstanding the submitted plans, details of all rainwater goods shall be submitted for approval in writing by the Local Authority before any works to alter existing rainwater goods take place. Thereafter the rainwater goods shall be altered and/or installed in accordance with the approved details and retained thereafter.
Reason: For the avoidance of doubt as to what is being permitted and 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 and Chapter 16 of the National Planning Policy Framework.

12. There shall be no use of cement or concrete on the exterior or interior of the historic listed barn. This includes the external facing wall which will be within the new extension, and any required substrates or new floor build-up.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

13. Notwithstanding the submitted plans and details, any new subfloor or foundations required to be created at ground floor level within the barn shall be formed of limecrete only.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

14. There shall be no use of filler or expandable foams in any part of the works to the listed historic building.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

15. Within the historic listed building all plastering shall be undertaken using lime plaster only.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

16. All render to be used in the repair of the listed building shall be lime render only and shall only apply to the areas denoted on the plans.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

17. Notwithstanding the submitted plans and details all roof lights to be installed shall be conservation style and sit entirely flush to the roof.
Reason: In the interests of visual amenity and to protect and enhance the setting and significance of Listed Buildings, to accord with LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Plans and Specifications Schedule:

Plan Type	Reference	Web ID	Date Received
Location Plan as Existing	EX0001	A	19th April 2023
Site Plan as Existing	EX002	C	19th April 2023
Information as Existing House and Barns A+B	EX006	C	19th April 2023
Site Plan as Proposed	AL0002	C	29th September 2023
Demolitions as Proposed	AL0004	C	29th September 2023
Information as Proposed	AL0006	B	29th September 2023

Noise Impact Assessment – Supporting Information	8428MB	001	19th April 2023
Air Quality Assessment – Supporting Information	6042r1	1	19th April 2023
Climate Change Statement – Supporting Information	-	-	19th April 2023
3D Visuals Proposed Barn Conversion – Supporting Information	-	-	29th September 2023
Design & Access Statement – Supporting Information	-	B	19th April 2023
Schedule of Works – Supporting Information	-	-	29th September 2023
Arboricultural Impact Assessment – Supporting Information	AIA-1749-1	-	24th October 2023
Heritage Assessment – Supporting Information	-	-	19th April 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 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. Following receipt of comments received from consultees, amended plans have been received during the course of this planning application in respect of the overall scale and design of the proposed extension and works to the existing barn.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- **This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "*submitted to and approved in writing by the Local Planning Authority*".**

- **You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.**

- **This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.**

- **You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.**

- **It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.**

- **If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.**

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 https://www.gov.uk/appeal-planning-decision Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.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: **21-Dec-2023**

Signed:

David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2023/65/91174/W .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

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