

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:	2023/65/91237/W
Site Address:	White Syke Farm, Marsden Lane, Marsden, Huddersfield, HD7 6AF
Description:	Listed Building Consent for erection of lean-to car port to western gable end
Recommending Officer:	Lucy Taylor

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: 03-Aug-2023

Site Description

White Syke Farm is an early 19-century Grade II Listed farmhouse and attached barn. The house and barn are set in a long linear plan form, externally faced in stone and slate roof tiles. The original building has undergone a series of changes and adaptations, some of which have been more recent. Within the wider curtilage of the site, the property benefits from extensive on-site parking amenity space and outdoor amenity space.

The application site is Allocated within the Green Belt in the Kirklees Local Plan. In addition, the application site is in proximity to an existing culverted water course.

Description of Proposal

Listed Building Consent is sought for the erection of a lean-to car port to the western gable end of White Syke Farm.

The car port would have the following dimensions:

- Projection – 3.9 metres
- Length – 6.3 metres (max)
- Height – 3.5 metres (max)

The car port would be constructed from a simple oak frame, with the southern elevation to be left open for vehicle access and natural planting would be used to form screening to the western side elevation. The roof of the lean-to car port would be infilled with grey stone slates.

The proposed stepped retaining wall would be constructed as a drystone wall to match the existing retaining wall on site.

History of Negotiations

Following a formal consultation response from KC Conservation and Design, the case officer sought additional detail regarding the construction style of the stepped dwarf wall and amendments to the roof finish of the car port.

The applicant provided confirmation via email (dated 28th June 2023) that the wall would be a drystone wall and that the roof would be infilled with grey stone slates.

Relevant Planning History

- 99/93144 - Erection of garage (within the curtilage of a Listed Building). *Granted.*
- 2004/94223 – Change of use of existing garage to dwelling. *Granted.*
- 2006/90665 – Listed Building Consent for removal of single storey wash kitchen extension and erection of new single storey extension (retrospective). *Granted.*

- 2008/92407 – Change of use of existing barn and alterations to extend existing dwelling. *Withdrawn*.
- 2008/92408 – Listed Building Consent for change of use of existing barn to extend existing dwelling and alterations. *Withdrawn*.
- 2008/94389 – Listed Building Consent for change of use of existing barn to extend dwelling and alterations. *Granted*.
- 2008/94387 – Change of use of existing barn and alterations to extend existing dwelling. *Granted*.
- 2023/91236 – Erection of lean-to car port to western gable end. *Pending Determination*.

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via a site notice and newspaper advertisement.

Final publicity date expired 30th June 2023 – no representations were received.

Consultations

KC Conservation and Design - consider the proposed carport to have a degree of impact on the setting of the listed farmhouse, however, given the nature of the structure and its more lightweight and open form, this would be acceptable subject to details been submitted for the stepped wall and amendments been made to the roof finish.

Following this consultation response, the applicant confirmed via email that the wall would be a drystone wall and that the roof of the carport would be infilled with grey stone slates. These finishes can also be secured through condition.

Climate 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 predates 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.

In this case, the application is for an extension to an existing property. Therefore, the proposed development is considered to comply with Chapter 14 of the NPPF and policy LP51 of the Kirklees Local Plan.

Policy

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 site is Grade II Listed.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP24 – Design
- LP35 – 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.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 Achieving sustainable development
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 – Conserving and Enhancing

Assessment

When making a recommendation in respect of a planning application affecting a Listed Building, attention must be given to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which 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 interest which it possess*'.

The application site is a Grade II Listed Building with the listing description being as follows: *Pair of weavers houses. Early C19. Hammer dressed stone. Stone slate roof. Three storeys. South-east elevation: sill bands to first and second floors of No 12. No 12: one 3-light stone mullioned window and entrance.*

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.

Paragraph 199 of the NPPF requires that when considering the impact of the proposed development on the significance of a designated heritage asset the Local Planning Authority should give great weight to the heritage asset's conservation irrespective of the level of harm.

Policy LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure that they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated heritage assets.

Significance

The application relates to the Grade II White Syke Farm, which is an early 19th-century Farmhouse and attached barn.

Impact of the Proposal on Significance

The proposal being considered is for the addition of a timber framed carport to be attached to the western elevation, which at present is a bare stone elevation. This elevation is considered to offer little in the way of any architectural detailing, with only one small window opening to the ground floor, which is a more recent opening.

The submitted detail states that the carport is required for storage of vehicles. Whilst in planning terms this is not necessarily a sound justification, it would be accepted that removing the more overt visual presence of vehicles may have some minor benefits.

The proposed structure would be of a lean-to construction, with the main frame constructed using oak posts. The structure would essentially be open. The lean-to roof would be infilled with grey stone slate tiles, considered to blend with the character and setting of the building, matching the roof of the host farmhouse and attached barn.

To the side furthest from the building, the plans show a stepped dwarf wall, which would function as a retaining garden wall. The applicant has provided details that this wall would be a drystone wall.

Overall, it is concluded that the proposed carport would have some degree of impact on the setting of the Listed farmhouse, this would cause slight less than substantial harm to the significance of the building by obscuring the end wall. The public benefits of visually shielding cars from public view would, however, mitigate the harm caused. The structure would be visible on the

approach along Marsden Lane, the cars then less so. However, given the nature of the structure and its lightweight and open form, it is considered that the structure would be acceptable and meet the tests of LP24 and LP35 of the Kirklees Local Plan and section 16(2) of the Planning (Listed Building and Conservation Areas) Act.

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.”*

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that any application for development must preserve the character and appearance of the listed building.

This application has been assessed against relevant policies in the development plan and material considerations. As noted above, given the nature of the structure and its lightweight and open form, it is considered that the structure would be acceptable and meet the tests of LP24 and LP35 of the Kirklees Local Plan and section 16(2) of the Planning (Listed Building and Conservation Areas) Act.

It is recommended that any grant of permission is subject to conditions which ensure the development is undertaken in accordance with the details submitted to ensure the level of interventions undertaken to the building are kept to a minimum.

Decision Authorisation – Delegated Powers

Application Number: 2023/91237

Officer Recommendation: Consent Granted

1. The works shall be begun no 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.
1. 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: For the avoidance of doubt as to what is being permitted and so as to preserve the significance of the heritage asset and to comply with Policy LP35 of the Kirklees Local Plan and Policy within Chapter 16 of the National Planning Policy Framework.
2. The hereby approved extension/car port shall have an oak frame and the lean-to roof shall be finished with grey stone slate tiles. These materials shall in all respects match those used in the construction of the existing building and be thereafter retained.
Reason: For the avoidance of doubt as to what is being permitted and so as to preserve the significance of the heritage asset and to comply with Policy LP35 of the Kirklees Local Plan and Policy within Chapter 16 of the National Planning Policy Framework.
3. The dwarf stepped garden wall shown on the submitted 'Existing & Proposed Elevations' shall be constructed as a drystone wall to match the existing retaining wall on site.
Reason: For the avoidance of doubt as to what is being permitted and so as to preserve the significance of the heritage asset and to comply with Policy LP35 of the Kirklees Local Plan and Policy within Chapter

17 of the National Planning Policy Framework.

Note: This decision notice should be read in conjunction with application 2023/91236 for the allied planning permission.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	25/04/23
Existing Elevations	-	-	02/05/23
Proposed Site/Block Layout	-	-	25/04/23
Proposed Floor Plans	-	-	04/05/23
Proposed Site/Block Layout (with culvert)	-	-	09/05/23
Existing and Proposed Elevations	-	-	09/05/23
Proposed Elevations	-	-	09/05/23
Sections (1)	-	-	15/05/23
Sections (2)	-	-	15/05/23
Design and Access Statement	-	-	04/05/23
Conservation/Heritage Assessment	-	-	02/05/23

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.

Upon case officer request, the applicant provided confirmation via email that the wall would be a drystone wall and that the roof would be infilled with grey stone slates.

Report Dated:

02/08/23