

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:	2023/65/91388/E
Site Address:	Cliffe House, 140, Lane Head Road, Shepley, Huddersfield, HD8 8DB
Description:	Listed Building Consent for installation installation of electric charging points
Recommending Officer:	Edward Cheseldine

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.

Helen Bower

AUTHORISED OFFICER

Date: 09-Aug-2023

Officer Report

2023/91388 - Cliffe House, 140, Lane Head Road, Shepley, Huddersfield, HD8 8DB.

Site Description

Cliffe House is a detached Victorian mansion that was constructed between 1888-1891. The building is Grade II listed. The two-storey building is constructed of ashlar stone on the principal elevations with high quality detailing, coursed stone on the other elevations and a Westmorland slate roof. The building hosts generous grounds within the curtilage of the property, included within is a detached coach house. Cliffe House is owned by Kirklees Council and is now used as an outdoor learning centre and conference centre. Cliffe House is situated in the Shepley Conservation Area.

Description of Proposal

Listed Building Consent application for the installation of 3 electric vehicle charging points on the external elevation of the coach house.

History of negotiations / amendments received

None.

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 electric vehicle charging points to be installed on the site of a listed building. Electric vehicle charging points are vital pieces of infrastructure to achieve future net zero carbon targets. The proposed equipment is therefore compliant with climate emergency requirements.

Consultation Response

KC Conservation & Design were consulted on the submitted plans. The Conservation & Design team concluded the proposal would cause minor harm to the significance of the building, however the public benefits of providing charging points complies with the climate emergency requirements. No comment – subject to conditions.

KC Crime Prevention – No comment.

Representations

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 30 June 2023

Publicity expiry date: 23 June 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 it 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 coach house is a curtilage listed building of lower significance than Cliffe House. Minor alterations are proposed on the external wall of the east elevation which includes the attachment of 3 electric vehicle charging points. The alterations will add a mechanical device onto the exterior wall of the 19th century coach house. Building specifications will be included to minimise the impact the chargers will have on the curtilage listed building. Specifications proposed within the application include fixings through the mortar joints to prevent damage to the stonework. A black finish so that the charging points blend into the background. Fully reversible installation in the event that the chargers become redundant as fixings and holes can be infilled with the mortar. This should preserve the building whilst protecting the aesthetic of the building from being visually dominated by the introduction of machinery on the elevation.

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).

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.”

The addition of 3 electric vehicle charging points being installed on the east facing wall of the coach house will result in less than substantial harm to the significance of the heritage asset. The harm of introducing modern machinery onto the listed building will have a visual impact on the character of the coach house, however the alterations are justified by the public benefit the electric vehicle charging points will bring to help achieve net carbon zero and are fully reversible should the need arise.

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 proposal will cause minor damage to the special architecture of the coach house, albeit the installation methods will mean any alterations will not cause irreversible damage and can be repaired if necessary, preserving the architectural and historic interest of the listed building.

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 works are minimal, reversible and have been justified, the proposal is considered to preserve 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. The public benefits of installing electric vehicle charging points outweighs the slight harm caused by the minor alterations. It is therefore recommended for approval.

Recommendation

Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2023/91388

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. The electric vehicle charging points shall remain in situ until the use of the devices becomes redundant, at which point the electric vehicle charging points should be removed and disconnected, with the affected mortar joints repaired and restored using lime mortar and pointing method/finish to match the east facing wall.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Conservation/Heritage Assessment	CAH	1	12/05/2023
Location Plan	01	1	17/05/2023
Proposed Site / Block Layout	02	1	17/05/2023

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 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. No amendments were sought.

Report Dated:

31 July 2023