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:	**2023/65/91395/W**
Site Address:	32, Talbot Avenue, Edgerton, Huddersfield, HD3 3BG
Description:	Listed Building Consent for internal and external alterations (within a Conservation Area)
Recommending Officer:	Tom Hunt

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: 27-Sep-2023

Officer Report

Site Description

2023/91395 – 32, Talbot Avenue, Edgerton, Huddersfield, HD3 3BG

32 Talbot Avenue is a substantial detached dwelling, known as Ridgemount, located in the Edgerton Conservation Area. It has a detached outbuilding serving as a garage. It is built in an Arts and Crafts style with traditional stone and slate tile, and is set within substantial and beautifully landscaped grounds with mature trees screening it from the highway and public view.

Description of Proposal

The proposals are for Listed Building Consent for internal and external alterations (within a Conservation Area).

History of negotiations/amendments received

None

Relevant Planning History

2021/93410 – Partial demolition, erection of single storey rear extension and external alterations (Listed Building within a Conservation Area). *Approved*

2021/93411 – Listed Building Consent for partial demolition, erection of single storey rear extension with associated internal and external works (within a Conservation Area). *Approved.*

There are also tree works applications for this site.

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's minor scale and design will have a neutral impact to the climate change policy.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- Conservation & Design – Support, further details set out in the assessment.

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via Site Notice and Press which had a final expiry date of 23/06/2023.

No representations have been received.

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 is possesses'.

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) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter2	Achieving sustainable development
Chapter12	Achieving well-designed places
Chapter16	Conserving and enhancing the historic environment

Assessment

Significance

32 Talbot Avenue is a substantial detached dwelling, known as Ridgemount, located in the Edgerton Conservation Area. This Grade II listed property was

built in 1922-3 in the Arts and Crafts style to the designs of Joseph Berry & Sons, Architects. Joseph Berry is recorded as being an admirer of Edgar Wood who built the adjacent dwelling completed in 1896, known as Briarcourt (also listed Grade II).

Impact of the proposal on significance

The application is for internal and external alterations to the rear of the building, with replacement windows, new doors, railings and dwarf wall, and the removal of an internal wall between the kitchen and utility room to form a larger kitchen. This application follows the previously approved listed building consent 2021/93411 for partial demolition, rear extension and associated internal and external works. The current application is retrospective as works were completed in 2022. The Conservation and Design Officer's assessment is as follows:

The alterations are at the rear (north) of the building which is more functional than the southern part and of lower significance. The replacement of later windows and doors with traditional types in the same style as the originals will enhance the appearance of the building, and the introduction of a doorway in place of an existing window in the utility room improves circulation with minimal harm to significance. This new opening and doors have been designed to reflect the overall character and have been sensitively designed.

Internally, the removal of an internal wall between the kitchen and utility room has improved the internal layout with minimal harm. A section of the wall has been retained so that the original plan form can be understood, and the decorative kitchen ceiling has been retained intact.

Externally, the new railings to the rear of the north extension are simple in design and are set on natural stone dwarf walls. The design and materials complement the building and are therefore acceptable.

The construction of a patio and removal of a non-original shed are not of concern.

There will however be some harm to the Listed Building which had been identified as 'slight' by the Conservation & Design Officer and considered to be less than substantial harm for the purposes of this assessment (categorised as per para. 199 of the NPPF) and therefore needs to be balanced against whether any public benefits exist.

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 listed building consent must 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.”*

This application has been assessed against relevant policies in the development plan and other material considerations. As noted in the Conservation & Design Officer response, The work had been carried out sensitively, and the less than harm caused by minor alterations is, in this case, outweighed by the public benefits of removing traditional opening and fenestration designed to the rear of the building and addition of high-quality materials in the metal railings and ashlar stone patio to the rear. The proposal preserves the character of the listed building.

Recommendation **Grant Consent**

Decision Authorisation - Delegated

Application Number: 2023/91395

Officer Recommendation: Grant Consent

Conditions and Reasons

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 to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset in accordance with Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), Chapters 2, 12 & 16 of the National Planning Policy Framework and Policies LP2, LP24 & LP35 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan as Existing.	Drawing No. EX0001.	Unamended	12/05/2023
Site Plan as Existing.	Drawing No. EX0002.	A	12/05/2023
Elevation and Section Plans as Existing.	Drawing No. EX0003.	A	12/05/2023
Floor and Roof Plans as Existing.	Drawing No. EX0003.	A	12/05/2023
Site Plan as Proposed.	Drawing No. AL0102.	Unamended	12/05/2023
Demolitions as Proposed.	Drawing No. AL0107.	Unamended	12/05/2023
Design and Access and Heritage Statement	Design and Access and Heritage Statement by Fibre Architects. Dated: 04/05/2023	-	12/05/2023

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 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. The proposal was considered and no changes were required following assessment by the Conservation & Design Officer.

Report Dated: 25/09/2023