

**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:	2023/65/91676/W
Site Address:	90, New North Road, Edgerton, Huddersfield, HD1 5NE
Description:	Listed Building Consent for change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides(within a Conservation area)
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: 24-Apr-2024

Officer Report.

Site Description

90 New North Road is four stories in height. The external walls of the building are faced in stone, with a tiled roof above. The property fronts the highway of New North Road, benefitting from a grassed area to the frontage and a low stone boundary wall. To the rear elevation, the property has a car park.

The site is located within the Greenhead Park/New North Road Conservation Area.

No. 90 and adjoining No.'s 86 and 88 New North Road are Grade II Listed Buildings. Several other Listed Buildings are also located in close proximity to the site, including the buildings located opposite, across the highway of New North Road.

Description of Proposal

Listed Building Consent is sought for the change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides.

The applicant is seeking permission for the change of use of the building from offices to a bed and breakfast.

- Basement - three ensuite bedrooms, a bedroom and store room.
- Ground floor – three ensuite bedrooms and storage/staff room with bathroom.
- First floor – five ensuite bedrooms.
- Second floor – four bedrooms and two bathrooms.

Lightwells are proposed to be installed around the building.

A first-floor window would be installed on the side elevation of No. 90 New North Road. This window would be framed in timber and would be designed to match the appearance of the existing ground floor window in the same side elevation.

History of Negotiations / Amendments Received

Throughout the assessment of this Listed Building Consent application, negotiations were undertaken between the applicant, planning agent, case officer and Council's Conservation & Design Officer and as a result several amended plans were sought and submitted.

Relevant Planning History

At the application site:

- 90/05592 – Listed Building Consent for suspended ceiling in front studio on first floor. *Consent Granted.*
- 91/01757 – Listed Building Consent for re-opening of bricked up window and exterior landscaping. *Consent Granted.*
- 98/90988 – Alteration to roof. *Granted Conditional Full Permission.*
- 98/90989 - Listed Building Consent for alterations to roof and formation of new internal staircase. *Consent Granted.*
- 2023/93777 – 88-90 New North Road – Listed Building Consent for formation of connecting doorway from no 88-90, installation of window on first floor side elevation, installation of vents to side elevation and change all internal doors to basement of no 90. *Consent Granted.*
- 2023/91675 – Change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides. *Pending Consideration.*

To No. 88 New North Road:

- 2016/90929 – Listed Building Consent for change of use from house of multiple occupancy to be bed and breakfast, erection of roof extension, bay window and lightwells and internal and external alterations. *Consent Granted.*
- Change of use from house of multiple occupancy to bed and breakfast, erection of roof extension, bay window and lightwells and internal and external alteration. *Granted Conditional Full Permission.*

Representations

We are currently Undertaking the legal statutory publicity requirements, as set out in 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: 25th August 2023.

No representations were received to the listed building consent. The representations received in response to the allied application for planning permission are assess in that report.

Consultations

KC Conservation and Design (formal) - The Conservation and Design Team has no concerns about the principle of conversion from offices to a bed and breakfast where alterations are kept to a minimum and sensitively designed, with any that affect the historic fabric and plan form fully reversible.

The Conservation and Design Team has no objections to a sensitive proposal which provides a sustainable use for this building. Overall, the conversion of the building from offices to guest house accommodation is acceptable as the floor layouts will remain predominantly the same, and the basement, first and second floor have few architectural features of interest (except for the fireplace and chimney breast in room 4), so following the submitted revisions, the proposal is acceptable, subject to conditions.

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.

As part of the accompanying planning application referenced 2023/91675 and this Listed Building Consent application, details of climate mitigation measures were provided.

Policy

No. 90 New North Road is a Grade II Listed Building 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:

- 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 December 2023, together with Circulars, Parliamentary 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-Design and Beautiful Places
- Chapter 16 – Conserving and Enhancing the Historic Environment

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'.

No. 90 New North Road has the following listing description: *Mid C19. Ashlar. Pitched fish-scale slate roof. 2 storeys and attics. Parapet. 2 ranges of bipartite mullioned sashes. West range breaks forward slightly, and is crowned by gable on kneelers with vase-shaped finial, and triangular cusped window.*

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

Paragraph 205 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 Grade II Listed 90 New North Road.

Impact of the Proposal on Significance

The proposal being considered is for the change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides.

Upon formal consultation, the Council's Conservation and Design Team confirmed that they had no concerns about the principle of conversion from offices to a bed and breakfast where alterations are kept to a minimum and

sensitively designed, with any that affect the historic fabric and plan form fully reversible.

The proposed lightwells around the building are not visible from outside the site and have a negligible impact on significance. Their introduction will reduce dampness within the proposed habitable rooms within the basement by taking back the ground level. The retaining walls have been topped with natural stone copings which complement the character of the listed building. Timber windows are retained at basement level, also maintaining the character. Cement strap pointing and render has been applied to the external elevations at basement level and this must be carefully removed and replaced with flush pointed lime mortar, as such, a condition will be imposed upon any grant of Listed Building Consent.

The introduction of a small first-floor window to room 11 to the right of the stair window is simple in design and timber framed, with the ashlar stone surround matching the ground floor window opening below. The minor harm to significance is outweighed by providing natural light and ventilation into the existing room.

Indicative drawings of the bathroom pods in rooms 6, 8, 9, 10, 11, 12 and 13 have been submitted and show that skirtings and picture rails are retained and boxed in, and the proposed floor plans show that new soil vent pipes will be connected into existing drainage.

With regard to the en-suites, in rooms with surviving architectural details, these interventions will lead to less than substantial harm to the significance of the Listed Building. However, the original plan forms can still be understood, and the harm has been mitigated against by the proposed pods being set below the decorative cornices within the rooms and fixed around the skirtings to ensure that these historic details are retained. The pods could be removed in the future if they are no longer required. It is considered that the public benefits of providing a viable use for the building outweighs this slight harm. Upon any grant of Listed Building Consent, a condition will be applied requiring architectural details to be retained and protected from damage as part of the installation.

Officers also note the following:

- The two new extract vents shown on the north gable have been approved under Listed Building Consent application 2023/93777.
- The applicant has confirmed that all existing doors on the ground, first and second floors shall be retained. Replacement basement doors have been approved under application 2023/93777.

In conclusion, it is considered that the proposal would lead to less than substantial harm to the significance of the Listed Building by minor changes and the insertion of en-suite pods within bedrooms. The overall harm is considered to be low as architectural features are retained and the pods could be removed in the future. The public benefits of providing a sustainable use for this building are considered to outweigh harm.

Overall, the conversion of the building from offices to guest house accommodation is acceptable as the floor layouts will remain predominantly the same, and the basement, first and second floor have few architectural features of interest (except for the fireplace and chimney breast in room 4), so following the submitted revisions, the proposal is considered to be acceptable, subject to conditions.

With the inclusion of the aforementioned conditions, the proposal is considered to comply with Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the NPPF and Policy LP35 of the Kirklees Local Plan, and therefore the application is recommended to have consent granted.

Recommendation: Grant Listed Building Consent

Decision Authorisation: Delegated Powers

Application Number: 2023/91676

Officer Recommendation: Grant Listed Building Consent

Conditions and Reasons:

1. Permission 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.

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 assets, and to accord with Policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 2, 12 and 16 of the National Planning Policy Framework.

2. Notwithstanding the information submitted, the first-floor gable window shall be timber framed and match the small ground floor window below in all respects including the depth within the reveal, with an ashlar stone surround and projecting stone cill. Friction hinges and visible trickle vents shall not be permitted.

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. No architectural details shall be removed without consent. This includes (but is not exclusive to) windows including historic glass,

window shutters, historic internal doors, architraves, skirtings, picture rails, covings, chimney breasts, fireplaces including surrounds and historic ironwork. New boxings, pipework and drainage runs shall be installed carefully to avoid damage to architectural details.

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.

4. Cement strap pointing and render applied to the external elevations at basement level shall be carefully removed and replaced with flush pointing in lime mortar with a mix of 1.5 parts Nosterfield sand, 1.5 parts Leyton Buzzard sand and 1 part NHL 3.5 lime mortar, unless an alternative mortar mix is agreed in writing by the Local Planning Authority, before the bed and breakfast accommodation is first brought into use. No power tools shall be used to remove the existing mortar and the mortar shall be flush pointed.

Reason: To enhance the significance of the designated heritage asset through the removal of damaging and visually displeasing cementitious strap pointing and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

Note: This decision notice should be read in conjunction with application 2023/91675 for the allied planning permission.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Existing and Proposed Site and Roof Plans and Elevation (AA)	BA-90.103-EXPP02203	0	07.06.23
Bike Shelter	1.0	-	06.09.23
Proposed Internal Bathroom Pod	PAD.108.1216	-	06.12.23
Existing Rear & Front Elevations	PAD.108.1218	-	06.12.23
Existing Basement & Ground Floor Plans	PAD.108.1213	-	18.01.24
Existing First & Second Floor Plans	PAD.108.1214	-	18.01.24
Proposed First & Second Floor Plans	PAD.108.1219	-	18.01.24
Location Plan, Section, Site Arrangement Plan	PAD.108.1220	-	18.01.24
Proposed & Existing Side Elevations	PAD.108.1217	A	06.03.24

Proposed Basement & Ground Floor Plans	PAD.108.1215	A	07.03.24
Heritage Statement	-	-	07.06.23
Design and Access Statement	-	-	07.06.23
Supporting Statement	-	-	06.12.23
Supporting Information (Kitchen)	-	-	17.07.23

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.

Amended plans were submitted in response to consultations from KC Conservation and Design.

Report Dated:

22.04.24