



Planning (Listed Buildings and Conservation Areas) Act 1990

LISTED BUILDING CONSENT

Application Number: 2023/65/91780/W

To: Victoria Saunders,
BTP Architects Ltd
486, Didsbury Road
Heaton Mersey
Stockport
SK4 3BS

For: Kirklees Council, Homes & Neighbourhoods

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 INTERNAL AND EXTERNAL REPAIR AND REFURBISHMENT WORKS

At: 3, FERNSIDE AVENUE, ALMONDBURY, HUDDERSFIELD, HD5 8NR

In accordance with the plan(s) and applications submitted to the Council on 15-Jun-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 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: 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 and to accord within the National Planning Policy Framework.

3. New windows shall be timber in a white painted finish, with mouldings and timber sections simple in design and profile with chamfered glazing beads. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. Opening casements shall be set flush with the frames with butt hinges and all new window frames shall be set back in the reveal by 75-100mm and shall not be fitted flush with the external wall. External stone sills shall not be dressed to form a chamfer.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion in order 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. Notwithstanding the details provided, new external doors shall be constructed in timber with a painted finish, with mouldings and timber sections to match the details of the timber front door at 1 Fernside Avenue. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. All new external door frames shall be set back in the reveal as existing and shall not be fitted flush with the external wall.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion in order 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.

5. All insulation to be used in any part of the works within the building or roof shall ensure that it is entirely permeable, not make use of vapour barriers and making use of natural materials such as wool, wood fibre board, hemp board or similar. There shall be no use of impermeable, synthetic or artificial 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 LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, as well as policies contained within Chapters 2, 12 and 16 of the National Planning Policy Framework.

NOTE: In respect of Condition 5 materials such as Kingspan, Celotex or similar PIR boarding would not be acceptable for use.

6. There shall be no use of cement or concrete in any part of the works.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset 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.

7. There shall be no use of filler or expandable foams in any part of the proposed works.

Reason: To retain the significance of the designated heritage asset 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.

Plans and specifications schedule: -

(in bold are plans or details amended since the previous Listed Building Consent)

Plan Type	Reference	Version	Date Received
Heritage Impact Assessment	Heritage Impact Assessment by btp Architects.	Unamended	15/06/2023
Design and Access Statement	Design and Access Statement by btp Architects.	Unamended	15/06/2023
Supp Info – General	Wetherby Internal Wall Insulation System Specification. Project Ref: AS_23-00162LR. Dated: 07/06/2023.	Unamended	19/06/2023
Supp Info – General	Proposed Site Section of Partition Wall and Lining Types. Drawing no. 120.	B	20/10/2023
Proposed Site Plan.	Drawing No. 103.	2	15/06/2023
Existing Floor Plans.	Drawing No. 105.	Unamended	15/06/2023
Proposed Floor Plans.	Drawing No. 106.	C	20/10/2023
Existing Elevation Plans.	Drawing No. 107.	Unamended	15/06/2023
Proposed Section of Property.	Drawing No. 109.	C	20/10/2023
Proposed Elevation Plans.	Drawing No. 108.	5	15/06/2023
Proposed Floor Plan with Structure Over, Splice Detail and Bearing Detail.	Drawing No. GA-001.	Unamended	07/07/2023
Proposed Window Section/Profile and Patterns 1:20 and 1:5.	Drawing No. 117.	1	15/06/2023

Plan Type	Reference	Version	Date Received
External Door Design.	Drawing No. 118.	1	15/06/2023
Location Plan	Drawing No. 100.	Unamended	15/06/2023
Supp Info – General	U-Value Calculation and Condensation Risk Assessment. File ref: 1-HE-231011-092225-599. Sandstone.	Original	12/10/2023
Supp Info – General	U-Value Calculation and Condensation Risk Assessment. File ref: 1-HE-231011-082553-559. Kooltherm, Timber, Sandstone	Original	12/10/2023

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. Negotiations have taken place over the impact of the insulation interventions on the character and significance of the listed building and how to avoid harm long term.

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.**

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the 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: 27-Oct-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 2023/65/91780/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
