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:	**2023/65/92123/W**
Site Address:	Ukrainian Club, 7 , Edgerton Road, Edgerton, Huddersfield, HD1 5RA
Description:	Listed Building Consent for conversion of existing garage into games room and associated alterations (within a Conservation Area)
Recommending Officer:	Tom Hunt

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: 20-Dec-2023

Officer Report

Site Description

2023/92123 – Ukrainian Club, 7 , Edgerton Road, Edgerton, Huddersfield, HD1 5RA

The application site relates to the Grade II Edgerton Hill, including boundary wall, gate, piers, former kitchen garden walls and outbuildings. The building is a detached, large, U-shaped plan form Villa constructed in the classical style within large grounds. It has had various phases of addition and alteration, however, the floor plans, architectural details and character of the building remain significantly intact. It is within Edgerton Conservation Area.

Description of Proposal

Listed Building Consent for conversion of existing garage into games room and associated alterations (within a Conservation Area)

It is proposed to externally alter a previous garage in the West Wing to remove a garage door and infill the wall elevation with a door and transom above and two timber sash windows. Both shall have natural stone head and cill with locally sourced reclaimed natural stone, tumbled and dyed to match the existing. This would bring the room into use as a kids activity/games room, remaining in incidental use to the host.

Internally the only change proposed appears to be the addition of a small cupboard.

Relevant Planning History

2023/92122	Planning Application for conversion of existing garage into games room and associated alterations (within a Conservation Area). *Pending*
93/05955	Erection of lobby extension to link kitchen to function room. *Approved.*
93/05965	Listed Building Consent for erection of extension to form link and alterations. *Approved*
89/00955	Link corridor extension and internal alterations. *Approved*
89/01529	Listed Building Consent for link corridor (within Conservation Area). Approved.

In addition, there are numerous tree works applications on the wider site.

History of negotiations/amendments received

Additional details were requested with regard to window joinery details and proposed flooring within the games room. It was agreed to have those controlled by condition at a later date with the agent.

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, NPPF policies and guidance documents to embed the climate change agenda.

The proposed alterations include having a new natural stone infill and new timber sash windows to replace a poorly insulated timber garage door which would greatly improve the thermal and draught exclusion performance of the Building's envelope. The windows would serve to provide increased daylighting to the room bringing it to use as a childrens' games room which would reduce energy demand from lighting. The use of natural and low carbon embodied materials would avoid the use of carbon intensive materials.

Therefore, it is felt the proposal complies with the climate emergency requirements.

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 subject to details being controlled by condition.

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 Publicity with a final expiry date of 02/09/2023.

One Supportive representation have been received from Huddersfield Civic Society:

- Works are to a dilapidated garage in a non-sensitive section.

Policies and Legislation

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:
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 19th December 2023, 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 the historic environment

Assessment

Significance
The building's original listing by Historic England (ref: 1134254) refers to "Edgerton Hill, including boundary wall, gate piers, former kitchen garden walls and outbuildings".

A shortened synopsis is as follows of relevant matters to be considered: Edgerton Hill, Huddersfield, built around 1820, is listed at Grade II for the following principal reasons:

Architectural interest:

* for the quality of the design as an early-C19 villa built in a classical style;

* the readability of the building's early-C19 plan form, including the former basement kitchen, service and coach house range, former loggia, and a late C19 billiard room;

* its use as a Ukrainian Club from the mid-C20 has remained sensitive to these features, while also incorporating ceiling paintings to the late-C19 billiard room and commemorative plaques.

Historic interest:

* as a reflection of the growth of the Ukrainian Community in the North of England in the mid- to late C20.

Group value:

* with nearby Grade II listed villas that all contribute to the character of the Edgerton Conservation Area.

The Conservation & Design Officer was formally consulted and was supportive of the proposal. This is subject to detailed conditions controlling the works which are set out in the recommendation.

The proposal would be to the west wing of the Listed Building which served the historic service and coach house with a 20th century addition forming a garage with large timber garage doors. The existing fabric had been identified as an area of lesser historic merit and seeks to harmonise its works to the Listed Building with new natural stone wall infill carefully matched in colouring and textural appearance, appropriately proportioned timber sash windows and natural stone heads/cills. The works to a non-historic section would be sited in an inconspicuous area within the U plan layout and is to support the Ukrainian Community serve its childcare needs by providing a games room. As previously stated, there would be benefits to the Building in terms of its increased energy efficiency and insulation from the works replacing a poorly conditioned, non-historic garage door for a high quality intervention with high quality materials. This minor scale of works would enable the proposal to be sympathetically integrated with the Building and to be acceptable in terms of visual and heritage amenity.

Officers are supportive of this low impact proposal's aims in expanding its community facilities internally whilst not complicating the original plan form noted within its Listing use as a historic cultural asset and its plan form readability.

Conclusion

Paragraph 205 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 208 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(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.

As the proposed works are minimal and justified, it is felt that the architectural, cultural and historic interest of the listed building is preserved. This modest scale of works would enable the proposal to be sympathetically integrated with the Building to a non-historic elevation and to be acceptable in terms of visual and heritage amenity. As such, Officers have identified that there would be no harm to the significance of the Listed Building and therefore the proposal would not require any public benefits to clearly outweigh the minor interventions undertaken.

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.

This 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. It is considered that there is no identified harm from the proposal to require public benefits to outweigh the harm and it is therefore recommended for approval.

Recommendation **Grant Listed Building Consent**

Decision Authorisation - Delegated

Application Number: 2023/92123

Officer Recommendation: Grant Listed Building Consent

Conditions and Reasons

This Decision Notice should be read in conjunction with the Decision for the associated Planning application reference: 2023/92122.

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 in accordance with Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

3. Notwithstanding the submitted plans and information, no works to install new sash windows shall take place until full details of all windows and doors (1:20 elevations and 1:5 sections) to match the existing examples in the Listed Building have been submitted to and approved in writing by the Local Planning Authority. Submitted information shall include sashes with cords, pulleys and weights, glazing type, materials, profiles, colour, opening light

configuration, depth within the reveals and fixing details. Double glazed units shall be slim in section with black spacers. Trickle vents and friction hinges shall not be permitted. The development shall thereafter be completed in accordance with the approved details before the development is first brought into use and thereafter retained.
Reason: In the interests of visual amenity and appearance of the development on completion, in the interests of the significance of the Grade II Listed Building and to preserve the character and appearance of the Edgerton Conservation Area, in accordance with Policies LP02, LP24 and LP35 of the Kirklees Local Plan and Chapter 12 and 16 of the National Planning Policy Framework.

4. The works hereby permitted shall not begin until details of the proposed floor covering and subsurface in the Kids Activity/Games Room have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.
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.

5. There shall be no use of cement or concrete in any part of the works unless this has been previously submitted to and approved in writing by the Local Planning Authority in writing.
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.

6. 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 assets of the Grade II Listed Building and Edgerton Conservation Area 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. All plastering and pointing is to be undertaken using lime plaster only.
Reason: To retain the significance of the designated heritage assets of the Grade II Listed Building and Edgerton Conservation Area 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:-

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan.	Planning Portal Reference: PP-12311449v1	Unamended	18/07/2023
Location Plan.	A(00)-02	Unamended	18/07/2023

Plan Type	Reference	Version	Date Received
Existing Site, Floor and Elevation Plans.	Drawing No. A(00)-01.	Unamended.	18/07/2023
Proposed Site, Floor and Elevation Plans.	Drawing No. A(10)-01.	Unamended	18/07/2023
Heritage Statement	Heritage Statement by Cadvis3d Limited. Job No. 2269.	Original.	18/07/2023
Climate Change Statement	-	-	21/07/2023

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. Conditions were agreed by the agent to ensure that the Listed Building would be adequately preserved for the benefit of future generations/occupants and be brought back into use for historic amenity.

Report Dated 19/12/2023