

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:	2023/65/93554/W
Site Address:	7, Owl Mews, Lascelles Hall, Huddersfield, HD5 0BD
Description:	Listed Building Consent for erection of single storey side extension and porch gallows
Recommending Officer:	Tom Hunt

DECISION – REFUSE LISTED BUILDING CONSENT

I hereby authorise the refusal 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: 21-Mar-2024

Officer Report

Site Description

2023/93554 – 7, Owl Mews, Lascelles Hall, Huddersfield, HD5 0BD

The application site is an end terraced dwellinghouse within a historic subdivided stable block and barn in a U-shaped plan. It is constructed with natural stone and stone slate roof, which is hipped at rear. It is Grade II Listed (Historic England Listing ref: 1313322). The group of Listed Buildings has the most visual/historic interest at its northwest elevation as demonstrated by its visually attractive central carriage entrance with elliptical arch and fenestration details compared to the plainer forms of fenestration to the flank and southeast facing elevations (this is confirmed by a previous '91 Appeal and the Listing). There is a low stone wall with thick green hedging cumulatively appearing as over 2m in height from ground to this boundary.

It is accessed via Owl Mews a private road and has gardens to its northeast and southeast including a tennis court and detached outbuildings. The host is partially in the Green Belt to its northeast with its northeast side porch sited within.

Description of Proposal

Listed Building Consent for erection of single storey side extension and porch gallows

Relevant Planning History

2023/93553	Erection of single storey side extension and porch gallows (Listed Building). <i>Pending (associated application).</i>
94/91380	Erection of joined porch (Listed Building). <i>Conditional Full Permission.</i>
94/91381	Listed Building Consent for erection of joined porch. <i>Granted.</i>
91/02622	Listed Building Consent for erection of joined porch extension to 2 no dwellings. <i>Refused.</i>
91/02621	Erection of joined porch extension (Listed Building). <i>Refused.</i> Appeal ref: T/APP/Z4718/A/92/198840/P8 Appeal ref: T/APP/Z4718/E/92/808651/P8 <i>Dismissed.</i>
90/04028	Erection of joined porch extension (Listed Building) <i>Refused.</i>

90/04029 extension.	Listed Building Consent for erection of joined porch <i>Refused.</i>
86/00212	Listed Building Consent for installation of additional windows. <i>Granted.</i>
86/03985	Listed Building Consent for reconstruction of distressed east wall. <i>Granted.</i>
85/02936	Conversion of barn to 3 dwellings with associated garages (Listed Building). <i>Granted.</i> Officer Note: Appeal Dismissed 07/07/1986. No reference number.
85/02937	Listed Building consent for conversion of barn into 3 dwellings and erection of garage block. <i>Granted</i> Officer Note: Appeal Dismissed 07/07/1986. No reference number.

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as the proposal could not be supported on heritage amenity.

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

The proposed alterations would have some modest additive thermally insulating effect to the existing building envelope over a limited elevational area with its stone slate tile however this may be counterbalanced by the proposed substantial glazing materials proposed; as such this may be of neutral impact. The use of natural materials such as timber and stone slate are recognised as low carbon embodied materials and would limit carbon emissions in construction. Therefore, it is felt the proposal adequately complies with the climate emergency requirements however this would not be sufficient to override Officers concerns on the impact on heritage amenity to this Listed Building

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 – Objection. Further details are as follows 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 Publicity which expired: 15/03/2024.

No representations were received.

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 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 – Presumption in favour of 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 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 and beautiful places
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

Significance

The application proposes alterations to the host to add a single-storey side extension and a doorway canopy. It is noted that the application site is within a Listed Barn/Stables subdivided into residential use over three dwellinghouses and has a strong group value. The Conservation & Design Officer was informally consulted to assess the impacts on significance.

Internal alterations

It is noted that there are no additional alterations to the plan form through the submitted floor plans, excepting the addition of the side extension.

External alterations

An existing narrow window addition (which already appears uncharacteristic to the existing fenestration) will be used to form an internal door opening into the new extension; repurposing the window and obscuring this slightly detractive design on a reconstructed elevation would not have a significant impact to the Listed Building. The minor alteration would have the removed sections of stone retained on site for any future use and would be acceptable.

The proposed doorway canopy would add a modestly complicated additional architectural detail to the plainly detailed southeast elevation of the group of Listed Buildings disrupting its clean lines however this would appear visually subservient, permeable and of low impact set back significantly from Owl Mews. It would therefore be acceptable subject to condition on matching the roof material to the existing host for visual and heritage amenity.

Regarding the cumulative impact of the proposed side extension to the host and existing extension. The current porch is set significantly back by 6.7m from this elevation and does not appear in views of this elevation minimising its visual and heritage impact. The proposed addition would have its height, bulk and massing prominently closer to this elevation set back by 2.7m appearing as an intrusive element to the host. It would introduce an uncharacteristic feature by further obscuring the side elevation of the host with an additional protrusion closer to the northwest principal elevation harming its historic and architectural interest.

The proposed quantum of incongruous glazing and thickly timbered framing to the traditional stone elevation of an agricultural barn of historic interest with the introduction of an inharmonious roof form to the building's elevation adjoining the existing extension would add a complicated design and incongruous use of materials to the host. It would protrude forward of the existing single-storey side extension adding a dominant quantum of bulk and massing to the host to lead to a greater harmful degree of obscuration to its elevation. As such, the design would not appear visually integrated with the existing extension nor host.

The submitted Design, Access and Heritage Statement justifies this by confirming that the proposed development would be well screened due to its location near existing mix of hard and natural screening. In addition, its use of stone slate will assist in harmonising the structures with the Listed Building. The Statement concludes that the oak would weather and blend into the fabric of the host to harmonise with the host's natural stone. Nonetheless Officers raise concerns over the uncharacteristic use of glazing and thick oak frames appearing visually intrusive to the host's original and simple U plan form and of a design/material palette failing to appear integrated to the historic character of the host. The existing screening is noted to minimise this effect however the existing green screening could be reduced at any stage revealing more of the original host's elevation and its additions to appear more prominent. The lack of visibility does not overcome the visual harm of the proposal. As such Officers are unable to consider the more temporary nature of the screening as a sufficiently mitigatory factor in order to compensate for the more permanent structure's visual impacts.

The purpose is to provide a functional use for the applicant for the enjoyment of their property and additional shelter to the main entrance, as such, these purposes would be considered a private benefit.

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.

Whilst the Statement contends that the alterations would have a neutral impact on the group of Listed Buildings, Officers are unable to support the

harmful impact to the host. The design would appear wholly out of character with the historic significance of the agricultural character and design of the barn, altering significantly its u-shaped plan form. This would not appear in keeping with the historic architectural design and plan form of the host and be incompatible with Council's duties under the Planning (Listed Building and Conservation Areas) Act to have regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Even though this would be less than substantial harm, great weight should be given to that harm and as such public benefits would be required to clearly and convincingly outweigh this harmful impact.

As discussed previously, the intention for the proposed development set out in the Statement offers a private benefit to the applicants to have increased views of their garden. The side extension would appear to harmonise to a limited degree with the use of stone slate tile materials and timber to silver to a degree closer to the natural stone of the host and would modestly obscure a fenestration style which appears uncharacteristic to the host's own with some very limited visual benefit, however this would not be considered sufficient to outweigh the additional quantum of massing and incompatible design close to a significant elevation of architectural and historic interest.

It is therefore concluded that the proposed development is contrary 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). As such, it is recommended for Refusal.

Recommendation
Consent

Refuse Listed Building

Decision Authorisation: Delegated

Application Number: 2023/93554

Officer Recommendation: Refuse Listed Building Consent

Reason

The proposed single-storey side extension would fail to respect the original character and appearance of the host building and wider area by adding a dominant and incongruous feature with a discordant roof form and uncharacteristic substantial sections of glazing in an oak frame. The bulk and massing would protrude forward of the existing porch and appear as a visually incongruous and over dominant form competing with the most significant northwest elevation of the historic host and its plan form. This would result in less than substantial harm to the significance of the Grade II listed group of Buildings. There are no public benefits that would outweigh this harm. The proposal is therefore contrary to Policies LP24 (a and c) and LP35 of the Kirklees Local Plan, Government Policy contained within Chapters 12 and 16 of the National Planning Policy Framework and the Council's duties under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan.	Drawing no. CC002.	Unamended	17/01/2024
Existing Elevation Plans with Isometric View.		A	17/01/2024
Existing and Proposed Floor Plans.	Drawing no. CC004.	Unamended	25/01/2024
Proposed Site Layout Plan.	Drawing no. CC002.	Unamended	04/12/2023
Proposed Elevation Plans with Isometric View.		A	17/01/2024
Design and Heritage Statement	Design and Heritage Statement by Dewar Planning. November 2023.	Unamended	04/12/2023
Covering Letter	Covering Letter by Dewar Planning. 01/12/2023	Unamended	04/12/2023
Climate Change Statement	-	-	04/01/2024

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 case officer considered the application on review and sought no amendments as the proposal could not be supported on heritage amenity.

Report Dated: 18/03/2024