

# 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:	<b>2023/65/93777/W</b>
Site Address:	88-90, New North Road, Edgerton, Huddersfield, HD1 5NE
Description:	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 (within a Conservation Area)
Recommending Officer:	Lucy Taylor

### 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: 12-Mar-2024**

## **Officer Report.**

### **Site Description**

88-90 New North Road are two adjoining buildings, both four stories in height. The external walls of the buildings are faced in stone, with a tiled roof above. The properties front the highway of New North Road, benefitting from grassed areas to their frontage and low stone boundary walls. To their rear elevations, the properties have a car park.

Both properties are Grade II Listed and are located within the Greenhead Park/New North Road Conservation Area.

### **Description of Proposal**

Listed Building Consent is sought for the formation of connecting doorway from No. 88-90, the installation of a window on the first-floor side elevation, the installation of vents to the side elevation and the change of all internal doors to basement of No. 90.

The connecting doorway would be installed between the dining room of No. 88 New North Road and the lobby of No. 90 New North Road. The connecting doorway would have a double door. The double doors would be white finish fire doors with neutral timber frames of a white finish, with two toughened glass panels.

The first-floor side elevation 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.

The submitted plans denote that both existing and proposed vent holes on the side elevation of No. 90 New North Road would be used for SVP and vents.

The basement doors, as denoted on the submitted floor plan, are to be changed to fire doors.

### **History of Negotiations / Amendments Received**

Several negotiations took place, and several amended plans were sought and submitted. This was predominantly a result of the consultation responses from KC Conservation and Design throughout the consideration of this Listed Building Consent application.

### **Relevant Planning History**

#### **No. 88 New North Road:**

- 90/03529 – Listed Building Consent for refurbishment of dwelling. *Consent Granted.*

- 90/06907 – Change of use of ground floor room in H.M.O for use as office. *Granted Conditional Full Permission.*
- 92/01102 – Renewal of temporary permission for change of use of one ground floor room in H.M.O for use as office. *Granted Conditional Full Permission.*
- 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.*
- 2016/90930 – Change of use from house of multiple occupancy to bed and breakfast, erection of roof extension, bay window and lightwells and internal and external alterations. *Granted Conditional Full Permission.*

No. 90 New North Road:

- 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.*
- 2023/91675 – Change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides. *Pending Consideration.*
- 2023/91676 – Listed Building Consent for change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides. *Pending Consideration.*

## **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: 16<sup>th</sup> February 2024.

No representations were received.

## **Consultations**

KC Conservation and Design (formal & informal) – Initial response dated 22<sup>nd</sup> February raised a number of concerns / issues. Following the submission of revised plans and further information regarding the connecting door, KC Conservation and Design have confirmed they have no objection to the proposal, subject to the inclusion of several 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.

Given the principal of development sought, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

## **Policy**

No. 88 New North Road and No. 90 New North Road are both 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:

- 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-Designed 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. 88 New North Road has the following listing description: *Mid C19. Ashlar. Pitched fish-scale slate roof. 2 storeys and attics. Crenellated parapet. 3 ranges of bipartite mullioned sashes with hoodmoulds. 2 outer ranges break forward slightly and are crowned by coped gables on kneelers with finials.*

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 the Grade II Listed buildings 88 & 90 New North Road.

### **Impact of the Proposal on Significance**

The proposal being considered is for the formation of a connecting doorway from 88-90 New North Road, the installation of a window on the first-floor side elevation of No. 90 New North Road, the installation of vents to the side elevation of No. 90 New North Road and the change of all internal doors to the basement of No. 90 New North Road.

The proposed first-floor window is a small timber framed window with an ashlar stone surround, which matches the detailing of the ground floor window opening below. The harm to significance is considered to be negligible as it is set in a discreet location on the gable wall, and the harm is outweighed by the introduction of natural light and ventilation into an existing room.

Upon any grant of Listed Building Consent, a condition would be imposed regarding the first-floor window, to ensure that it be timber framed and match the appearance of the small ground floor window below in all respects, including the depth with the reveal, with an ashlar stone surrounding and projecting stone cill. The condition shall also state that friction hinges and visible trickle vents are not permitted.

Two additional wall vents are proposed, located on the single storey projection on the gable end. These are minor interventions which will have negligible impact on significance, subject to them being buff terracotta units to match the colour of the masonry as close as possible. This finish shall be conditioned upon any grant of Listed Building Consent.

Within the basement there are several historic panelled doors in a simple design which appear to be original to the building and are considered to be an intrinsic part of the historic and architectural character of the Listed Building. The proposed fire doors are in a traditional four panelled design with an oak veneer finish, which broadly reflects the existing design. Given the proposed use of No. 90 New North Road, a bed and breakfast, it is considered that the public benefits of installing fire doors in the basement outweighs harm to the Listed Building, a fire protection measure.

A doorway is proposed to connect the two properties to create a single guest house with shared dining facilities. The submitted details show the doorway to be set within the wall adjacent to the chimney breast and below the picture rail (with the plan annotating 'railing preserved'). There is no objection to the principle of an opening being formed and the submitted details of the design of the door are considered acceptable, subject to a condition upon any grant of Listed Building Consent, to avoid damage to the chimney breast of No. 88 New North Road and the lobby partition of No. 90 New North Road.

Taking account of the amendments to the scheme from that of the scheme as initially proposed and the response of the Conservation and Design Team, as

well as the recommended conditions, the proposal is not considered to lead to harm in this case.

This conclusion is drawn on the basis of amendments to the scheme submitted since the initial response of the Conservation Team was provided, and following verbal discussions and confirmation provided by the Conservation Team that the updated / amended scheme was considered to be acceptable, particularly having regard to the removal of harmful interventions including the removal of a proposed window in the chimney breast which was initially proposed. In addition a balanced approach has been concluded in light of requirements for fire protection measures within the building.

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: 2023/93777**

**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.
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 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.
3. 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.

4. Notwithstanding the information submitted, the wall vents in the gable elevation shall be buff terracotta airbricks set flush with the masonry, to match the appearance of existing airbricks / vent covers. All pointing used in the works to install the vents shall match that of the existing building. The appearance of these airbricks / vent covers and the associated pointing to accommodate them shall thereafter be retained.  
**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.
  
5. When creating the internal connecting doorway from No. 88 New North Road to No. 90 New North Road, damage to the chimney breast of No. 88 and/or to the lobby partition of No. 90 New North Road must be avoided.  
**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.

**Plans and Specifications Schedule: -**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	PP-12694335v1	-	22/12/23
Proposed Basement Door Details	PAD.108.1221	-	22/12/23
Proposed First & Second Floor Plans	PAD.108.1219	-	22/12/23
Existing Rear & Front Elevations	PAD.108.1218	-	22/12/23
Location Plan, Section, Site Arrangement Plan	PAD.108.1220	-	10/01/24
Existing Basement & Ground Floor Plans	PAD.108.1213	-	18/01/24
Existing First & Second Floor Plans	PAD.108.1214	-	18/01/24
Proposed Connecting Door Details	PAD.108.1305	-	06/03/24
Proposed & Existing Side Elevations	PAD.108.1217	A	06/03/24
Proposed Basement & Ground Floor Plans	PAD.108.1215	A	07/03/24
Supporting Statement	-	-	22/12/23
Conservation/Heritage Assessment	-	-	22/12/23

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 the consultations from KC Conservation and Design.

Report dated:

11/03/24