

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:	2024/65/90361/W
Site Address:	Picturedrome, Market Walk, Holmfirth, HD9 7DA
Description:	Listed Building Consent for Installation of 3 air source heat pumps to rear (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: 10-May-2024

Officer Report

Site Description

2024/90361 – Picturedrome, Market Walk, Holmfirth, HD9 7DA

The application site relates to a music venue known as the Picturedrome situated in the centre of Holmfirth. Surrounded by mainly commercial and business units, the building itself is constructed with a variety of (facing) materials with stone/brick and render to the principal elevation.

The south elevation to which this application relates to has a number of openings and an elevated fire escape extending part way on this elevation. There are two three-storey extensions. The specific site would be visually screened by its surrounding built development from the highway.

Description of Proposal

Listed Building Consent for Installation of 3 air source heat pumps to rear (within a Conservation Area)

Relevant Planning History

The wider application site has many previous applications however the ones most relevant to this southeast elevation are included as below (the heat pumps are attached to this three storey extension).

2017/93619	Erection of 3 storey extension, fire escape and lift (Listed Building within a Conservation Area). <i>Conditional Full Permission.</i>
2017/93620	Listed Building Consent for erection of 3 storey extension, fire escape, lift and internal works (within a Conservation Area). <i>Consent Granted.</i>
2024/90361	Listed Building Consent for Installation of 3 air source heat pumps to rear (within a Conservation Area). <i>Pending.</i>

History of negotiations/amendments received

The case officer considered the application on review and sought no amendments as it met LP policies on visual, heritage and residential 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 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, Policy 12 of the Holme Valley Neighbourhood Development Plan, NPPF policies and guidance documents to embed the climate change agenda.

The proposal is to install renewable air source heat pumps and would reduce carbon emissions in this regard. This is considered to have great benefit to the Council's aims to achieve net zero carbon emission targets and be acceptable.

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 – No Objections.

Holme Valley Parish Council – Support

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 07/04/2024.

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 – Achieving Sustainable Development

- LP 2 – Place Shaping
- LP 24 – Design
- LP 35 – Historic Environment

HVNDP Policies relevant to this application are:

- Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design

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

The Conservation & Design Officer was informally consulted and raised no objections. The site is within Holmfirth Conservation Area and is a Grade II Listed Building.

Of relevance to this proposal, the proposal would be sited at a heavily screened area due to surrounding built development to an existing, non-original three storey extension serving as a lift shaft. As such, it would not affect views from the Conservation Area substantially and would not affect the character of the Conservation Area. In addition, it would not affect the historic fabric of the building and would promote the generation of renewable energy.

Close up, Officers concur that the functional and utilitarian nature of the installation's stark modern appearance would have limited visual impact to a setting whereby existing installations of a similar nature reside and appear modestly in keeping. It is noted that the proposal would be sited at a lesser elevation of minimal architectural interest and would not significantly obscure this elevation. The cumulative effect of this is considered to contribute to visual clutter and be visually harmful in this regard.

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.

The Conservation & Design Officer identified slight harm. Even though there is less than substantial harm identified, great weight should be given to that harm. This would require sufficient public benefits to clearly outweigh the harm.

In this case, the proposed development would have public benefits, specifically, in supporting a public cultural facility in reducing its carbon emissions for climate change/net zero targets and to reduce its energy bill so that it can be more viably run as a cultural community facility. Given the secluded nature of this minor form of the works, leading to very minor visual impact to the Listed Building and to Holmfirth Conservation Area, Officers concur that the proposal would have sufficient sound and convincing public benefits identified to clearly outweigh the harm caused by the proposals.

Therefore, it is concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development 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 is therefore recommended for approval.

Recommendation

Grant Listed Building Consent

Decision Authorisation - Delegated

Application Number: 2024/90361

Officer Recommendation: Grant Listed Building Consent

Conditions and Reasons

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: 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, Policy 2 of the Holme Valley Neighbourhood Development Plan as well as Chapter 16 of the National Planning Policy Framework.

This Decision Notice should be read in conjunction with the associated planning application: 2024/90360.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan.	Drawing no. 23/949/01.	Unamended	19/02/2024
Existing Block Plan.	Drawing no. 23/949/02.	Unamended	19/02/2024
Proposed Elevation, Section, Floor and Roof Plans.	Drawing no. 23/949/03.	Unamended	19/02/2024
Design, Access and Heritage Statement	Design, Access and Heritage Statement by Paul Matthews Architectural Ltd. Job no. 23/949. Date: January 2024.	Unamended	19/02/2024
Supp Info – General	Installing a Heat Pump	-	22/02/2024

Plan Type	Reference	Version	Date Received
Supp Info – General	Model dB Range Specification	-	22/02/2024
Supp Info – General	Operating Instructions (extracted pages English Language)	-	22/02/2024
Supp Info – General	Heat Pump Investment Roadmap	-	19/02/2024

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 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.

The case officer considered the application on review and sought no amendments as it met Local Plan policies on visual, heritage and residential amenity.

Report Dated:

08/05/2024