

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:	2024/65/90922/W
Site Address:	Dalton Grange, Bradley Mills Road, Huddersfield, HD5 9PR
Description:	Listed Building Consent for erection of perimeter fence, gates, and installation of CCTV cameras
Recommending Officer:	Edward Cheseldine

DECISION – LISTED BUILDING 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.

Emma Thompson

AUTHORISED OFFICER

Date: 25-Feb-2025

Officer Report

2024/90922 - Dalton Grange, Bradley Mills Road, Huddersfield, HD5 9PR

Site Description

Dalton Grange is a large, detached villa located in a hillside position. The site includes a gated entrance with a long parallel driveway placed centrally from the main dwelling. The villa was formerly owned by J. H. Brooke and Sons, cloth Manufacturers of Bradley Mills. The property is grade II listed.

List description:

*Dalton Grange, constructed in 1870-1 to the designs of John Kirk, is listed at Grade II for the following principal reasons: *Architectural quality: it is a good example of a mid-Victorian country house in Baronial Gothic style with a distinguished asymmetrical composition and a wealth of carved detailing; * Interior quality and survival: the interior maintains stylistic continuity with the Gothic exterior and although it has undergone some alteration numerous original features survive, including an imposing Baronial-style entrance/stair hall. The building's change of use to a gentleman's club in 1916 has also added an impressive billiards room with a barrel-vaulted ceiling, Diocletian windows and pilaster decoration; * Architect: it was designed by the notable Huddersfield architect John Kirk who has a number of listed buildings to his name, and it is a good example of his work; * Historic interest: it has significant historic interest through its association with the local industrialist and Mayor of Huddersfield Henry Brooke, and also through its later use as a social/gentleman's club for the research chemists and chemical engineers of Dalton Works; representing a rare example of a workplace-related social club for professionals; * Group value: it has strong group value with the two nearby Grade II listed north-east and south-west mill buildings at Bradley Mills that were owned by Henry Brooke at the time of the house's construction; the house's design incorporating a crenellated look-out tower that provided a view to the two mills, as well as across the Colne Valley.*

2024/90921 relates to planning permission for the proposed works.

Proposal Description

The applicant is seeking permission to erect security measures including 7 no. CCTV mounted on external walls of the building. The installation of a security fence in metal palisade style finished in green (RAL 6005), 2.4m in height.

History of negotiations / amendments received

- No amendments were sought.

Relevant Planning History

None relevant.

Access Considerations

None required.

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 policies and guidance documents to embed the climate change agenda.

Consultation Response

None.

Representations

The application was advertised by a site notice and a press notice.

Site Notice Expiry: 20 December 2024

Press notice expiry: 20 December 2024

As a result of the publicity there were no representations.

Policies

Dalton Grange 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

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2 – Achieving sustainable development

Chapter 12 – Achieving well-designed places

Chapter 16 – Conserving and enhancing the historic environment

Assessment

The development will introduce security paraphernalia which is justified and appropriate given the wider context of the site. Works do not include permanent alterations to the listed building. The fencing is sensitively positioned aligning with the topography of the site, it will be finished in a green colour which is appropriate given the woodland setting.

Conclusion

Paragraph 212 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 214 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.”

Development contains the installation of new security measures to protect the site from unauthorised access. It was noted upon an Officer site visit, there has been recent trespassing on the land that has led to littering, breaking and entering and damage to historic fabric.

The resultant paraphernalia will cause minor harm to the setting of the listed building given the utilitarian nature of the equipment. The reason for the installation of these measures is fully justified given the previous unauthorised activity on the site. Thus, preserving the condition of the listed building from activity that may lead to further harm.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

There will be no works to the fabric of the building. It will be conditioned that the surface mounted cameras are installed into the mortar joints. All paraphernalia is removable. The site has also been enclosed and private since it became vacant. Sections of the fencing are placed away from the highway, due to gradient of the hill slope only top sections of the fencing will be present from public vantage points when viewed along Bradley Mill Road.

It is hereby concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24, 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) and the principle of development is acceptable.

This application has been assessed against relevant policies in the development plan and other material considerations. The proposal will support the condition of the of the listed building from further harm to the historic fabric of the building. It is therefore recommended for approval.

Recommendation **Grant Consent**

Decision Authorisation - Delegated Powers

Application Number: - 2024/90922

Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

2. All CCTV fixings shall be into mortar joints and not directly into the stonework. The works shall then be carried out in complete accordance with the approved details and in the event that the equipment becomes redundant, it shall be removed and the walls made good.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

NOTE: Due to its location, a roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

NOTE: To minimise noise disturbance at nearby premises it is generally

recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

NOTE: In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	50PJM0523070/01	1	28 March 2024
Existing site plan	001	-	28 March 2024
Proposed block plan	002	-	28 March 2024
Existing elevations	P23-00625-MET-EXT-XX-ELE-M2-B-001	01	28 March 2024
Proposed Rear Elevation (Camera Layout)	-	-	28 March 2024
Proposed Front Elevation (Camera Layout)	-	-	28 March 2024
Proposed Side Elevation (Camera Layout) 01	-	-	28 March 2024
Proposed Side Elevation (Camera Layout) 02	-	-	28 March 2024
Palisade Fence Sheets (FirstFence)		A	28 March 2024
Palisade Fence Sheets (FirstFence)		A	28 March 2024
Bats and BNG Report	-	-	28 March 2024
Planning & Heritage Statement	-	-	28 March 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 has, 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.

No amendments were sought.