

**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:	2024/65/91182/W
Site Address:	Chain Farm, Chain Road, Slaithwaite, Huddersfield, HD7 5TZ
Description:	Listed Building Consent for erection of replacement conservatory roof and installation of solid fuel stove and flue
Recommending Officer:	Tom Hunt

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: 19-Jun-2024

Officer Report

Site Description

2024/91182 Chain Farm, Chain Road, Slaithwaite, Huddersfield, HD7 5TZ

Chain Farm at 1 Chain Road is a Grade II listed former barn (converted into a dwelling) which is situated at 90 degrees to Chain Road with the gable end directly adjacent to the footway. The building is constructed in hammer dressed stone with ashlar quoins and a stone slate roof. The conservatory, which was approved in 2000, is a single storey mono-pitch structure constructed against the west elevation and is highly visible from the road. The existing conservatory is timber framed with stone parapet side walls and a polycarbonate roof set into a timber frame.

Description of Proposal

Listed Building Consent for erection of replacement conservatory roof and installation of solid fuel stove and flue.

Relevant Planning History

86/00665	Erection of dog kennels and storage. <i>Approved.</i>
90/01959	Conversion of one dwelling into two (Listed Building). <i>Approved.</i>
90/01960	Conversion of barn into dwelling including new septic tank and demolition of link building (Listed Building). <i>Approved.</i>
90/01961	Listed Building Consent for demolition of link building and conversion of barn into dwelling. <i>Granted.</i>
90/01996	Listed Building Consent for conversion of dwelling into 2 dwellings, re-open doorway, internal alterations and new soil and vent pipe. <i>Granted.</i>
2000/92590	Erection of conservatory (Listed Building). <i>Approved</i>
2000/92591	Listed Building Consent for erection of conservatory and removal of concrete tiled roof to outbuilding. <i>Granted.</i>
2001/92833	Listed Building Consent for erection of conservatory (modified proposal).

Refused.

2023/93170 Listed Building Consent for replacement conservatory roof.

Withdrawn.

2024/91181 Erection of replacement conservatory roof and installation of solid fuel stove and flue (Listed Building).

Pending.

Informal pre application discussion was undertaken with the Conservation & Design Officer.

History of negotiations/amendments received

None.

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 proposal would assist in forming a more thermally insulative roof to a non-original conservatory, use natural and low carbon-embodied materials in slate and a flue to make use of biomass heating. Burning wood would be regarded as releasing more carbon dioxide per unit of energy output compared to more energy dense oil or gas. In this instance, given the small-scale form of flue proposed and the additional insulation and daylighting of the roof reducing energy demand through heating and lighting, it is considered in a very finely balanced judgement that the impact would be neutral whilst avoiding use of non-renewable fossil fuels.

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

Representations

In accordance with statutory publicity requirements, we have publicised this application via Site Notice and Press Publicity with a final expiry date of 15/06/2024.

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

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 formally consulted and supports the proposal.

The applicant proposes to replace the existing roof covering with natural blue slates, with uPVC gutters and two flush conservation style roof lights, with the installation of a solid fuel stove and matt black flue.

Officers welcome the replacement of the existing polycarbonate roof covering which harms the vernacular character and significance of this traditional stone building. The preferred roof covering in this prominent location would be natural stone slate to match the main roof.

However, the reasons set out within Heritage Impact Assessment stated that the pitch of the existing roof limits the range of materials that can be used for weather tight covering, including stone slate. Re-roofing in natural blue slate is the next best option as it would be weathertight at this degree of pitch and is a lightweight natural material with precedents in the locality, which is an enhancement on the existing in terms of visual amenity and reduction of heritage harm.

Plans confirm that the rooflights would be in conservation style fitted flush to the roof and detailed as such that those would not require a specific condition for visual amenity.

The proposed stove is within the conservatory, with a black metal flue projecting from the north wall of this extension. Although it projects 1m above the eaves level of the main house it is on the least prominent side of the lean-to structure and is set close to the wall of the main house. The submitted plans detail the flue would have a matt black finish which is considered suitable having regard to the host property.

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 proposed re-roofing in slate, rooflights and the slender flue outlet are acceptable as interventions to the Listed Building which will be of some benefit to the visual amenity of the Building and its long-term function, thermal insulation and maintenance. No harm has been identified in this instance. The proposal complies with Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraph 199 of the NPPF and Policy LP35 of the Kirklees Local Plan, and therefore the application is recommended to have consent granted subject to condition the development is undertaken in accordance with the submitted plans.

Recommendation

Grant Listed Building Consent

Decision Authorisation - Delegated

Application Number: 2024/91182

Officer Recommendation: Grant Listed Building Consent

Condition and Reasons:

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 and to accord within the 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.

This Decision Notice should be read in conjunction with the associated planning application: 2024/91181.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan.	Drawing no. 24/983/01.	Unamended	30/04/2024
Existing Block Plan.	Drawing no. 24/983/02.	Unamended	30/04/2024
Existing Floor and Elevation Plans.	Drawing no. 23/941/03.	Unamended	30/04/2024
Proposed Block Plan.	Drawing no. 24/983/05.	Unamended	30/04/2024
Proposed Floor and Elevation Plans.	Drawing no. 23/941/04b.	B	09/05/2024
Heritage Impact Statement	Heritage Impact Assessment by Paul Matthews Architectural Ltd. Job no. 23/941. April 2024.	-	30/04/2024
Climate Change Statement	-	-	30/04/2024

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. No negotiations required.

Report Dated: 17/06/2024