

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:	2024/65/91372/E
Site Address:	Hill Top Lodge, 428, Spen Lane, Gomersal, Cleckheaton, BD19 4LS
Description:	Listed Building Consent for erection of single storey extensions and internal and external works to existing outbuildings connected to the host dwelling
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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 03-Dec-2024

Officer Report

2024/91372 - Hill Top Lodge, 428, Spen Lane, Gomersal, Cleckheaton, BD19 4LS

Site Description

Hill Top Lodge is a detached residential dwelling in Gomersal. It is a curtilage listed building, part of a collection of buildings associated with Hill Top House, which is Grade II listed. The application building is formed of hammer dressed stone, a chimney stack and sash type openings, amongst other features. The building sits on a roadside position, adjacent to Spen Lane, bound by a coursed stone wall which extends off the building. There have been extensions from the original footprint of the building on the south and west aspect. Included within the grounds of the site are 3 protected trees. One Beech tree has been felled during the process of the application, circa to a tree works application (2024/92059).

Description Proposal

The application is for Listed Building Consent for repairs and alterations to a single-storey extension on the western aspect of the building.

Application 2024/91371 relates to this, which is for planning permission for roof alterations and a parapet wall.

History of negotiations / amendments received

Officers requested the following alterations:

- Addition of a parapet stone wall
- Arboricultural report
- Tree works application for removal of dead Beech Tree

Relevant Planning History

2006/93067 – Erection of conservatory – Full permission granted

2006/93068 – Erection of conservatory (LCB) – Consent granted

2024/91371 – Associated planning permission for roof alterations and a parapet wall. – Under Consideration

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 policies and guidance documents to embed the climate change agenda.

The alterations and repairs of the extension will improve the thermal efficiency of the building, replacing single glazed windows, pointing and walling that is in a poor condition and has the potential to cause damage to other parts of the curtilage listed building.

Consultation Response

KC Conservation & Design – Consulted in relation to the historic environment. Supported the principle of the application and improving the west aspect of the building. Requested a parapet wall.

Representations

The application was advertised by neighbourhood notification letters, a site notice and a press advertisement.

Neighbourhood notification expiry: 02-Jul-2024

Site notice expiry: 02-July-2024

Press advertisement expiry: 20-June-2024

As a result of the publicity, there was one letter of support from the Cleckheaton Civic Society. They raised the following points:

- The front and east-facing elevations with their interesting window and door features remain intact.
- There are already extensions to the side and rear, and the application does not increase the footprint of the building.
- The re-organisation internally and provision of a ground floor shower and toilet makes the building more flexible for residents needing ground floor facilities, thus extending the life and sustainability of the building
- We hope that a written record of the building's history is being made, and could be added to its formal Listing record on Historic England's website, to enhance appreciation of this local heritage asset.

The comments in support have been noted. In terms of a formal list description, the building is a curtilage listed building, records of which are undertaken by Historic England, at this time it would be upon HE to update the records of this building, not the Local Planning Authority.

Policies

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 December 2023, 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 and beautiful places

Chapter 16 – Conserving and enhancing the historic environment

Assessment

There is an existing single storey extension on the western aspect of the building, it projects 6.20m from the original elevation, with a depth of 8.70m. The building is currently in a poor condition with two competing roof styles. The proposal is for the installation of a mono-pitched roof with skylights and a parapet wall on the perimeter of the extension. The roof will be formed in a EPDM (rubber) material.

The parapet wall will be added to perimeter of the extension, it will be constructed in matching stone and be 0.80m in height.

The existing walls will be repointed.

Windows and frames will be replaced on the north and west aspect of the extension, which shall be in wooden frames with a slim line E-glazing.

Summary

The existing extension will be repaired and improved with a new roof, parapet wall, repointing and window replacements. The works will go some way in improving part of the curtilage listed building's appearance, which will in turn enhance the longevity of the structure. The works are therefore acceptable.

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 207 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.”

The existing extension is currently in a poor condition. Damp is visible within the course of the bricks. At certain section of the wall, pointing is missing. Fascia boards on the roof are of a substandard quality. During an internal site visit, Officers were made aware of damp on the inside of the property. Although these issues of the conditions of the building relate to the extension, it is acknowledged that they could, over time, cause harm to the condition of the rest of the building and the structure of the original elements of the curtilage listed building. The improvement will therefore enhance the significance of the building by removing incongruous elements which are in a poor condition.

In the interest of preserving the historic and architectural interest/setting of the heritage asset it will be conditioned that material samples of the parapet wall are provided before development commences. It shall also be conditioned that pointing and brickwork matches the original building and that all new cills and lintels are made of natural stone in the case they cannot be repurposed.

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.

Hill Top Lodge is a detached building with extensions projecting from the west aspect of the building. The extension is formed of two separately constructed elements, which have different materials and designs within them, such as the roof styles and external wall materials. The materials are of a poor quality in places. Felt roofing can be viewed from the public roadside. The external brick materials do not match. The two roof forms do not relate to one another.

The proposal is for roof alterations, a parapet wall and repairs which will go some way in reinstating the appearance of the western extension. Currently, the extension of the westerly aspect which is causing harm to the significance of the curtilage listed building and its setting.

The extension will replace incongruous elements, respecting the existing structure. A parapet wall in order to mask the appearance of the roof from the public domain.

It is therefore concluded that the proposed development accords 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).

This application has been assessed against relevant policies in the development plan and other material considerations. The proposal is a positive

enhancement of the listed building which will improve its structure and appearance. It is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2024/91372

Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development 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: 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.

3. All new stonework including, heads, sills, mullions, window and door surrounds, and columns shall be constructed of natural stone.

Reason: In the interests of protecting the historic environment and visual amenity of the area, in accordance with the requirements of Policy LP24 & LP35 of the Kirklees Local Plan, Chapters 12 & 16 of the National Planning Policy Framework.

4. Prior to construction of the extension hereby approved, details of the stonework and coping tiles of the parapet wall, shall be submitted and approved in writing by the Local Planning Authority. Thereafter the parapet wall shall be carried out in accordance with the approved details and retained as such.

Reason: This is a 'pre-commencement' condition where such details are required in the interests of safeguarding the significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

5. Pointing shall be carried out using a 1:3 NHL3.5 hydraulic lime:well graded sharp sand mortar unless otherwise agreed in writing by the Local Planning Authority. Weatherstruck, strap or ribbon pointing is not 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.

6. New fixed windows shall be constructed with timber frames with a white painted finish, with mouldings and timber sections simple in design and profile with chamfered glazing beads. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. All new window frames shall be set back in the reveal by 75-100mm and not fitted flush with the external wall.

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.

7. Prior to commencement of works, if heavy machinery is present on site, protective fencing shall be erected around the perimeter of tree roots, of the protected Beech and Horse Chestnut Tree until the building works are complete, at which point the protective fencing shall be removed. Thereafter the works shall be carried out in accordance with the approved details, detailed in the submitted Arboricultural Report.

Reason: To prevent harm and damage to the nearby tree, with the requirements of LP 33.

8. Notwithstanding the submitted plans, a natural stone parapet wall shall be constructed around the perimeter of the extension, including on the elevation adjacent to Spen Lane. The parapet wall shall be erected at a greater height than the roof in order to maintain a satisfactory appearance. The parapet wall shall be pointed using a 1:3 NHL3.5 hydraulic lime:well graded sharp sand mortar. No concrete shall be used.

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.

9. Notwithstanding the details shown on the submitted drawing P-06(1), the brickwork and pointing to the external window hereby removed, shall match the brick type and pointing of the adjacent wall.

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.

NOTE: Due to its location, a bat 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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	LP-00	-	14 May 2024
Existing Ground Floor and Block Plan	LP-01	-	14 May 2024
Existing Side and Rear Elevation	LP-03	-	14 May 2024
Existing Front and Side Elevations	LP-04	-	14 May 2024
Proposed floor plans	LP-05	RevA	26 June 2024
Proposed elevations	LP-06	RevA	30 July 2024
Grouped plans and elevations	LP-07	RevA	30 July 2024
Proposed elevations	LP-08	RevA	30 July 2024
Conservation/Heritage statement	-	-	14 May 2024
Arboricultural statement	-	-	18 November 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. Officers requested the following amendments:

- Addition of a stone parapet wall
- Arboricultural report
- Tree works application for removal of dead Beech Tree

