

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:	2024/65/91670/E
Site Address:	1, Netherdale Court, Lower Denby, Huddersfield, HD8 8YG
Description:	Listed Building Consent for erection of two storey side extension and associated alterations to dwelling
Recommending Officer:	Edward Cheseldine

DECISION – GRANT 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.

Emma Thompson

AUTHORISED OFFICER

Date: 28-Aug-2024

Officer Report

2024/91670 - 1, Netherdale Court, Lower Denby, Huddersfield, HD8 8YG

Site Description

The application relates to 1 Netherdale Court, a curtilage listed building. The farmhouse at Netherdale Court is Grade II listed and dates to the 17th century with possibly earlier timberwork. This building is situated on the north-east side of the farmstead and is set away from Barnsley Road. Directly adjacent to the road is a long curtilage listed farm building which includes 1 Netherdale Court.

Application Proposal

Listed Building Consent for erection of two storey side extension and associated alterations to dwelling.

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 policies and guidance documents to embed the climate change agenda.

A Climate Change Statement was submitted alongside the application. The proposals will present a more energy efficient dwelling for the future as a result of the design encapsulating part of the existing property with a significantly higher thermal efficiency.

Consultation Response

KC Conservation & Design – Conservation & design concluded; the extension would result in less than substantial harm to the curtilage listed building, the Grade II farmhouse and its setting. However, the harm is minimal.

Denby Dale Parish Council – No objection.

Public Consultations

The application has been publicised with a site notice and press notice.

Date site notice expired: 05-Aug-2024

Publicity expiry date: 02-Aug-2024

Policies

The building is curtilage listed with the Farmhouse being grade II listed, 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 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.

Chapter 16 - Conserving and enhancing the historic environment

Assessment

The application dwelling is a curtilage listed building, the elevation of the building is prominent and visible from the public roadside.

An extension is proposed on the south-east gable of 1 Netherdale Court, which is on the south-eastern end of the barn conversion. The proposed ridgeline is slightly lower than the existing to differentiate it from the host building, and the proposed south-west elevation is flush with the existing wall. We would normally expect the wall to be set back slightly to reveal the quoins, however this would result in a narrow gap between the extension and site boundary which could become a maintenance problem and therefore we accept the proposed detailing. The side of the quoins will still be visible,

enabling the legibility and evolution of the building to be understood. On the north-east elevation facing into the farmstead, the extension is set in slightly to reveal the quoins on this side.

The window configuration to the extension is not overly domestic, and the patio doors on the gable are partially obscured from view by the dry-stone boundary wall. Notwithstanding this, this is clearly an addition, and the detailing and materials of the doorway are traditional and in keeping with the host building.

The proposed materials are natural stone external masonry and Yorkshire stone slate roofing, timber windows and doors, and timber gutter.

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).

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.”

In respect of the grade II listed building, curtilage listed buildings and their setting, the extension forms an addition which is visible from public vantage points and further encloses the built form around the Grade II listed building. There is a considerable amount of parking to the east of the extension and the new addition is an addition to the non-historic material that is present on the site. The alteration is therefore considered to result in less than substantial harm to the significance of the heritage assets.

However, the purposes of the proposal will not conflict with the future use of the heritage asset.

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 alterations will be in a section of the building which is prominent, however is considered to be secondary to the special historical and architectural features of the curtilage listed building by being to the rear of the dwelling, on a section that is thought to be a later extension to the original building.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is for a householder extension to a curtilage listed building. The building is a converted farm building, built in a simplistic style with stone features. In terms of the extension, it respects the surrounding local vernacular. Materials will be natural stone exterior walls, stone roof slates and natural stone mullions, heads and cills. The layout and size of the openings is respectful to the building's former use. The design in general is considerate to the wider setting of the Grade II listed building and the curtilage listed building.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2024/916670

Officer Recommendation: Grant Consent

Conditions:

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 so as 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 National Planning Policy Framework.

3. Prior to the erection of the extension hereby approved above, details of all the course natural stone walls, Yorkshire stone roof slates and stone detail samples shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the dwelling shall be carried out in accordance with the approved details and retained as such.

Reason: In the interests of the historic environment and visual amenity and to comply with Policy LP24 & LP35 of the Kirklees Local Plan and Chapter 12 & 16 of the National Planning Policy Framework.

4. The external walls of the extension shall be constructed in coursed natural stone to match the existing, with pointing in flush pointed lime mortar, and ashlar door and window surrounds to match the existing. No works to construct the external walls shall take place until a 1m² sample panel of external stone walling has been left on site for the inspection and approval in writing of the Local Planning Authority. The works shall be carried out in accordance with the approved sample panel.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The roof slopes shall be covered with natural Yorkshire stone slates and laid in diminishing courses on a breathable membrane. Ridges shall be natural stone unless otherwise approved.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Notwithstanding the submitted plans and information, details of all proposed windows and patio doors (1:20 elevations and 1:5 joinery details)

shall be submitted to and approved in writing by the Local Planning Authority before their installation commences. Submitted information shall include glazing type, materials, profiles, colour, opening configuration and mechanisms, and depth within the reveals. Double glazed units shall be slim in section (4:8:4) with black spacers. Friction hinges, egress hinges and visible trickle vents shall not be permitted. The development shall be completed in accordance with the approved details and thereafter 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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	24/1012/01a	-	13 June 2024
Existing block plans	24/1012/02a	-	13 June 2024
Proposed block plans	24/1012/05a	-	13 June 2024
Existing plans & elevations	24/1012/03a	-	13 June 2024
Proposed plans & elevations	24/1012/04a	-	13 June 2024
Conservation/heritage assessment	CHA	-	13 June 2024
Climate Change Statement	CCS	-	13 June 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 amendments were sought.

Report Dated:

19 August 2024