

# 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:	2024/65/92421/E
Site Address:	Tanyard, 84, The Village, Thurstonland, Huddersfield, HD4 6XF
Description:	Listed Building Consent for ground floor alterations including formation of new opening and widening of existing opening (within a Conservation Area)
Recommending Officer:	Sebastian Pickles

#### 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.

Emma Thompson

**AUTHORISED OFFICER**

**Date: 31-Oct-2024**

## **Site**

The application site relates to the Grade II 84 Town Moor, known as Tanyward, 84 The Village. No.84 forms the end of a row of Terraces which are covered by a group Listing. As well as being Listed No.84 is with the Thurstonland Conservation Area.

The building is dated to the 18<sup>th</sup> century, with some 19<sup>th</sup>-century alterations. No.84 is understood to have formerly been a barn but has undergone a series of historic alterations. The most recent alteration is a single-storey pitched extension to the principal elevation front Town Moor. It is unclear when this was added, however it does appear to have been in the late 20<sup>th</sup> century.

## **Proposals**

The application is for listed building consent for ground floor alterations including formation of new opening and widening of existing opening

## **Relevant Planning History**

None

## **History of negotiations / amendments received**

There has been limited engagement with the applicant, as the submitted details were considered sufficient to make a full assessment of the proposals. However, there has been a site visit and assessment undertaken in order to understand the proposals.

## **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 proposals will have no climate change implications.

## **Consultation Responses**

The officer report has been compiled by the Conservation and Design Officer.

## **Public/Members Response**

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

Date site notice expired: 18.10.2024

Publicity expiry date: 25.10.2024

### **Kirklees Local Plan Policy**

LP 1-Achieving Sustainable Development

LP 2 – Place Shaping

LP 24 – Design

LP 35 Historic environment.

### **National Policies and Guidance:**

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'.

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19<sup>th</sup> December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2 Achieving sustainable development

Chapter 12 Achieving well-designed and beautiful places

Chapter 16 Conserving and Enhancing the historic environment

## **Assessment**

As set out the application relates to the Grade II 84 Town Moor, now known as Tanyard, 84 The Village. As set out previously the building has undergone a series of alterations historically with the most recent being the addition of the single-storey pitched front extension.

The proposals form two elements of work. The first is the increase of the existing opening between the single-storey front extension and the main building. When the extension was added, an enlarged opening was created to link the two elements. The intention is to increase the opening further. While this will see a small degree of loss, nibs are being retained, which will still allow for the line of the wall to be retained and show the legibility of the development of the building.

The second part of the proposal is the formation of a new opening to an internal partition wall. As previously stated, the building was formerly a barn. The existing partition walls are therefore later additions. On inspection of the wall, it is not of a thickness of depth which would relate to early phases of

development, and it does appear to be a later addition. The intention is to create an opening which will be slightly greater than a pair of double doors. While this will see a small degree of loss, the wall is of lesser significance. However, nibs will be retained on either side, therefore retaining the legibility of the line of the wall and showing the development of the building.

## **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.*

*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.*

This application has been assessed against relevant policies in the development plan and other material considerations. As set out in the assessment the proposals will see the increase to the existing opening between the extension and the main building and the formation of a new opening in an existing partition wall. While the proposals will see a small element of loss/demolition the character and significance of the Listed Building will be retained. 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).

**Recommendation            Grant Consent**

**Decision Authorisation - Delegated Powers**

**Application Number:** - 2024/92421

**Officer Recommendation:** Grant Consent

**Conditions 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 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. Notwithstanding the submitted details all mortar to be reused for repairs to the historic stonework/ fabric shall be undertaken using lime mortar only.

**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

4. Notwithstanding the submitted details all repairs to plasterwork, replacement or new plasterwork shall be undertaken using lime plaster only.

**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

5. Notwithstanding the submitted details there shall be no use of filler or expandable foams.

**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			02/09/2024
Proposed Ground Floor Plans	24_571_001	P1	28/08/2024
Heritage Statement			06/09/2024
Structural Calculations	24_571_SC_01		02/09/2024

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. Following assessment of the submitted details the proposals are considered acceptable.

**Report Dated:**

30.10.2024