

**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:	2024/65/92636/W
Site Address:	12, Top O The Hill, Lingards Road, Slaithwaite, Huddersfield, HD7 5UA
Description:	Listed Building Consent for plastering internal gable wall and fitting cap to main chimney
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.

Helen Bower

AUTHORISED OFFICER

Date: 11-Nov-2024

Site

The application relates to the Grade II listed 12 Hill Top. No.12 forms a single dwelling which is constructed in one range. No.12 forms a part of a wider historic farm complex, which is believed to originate from the 18th century with the internal date stone showing 1733.

No.12 adjoins the Grade II listed Barn at number 11 Hill Top. This has an additional building attached to the north. To the immediate north east of No.12 is the Grade II listed No.6 Hill Top. Further to the north slightly located along Lingards Road is the Grade II Lingards Mission Church. Hill Top is located off Lingards Road, which is accessed off Chain Road to the south and off Manchester Road to the north. The small settlement has prime views overlook the valley bottom and wider Valley.

Proposals

The application is for Listed building consent for plastering the internal gable wall and fitting a cap to the main chimney.

Relevant Planning History

2022/93574 – Listed Building consent for works to internal partitions and ceiling and external pointing, chimney cowl and garage door.

History of negotiations / amendments received

There has been limited engagement with the applicant, as the submitted details were considered sufficient to fully assess the proposals. There are also internal images and details from the 2022 Listed Building consent application.

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: 24.10.2024

Publicity expiry date: 01.11.2024

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 19th 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

Chapter 16 Conserving and Enhancing the historic environment

Assessment

No.12 is a lovely example of a mid-19th century farm building, which is constructed in hammer-dressed stone. The works are internal except for the fitting of a cowl/cap to the main chimney stack.

The central chimney stack while prominent already has a large chimney cowl, which is of no historic merit or interest. The proposed replacement cap/ cowl will not alter or affect the special character or significance of the Listed Building and therefore does not necessarily require Listed Building consent, however it has been included in the scope of works.

As set out in the submitted supporting statements the internal gable walls are currently exposed stonework. This is historically inaccurate for the building as internal walls would not have been left bare but would have had a lime plaster finish. We know there was and is a fashion for leaving stone exposed to create

feature walls. This however means that the thermal properties provided by the lime plaster have been removed.

The applicant now intends to reinstate a lime plaster finish. It will however be an insulated lime plaster which will provide some additional thermal benefits, while still allowing for the movement of moisture. While the proposals will cover the stonework, as stated, the stonework would not have been left bare and the proposal will reinstate the lost internal lime finish. It will also improve some of the thermal properties 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 proposed cowl/ cap to the chimney stack will not affect the special character of significance of the Listed Building and therefore does not necessarily require consent. The proposed internal works are solely focused on the internal gable wall. As set out while the exposed stonework will be covered, it is reinstating the lost internal lime finish which will also provide some additional thermal benefits to the building.

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: - 2024/92636

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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan			16/09/2024
Heritage Statement			16/09/2024
Design and Access Statement			16/09/2024

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:

05.11.2024