

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:	2025/65/90425/W
Site Address:	89, New North Road, Edgerton, Huddersfield, HD1 5ND
Description:	Listed Building Consent for installation of 4 CCTV cameras (within a Conservation Area)
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: 10-Apr-2025

Officer Report

2025/90425 - 89, New North Road, Edgerton, Huddersfield, HD1 5ND

Site Description

89 New North Road is a Grade II listed, semi-detached, three storey dwelling in Edgerton. It is constructed with ashlar hammer dressed stone exterior walls and stone roof slates. The building is currently used as a residential dwelling. It contains a modest front garden space which leads onto New North Road and a rear residential garden area with detached garage and hard surfacing. Rear access is sought from Vernon Close through a gated access. Within the rear space, there is a boundary wall which is considered to be part of the internal walling of the original courtyard, confirmed through historic map regression. The wall has been modified to form the back of an open walled canopy.

The site is within the Edgerton Conservation Area.

List description:

NEW NORTH ROAD 1. 5113 (South Side) Highfield Nos 89 and 91 SE 1317 27/1436 II 2. Mid C19. Hammer-dressed stone. Ashlar dressings. Pitched slate roof. 2 storeys and attics. Symmetrical composition, outer bays having gabled attic dormers, paired round-arched sashes with common hoodmould on 1st floor, and canted bays on ground floor, each with segment-headed sashes (voussoirs ornamented with nailhead) and parapets ornamented with quatrefoils. Doors with segment-headed fanlights, half-columns with acanthus capitals, and parapet with quatrefoil ornament.

Proposal Description

The application is seeking retrospective Listed Building Consent to erect 4no. CCTV mounted on external walls within garden area.

History of negotiations / amendments received

- Plans were requested to decipher the outlook from security cameras.

Relevant Planning History

None relevant.

Access Considerations

None required.

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.

Consultation Response

KC Conservation & Design – No objection.

Representations

The application was advertised by a site notice and a press notice.

Site Notice Expiry: 21-Mar-2025

Press notice expiry: 04-Apr-2025

As a result of the publicity there were no representations.

Policies & Legislation

89 New North Road 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 2024, 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

The development will introduce security paraphernalia onto external walls within the garden space. No works are being permitted to the listed building itself.

Officers noted the cameras have been installed and are in operation.

Camera 1: Fixed to original wall through mortar joint.

Camera 2 fixed to canopy extension wooden post.

Camera 3 & 4 fixed to original wall.

CCTV is not an uncommon feature within the curtilage of residential dwellings. The security cameras are fixed at appropriate points away from the main listed building within the rear private area. Whilst cameras 3 & 4 are fixed into the masonry, it has been communicated to the application, all future fixings should go into mortar joints and consent sought prior to development. As the cameras are currently fixed, it would cause more damage to historic fabric to remove and reinstall cameras 3 & 4, therefore there is no objection to their placement. Camera heads are generally small and a black colour which is acceptable. The application has been accompanied by a statement, the applicant also detailed during a site visit there were private security concerns with the property. Works are minimal and the erection of security cameras is justified.

Conclusion

Paragraph 212 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 214 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 resultant paraphernalia will cause minor, less than substantial harm to the setting of the listed building given the utilitarian nature of the equipment. The reason for the installation of these measures is justified and reasonable given the setting of the property. There will be no impact to the Conservation Area due to their location.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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 (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.

There will be no works to the fabric of the main building. All paraphernalia is removable. Security cameras are conveniently located and they are not visible from the public domain within the Conservation Area.

It is hereby concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24, 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) and the principle of development is acceptable.

This application has been assessed against relevant policies in the development plan and other material considerations. The security measures are reasonable and justified. Consent is therefore recommended for approval.

Recommendation **Grant Consent**

Decision Authorisation - Delegated Powers

Application Number: - 2025/90425

Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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, and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

NOTE: Due to its location, a 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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	-	-	14 February 2025
Proposed block plan	2008-22-B	-	14 February 2025
CCTV plan	2008-22-C	-	03 March 2025

Plan Type	Reference	Version	Date Received
Conservation/Heritage Statement	-	-	14 February 2025

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.

Plans were requested to decipher the outlook from security cameras.