

---

**Report of the Head of Strategic Investment**

**HEAVY WOOLLEN PLANNING SUB-COMMITTEE**

**Date: 14-Dec-2017**

**Subject: Planning Application 2017/92396 Listed Building Consent for alteration to convert existing commercial premises to 4 flats (Within a Conservation Area) Methodist Resource Centre, 74, Daisy Hill, Dewsbury, WF13 1LS**

**APPLICANT**

John Sumner, Bluespot  
Investments Ltd

**DATE VALID**

26-Jul-2017

**TARGET DATE**

20-Sep-2017

**EXTENSION EXPIRY DATE**

---

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

---

## Electoral Wards Affected: Dewsbury East

No

No Ward Members consulted

### **RECOMMENDATION:**

**DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.**

### **1.0 INTRODUCTION:**

1.1 The application relates to no. 74 Daisy Hill, Dewsbury, a 4 storey detached building of traditional build. The building has shop frontage on the ground floor. The proposal is for the change of use of the building to residential; the application has been brought to Committee due to the number of objections received.

### **2.0 SITE AND SURROUNDINGS:**

2.1 The building is considered to be curtilage listed by virtue of the relationship with the adjacent grade II listed church. It is an attractive traditional building with ashlar stone detailing and timber sash windows.

2.2 Daisy Hill is a steeply sloping cobbled highway, and the surrounding buildings are also of traditional design and construction. The area was formerly predominantly retail in nature, however many of the buildings have now been converted to residential use.

2.3 The site is located within the Dewsbury Town Centre Conservation Area.

### **3.0 PROPOSAL:**

3.1 The application is for Listed Building consent for alterations and change of use to the building to 4 flats. The flats would be one to each floor, with 3 of them being 1 bed flats and the remaining flat 2 bed accommodation. The alterations would be mainly to the front of the ground floor apartment which would involve the replacement of the shop front with stone work and new timber framed windows. The other external alterations would be the replacement of other windows in the building with timber double glazed windows.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 **2017/91872** Alterations to convert existing commercial premises to 4 flats (within a conservation area). Associated planning application.

4.2 In addition to planning history at the application site itself, there have also been a number of other similar types of planning applications submitted along Daisy Hill. They are as follows:-

- No.68 – 2017/93660 – Change of use from office to 4 flats – Undermined
- Nos.81-83 – 2017/90071- Change of use of ground floor from office (A2) to 2 self-contained flats – Conditional Full Permission
- No.61 – 2016/94038 – Alterations to convert ground floor retail (A1) to dwelling (C3) – Conditional Full Permission
- No.45 – 2016/94011 – Alterations to convert retail (A1) to dwelling (C3) – Conditional Full Permission
- Nos.55-57 – 2016/93336 – Change of use and alterations from letting agency (A1) to residential (C3) – Conditional Full Permission
- No.72 – 2016/93020 – Change of use of office to 3 flats – Conditional Full Permission
- Nos. 81-83 – 2013/91671 – Alterations to convert offices/vacant storage floors to 5 apartments – Conditions Full Permission
- Nos.56-62 – 2013/90099 – Alterations to convert ground floor retail to 4 flats - Conditional Full Permission

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 In respect of the associated planning application, concern was raised regarding the floor area of the proposed flats which was below those suggested in the Nationally Described Space Standards. In addition no bin storage area was indicated on the plans. Amended plans were received 19/09/17 showing the number of flats reduced to 4 and a storage area for cycles and bins included.

5.2 Following receipt of heritage concerns being raised by the Council's Conservation & Design officer in respect of the opening details at ground floor level, a revised plan was received on 1 December 2017. This has amended the opening detail to include one window on the Daisy Hill frontage at ground floor level which would now match the proportions of the existing windows on the upper floors of this elevation. The proposals also include slight amendments to a door and window in the side opening which would now be louvered timber.

#### **6.0 PLANNING POLICY:**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25<sup>th</sup> April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be

given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is unallocated but within the designated Dewsbury Town Centre Conservation Area on the Kirklees UDP proposals map. The site is allocated as being within the Dewsbury town Centre Conservation Area on the PDLP.

#### Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- 6.2 **BE1** - Quality of design  
**BE2** - Design principles  
**BE5** - Development within a Conservation Area  
**BE11** - Materials

#### Supplementary Planning Guidance / Documents:

- 6.3 None relevant

#### National Planning Guidance:

- 6.4 **Chapter 7** - Requiring Good Design  
**Chapter 12** - Conserving and enhancing the historic environment

#### **6.5 Publication Draft Local Plan:**

- PLP 18** - Dewsbury Town Centre  
**PLP 35** - Historic environment

#### **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 As a result of the original publicity for this listed building consent application, 18 letters of objection received. A summary of the concerns raised, in respect of the matters associated with the listed building consent, they are as follows:

- Recommend consulting the Victorian Society due to significance of the church.

- 7.2 The following issues were raised and addressed as part of the associated planning application, reference 2017/91872:-

- Fire risk to residents on upper floors.
- Proximity to church would result in noise disturbance.
- Storage of bins in passageway.
- No space for cycle storage.
- No car parking.
- Flats are very small with poor access.
- Would create extra traffic which would not be good for the area.

7.3 Amended plans were received and re-publicised, with two further letters of objection received. Both of these letters are from persons who had previously objected and only raise issues in respect of the associated planning application.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

**KC Conservation and Design** - 4/12/17 Informal consultation: confirmed that the proposed alterations are now acceptable.

### **8.2 Non-statutory:**

None Required

## **9.0 MAIN ISSUES**

- Principle of development
- Impact on heritage assets
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

- 10.1 The site is within the Dewsbury Town Centre Conservation Area, Policy BE5 of the UDP is appropriate and development is acceptable providing it respects the architectural qualities of surrounding buildings and materials of construction and contributes to the preservation or enhancement of the area.
- 10.2 The site is also adjacent to the church yard of the Elim Pentecostal Church, a Grade II listed building; due to the links with the church and the date of the listing the Methodist Resource Centre building is also considered to be a curtilage listed building.
- 10.3 Chapter 12 of the NPPF is appropriate and states that in assessing an application, consideration needs to be given to the impact of the proposals on the Heritage Asset; in this case the conservation area and The listed buildings, as such paragraphs 132-135 of the NPPF are relevant and a balanced judgment is required having regard to the scale of any harm or loss and the significance of the heritage assets. This harm should be weighed against the public benefits of the proposals, including the optimum viable use. In this case the re-use of the vacant building for residential purposes would weigh in favour of the proposals.

### Impact on the Heritage assets:

- 10.4 Due to the relationship with the Church the Methodist resource centre is considered to be a curtilage listed building. The proposed alterations to the front elevation are the most contentious as these would alter the affect the shop frontage. The proposals are to remove the shop front including the pillars and build up the lower part of the front, with 3 windows above. Conservation and Design has raised concerns with this design and suggested a single window to match those on the floors above would be more appropriate. The amended plans were submitted on 1/12/17 and now show a single window at ground floor level which would match the proportions on those on the floors above.
- 10.5 The submitted information does not provide adequate detail on the build-up of the former shopfront. Further details are needed to understand how it is to be blocked up, ensuring that the stone matches both in colour and texture and matches the bond and that the stone detailing around the proposed ground floor window is appropriate. This can be required by suitable worded condition.
- 10.6 With regard to other alterations, the proposal is to replace the existing doors in the side elevation. The agent has confirmed that these are rotten and are not original to the building, providing the replacement doors are appropriate in design this would be acceptable. The amended plans now show a timber louvered door and window, these would be acceptable given that the bin store for the flats would be located in this part of the building.
- 10.7 The application also proposes to replace the windows with timber double glazed windows, Conservation and Design has not objected however further details are required, this again can be conditioned.
- 10.8 With regard to the internal alterations to form the flats, these would be minimal involving the removal of a few partition walls and would not have an adverse impact on the listed building.
- 10.9 Subject to appropriate conditions it is considered that the proposals would not harm the appearance or significance of the heritage assets and the proposals are considered in accordance with policy BE5 of the UDP and paragraph 134 of Chapter 12 of the NPPF.

### Representations

- 10.10 A total of 20 representations received. This report addresses only those relevant to the Listed Building Consent, other objections have been dealt with in the associated planning application report.
- Recommend consulting the Victorian Society due to significance of the church.  
**Officer Response:** Under the Arrangements for Handling Heritage Applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015, Local Planning Authorities are obliged to consult the amenity societies, of which the Victorian Society is one, where applications involve the partial or total demolition of a listed building. In this instance, the proposal does not

involve the partial or total demolition of the listed building and therefore consultation with The Victorian Society is not required in this instance. However, the Council's Conservation and Design officer was consulted on the associated Listed Building Consent application and amendments have been requested in line with the comments received.

### Other Matters

10.11 The issues of residential amenity and highway safety are addressed within the associated planning application (2017/91872).

## **11.0 CONCLUSION**

11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.2 The proposals would bring back into use this vacant building in this town centre location, where the change of use to residential is considered appropriate development and any harm to the significance of the Heritage Assets is considered less than substantial.

11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)**

1. Timeframe for implementation of development (3 years).
2. Development to be carried out in accordance with submitted plans.
3. Details of the proposed windows including design and colour.
4. Details of the proposed external doors, including design and material.
5. Details of the build of the shop front, including design and materials & bonding, need to make sure fully matches that on the existing shop front.

### **Background Papers:**

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f91872>

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92396>

Certificate of Ownership – Notice served on owner with Certificate B signed. The Notice was served on The Methodist Church North Kirklees & Morley Circuit, dated 10/07/2017.