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:	2018/65/91424/W
Site Address:	Stonebow House, 103, Northgate, Almondbury, Huddersfield, HD5 8UU
Description:	Listed Building Consent for replacement of windows and doors and internal alterations (within a Conservation Area)
Recommending Officer:	Olivia Roberts

DECISION – Grant listed building 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.

Teresa Harlow

AUTHORISED OFFICER

Date: 19-Jul-2018

Officer Report

Reference: 2018/91424

Location: Stonebow House, 103 Northgate, Almondbury, Huddersfield, HD5 8UU

Proposal: Listed Building Consent for replacement of window and doors and internal alterations (within a Conservation Area)

Site Description

The application relates to a grade II Listed Building in Almondbury which was constructed in the 19th Century. It is constructed in ashlar stone and is designed with hipped and gable roof forms which are finished in roof tiles. The building currently serves two shops at ground floor level, and apartments and first and second floor level. A number of properties within the local area are also listed.

Description of Proposal

The application seeks listed building consent for the replacement of windows and doors and internal alterations.

All existing openings at the property will be replaced as part of the proposal. The existing doors which are located to the front, side and rear of the property will be replaced in a like for like style. The two shop front windows, the small first floor level window and the window panels which frame the entrance on the front elevation of the property will be replaced in a like for like style. Similarly, the second floor level windows on the northern elevation and the curtain windows on the southern elevation will also be replaced like for like. The remainder of the windows will be replaced with two pane over two pane traditional sliding slash windows. All windows will comprise double glazing which will have a thickness of 24mm and will be encased in timber.

Alterations and improvements will be made to the existing staircase which leads from the ground floor level to the first and second floor level of the property as part of the proposal. Several of the existing risers will be removed and replaced to improve the standard of the existing staircase. The balustrade will be altered to suit the height of the new risers.

Documents submitted with the application -

Design and Access Statement

Conservation/heritage Statement

History of negotiations/amendments received

Amended plans were sought from the agent to provide additional details regarding the replacement windows. The applicant suggested altering the window details to include mock sash windows that would be finished in UPVC. The applicant also suggested alterations to the windows on the front elevation of the property at ground floor level to introduce two new shop fronts. K.C. Conservation & Design were informally consulted and noted that they did not support the use of either mock sash windows or UPVC. They stated that the windows at ground floor should remain as existing to match the rest of the openings on the front elevation. Concern was also raised to the thickness of the double glazing which was proposed to be 24mm in thickness. Amended plans were received from the agent which include details of the two pane over two pane traditional sliding slash windows which will be finished in timber with the thickness of the double glazing has been reduced to 12mm. K.C. Conservation & Design have no objections to the proposal as shown under the amended plans.

Relevant Planning History

2011/91125: Listed Building Consent for change of use from D1 to A1 classification and alterations (within a Conservation Area). Consent Granted.

96/90375: Listed Building Consent for conversion of dwelling on lower ground floor to offices, shop at ground level to clinic and alterations to shop front (within a Conservation Area). Consent Granted.

96/90205: Change of use of dwelling and shop to offices and clinic and new shop front. **2011/91124**: Change of use from D1 to A1 classification and alterations (within a Conservation Area). Conditional Full Permission.

86/02951: Change of use from store to basement office (within a Conservation Area). Granted Conditionally.

Representations

Final publicity date Expires: 19 June 2018.

A site notice was posted and advertisement place in a local newspaper.

No representations were received.

Parish/Town Council comments: not applicable.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

K.C. Conservation & Design – Informal discussion, additional information was sought from the agent regarding details of the proposed replacement openings. Ensuring the replacement windows are traditional sliding sash windows with double glazing that has a thickness no greater than 12mm, no objections were raised.

Due to the fact that the internal staircase is being altered rather than removed, no further consultations were considered necessary in this instance.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th 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 on the UDP Proposals Map and on the Kirklees Publication Draft Local Plan. The site is within Almondbury Conservation Area.

Kirklees Unitary Development Plan:

- **BE1** – Design principles
- **BE2** – Quality of design
- **BE5** – Preservation and enhancement of Conservation Areas

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 1** – Achieving sustainable development
- **PLP 2** – Place shaping
- **PLP 24** – Design
- **PLP 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 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 7 – Requiring good design
- Chapter 12 – Conserving and enhancing the historic environment

Assessment

Section 16 (2) Planning (Listed Buildings and Conservation Area) Act 1990 requires that in considering proposals that relate to listed buildings Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interests which it possesses.

Chapter 12 of the NPPF aims to conserve and preserve the historic environment. In particular, paragraph 131 and 132 of the framework echoes the sentiments outlined within section 16 (2) of the Planning (Listed Buildings and Conservation Area) Act 1990, seeking the conservation of historic assets and their setting.

Emerging Policy PLP35 of the PDLP follows on from Chapter 12 of the NPPF.

As such, the main considerations in determination of this application are whether the proposed scheme would preserve the special architectural and historic character of the building and its setting.

Impacts on the Architectural and Historic Character of the Listed Building and its Setting

The proposal seeks Listed Building consent for the replacement of windows and doors and internal alterations. Officers consider that the proposed development may cause less than substantial harm to the appearance of the host property.

The heritage assessment submitted with the application concludes that the alterations have been designed and will be installed in a manner that will respect the building status and historical significance whilst carrying out as little work as possible to keep the building in its current use. The replacement windows will remove the existing UPVC frames and will reinstall the character of the host building and the surrounding Conservation Area.

The NPPF states that proposals which result in substantial harm to or total loss of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or the proposal fulfils the criteria outlined within paragraph 133. For proposals that will lead to less than substantial harm to the significance of a designated heritage asset, which I consider to be the case here, the NPPF outlines that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The proposed internal alterations will improve the accessibility to the apartments which are located at first and second floor level and will allow the staircase to comply with building regulations whist increasing the safety of the occupiers. The alterations to the staircase will prevent any internal walls and doorways being removed as part of the proposal which would be required if a second staircase was to be installed. This will reduce the impact that the development will have on the significance of the listed building. Only the damaged and narrow risers will be removed as part of the proposal which will ensure that the character of the existing building is retained. As such, it is not considered that the internal alterations will have a significant impact on either the character or historic significance of the building.

The proposed replacement windows will improve the external appearance of the host property as a number of the existing timber frames are in a state of decay. The proposal will replace some the existing openings which include UPVC with timber which will enhance the character and historic significance of the listed building. As such, the replacement windows are considered to enhance the external appearance of the host dwelling which will reduce the impact that the development will have on both the listed building and the surrounding Conservation Area.

K.C. Conservation & Design have been informally consulted and note that they raise no objection to the proposed alterations to the existing internal staircase. Although concern was originally raised to the proposed window details and thickness of the double glazing, no concerns have been raised to the amended plans.

The building will remain in residential and commercial use, its viable optimum use given the location of the property. The alterations and replacement windows will ensure the safety and comfort of the occupiers whilst reinstalling the original timber windows which will aid to preserve its character and ensure its long term future. As the materials of the proposed replacement doors and windows will be those traditionally found on a listed building, the historic interest of the building will be retained; as such the proposal would preserve the special architectural and historic character of the building and its setting.

The development represents a sustainable and viable use of a grade II listed building that does not detract from its special architectural and historical interest. The proposed works are therefore considered to be compliant with Policies BE1 and BE2 of the UDP, PLP35 of the PDLP and the guidance contain within Chapter 12 of the NPPF.

Conclusion

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.

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.

Recommendation – Grant Listed Building Consent

Decision Authorisation - Delegated Powers

Application Number: 2018/91424

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
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 order to retain the significance of the designated heritage asset and to accord with Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan, as well as the aims of Chapter 12 of the National Planning Policy Framework.

3. The external joinery of the replacement windows shall be painted white/off white within 2 months of the windows being first installed. Thereafter the external joinery of the windows shall be retained painted white/off white.
Reason: For the avoidance of doubt as to what is being permitted and in order to retain the significance of the designated heritage asset and to accord with Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP35 of the Publication Draft Local Plan, as well as the aims of Chapter 12 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to 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 they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This
notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	0001	B	30/04/2018
Existing Site Plan	0002	B	30/04/2018
Existing Basement & Ground Floor Plan	0003	B	30/04/2018
Existing First & Second Floor Plan	0004	B	30/04/2018
Existing Elevations	0005	B	30/04/2018
Proposed Basement & Ground Floor Plan	0006	B	30/04/2018
Proposed First Floor & Second Floor Plan	0007	B	25/06/2018
Proposed Elevations & Window Details	0008	D	12/07/2018
Proposed Section A-A	0009	A	30/04/2018

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 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.

Additional plans were sought from the agent to provide details regarding replacement windows. Amendments were then sought to reduce the thickness of the proposed double glazing. The submitted details as amended are considered to be acceptable.

Report Dated: 19/07/2018