

**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: 2018/65/93257/W

Site Address: 13-15, Netherton Fold, Netherton, Huddersfield, HD4
7HB

Description: Listed Building Consent for alterations to windows
(within a Conservation Area)

Recommending Officer: Sue Oakley

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.**

Nigel Hunston

AUTHORISED OFFICER

Date: 02-Jan-2019

Officer Report

Site Description

13-15 Netherton Fold is a Grade II listed three storey domestic property dating back to the eighteenth or early nineteenth century and located within the Netherton (Corn Bank) Conservation Area. The house is situated on the corner of Netherton Fold and Station Road and has a number of windows with mullions in place and others with the mullions removed.

Description of Proposal

The proposal is to replace the existing uPVC double glazed units with hardwood framed double glazed windows with side hung flush casement opening lights, painted in "Bay Tree" coloured paint by Sandtex.

Relevant History

None

Access Considerations

None

Consultation Responses

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. No representations have been received.

Date site notice expired: 15/11/2018

Publicity expiry date: 21/12/2018

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 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. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees

Emerging Local Plan

PLP 35 Historic environment

Kirklees Unitary Development Plan:

Relevant policies:

BE1 – Design principles

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published July 2018, 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 16 (Conserving and Enhancing the Historic Environment)

Assessment

13-15 Netherton Fold is a Grade II listed three storey domestic property dating back to the eighteenth or early nineteenth century and located within the Netherton (Corn Bank) Conservation Area. The house is situated on the corner of Netherton Fold and Station Road and has a number of windows with mullions in place and others with the mullions removed. Unauthorised uPVC windows were installed a number of years ago.

The proposal is to replace the existing uPVC double glazed units with hardwood framed double glazed windows with side hung flush casement opening lights, painted in “Bay Tree” coloured paint by Sandtex.

Prior to the uPVC windows being installed, timber windows of various designs and ages were in place which were likely to be single glazed units.

The proposed windows have hardwood timber frames set back 100mm into the stone reveals and double glazed units secured with chamfered beads. The double glazed units themselves have a slim profile with a 10mm gap and black spacer bars to reduce the visual impact.

The proposed flush casement windows on the front (west) elevation are of a consistent design, with alternate fixed and flush opening lights with the existing stone mullions retained and central timber mullions proposed within the larger openings. These provide a repetitive design across the elevation and are an enhancement on the previous timber windows. A number of these had clearly been replaced with modern window types creating a piecemeal appearance.

On the side (north) elevation the two proposed replacement timber windows on the second floor each have a single fixed light and flush opening light with a central timber mullion. These replicate the configuration of the previous timber windows.

Conclusion

Paragraph 193 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.”

It is considered that this proposal will enhance the character and significance of the listed building by reintroducing a repetitive design which reflects the typical historic window style of this type of vernacular building. Although double glazed units are not a traditional feature of this type of building, most of the historic windows had been replaced prior to the unauthorised works being carried out and therefore this intervention is considered to make a neutral impact on the character of the building.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that any application for development must preserve the character and appearance of the listed building.

It is considered that the proposed works enhance the listed building and maintain its character and appearance.

Recommendation Grant Consent
Decision Authorisation - Delegated Powers
Application Number: - 2018/93257
Officer Recommendation: Grant Consent

Recommendation:

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 so as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset and to accord within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed elevations and section front second floor right side			29 October 2018
Proposed elevation and section side second floor			23 October 2018

Proposed elevation front			23 October 2018
Heritage statement			5 October 2018
Design and access statement			5 October 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 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. Negotiations have taken place over the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted plans which accurately mirror those negotiations and are felt to be acceptable.

Report Dated:

2 January 2019