

**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: 2021/65/90433/W

Site Address: 19, Hill Top Road, Slaithwaite, Huddersfield, HD7 5ES

Description: Listed Building Consent for installation of replacement windows

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.

Nick Grimshaw

AUTHORISED OFFICER

Date: 14-Apr-2021

Officer Report

Site Description

19 Hill Top Road is a two-storey mid-terraced weaver's cottage dating back to the late eighteenth century and situated within the village of Slaithwaite. This Grade II listed building is part of a small group of four cottages of a similar type. It is constructed from hammer dressed stone with a stone slate roof and ranges of mullioned windows, with a rendered rear elevation facing a small yard.

Description of Proposal

The applicant proposes the replacement of the existing single glazed timber windows with timber slim double-glazed windows with fixed lights and flush side hung casements. The replacement of the front door and gutters are proposed, along with the installation of an extractor vent in the rear elevation.

History of negotiations / amendments received

Further information was requested to clarify the details of the application and this is summarised below:

- Details of the replacement windows including fixed and opening lights.
- Details of the location, external finish, and colour of the proposed extractor fan.

These details were submitted and included in the application documents.

Relevant History

2005/94051 - Listed Building Consent for replacement windows – Consent Refused

2006/92520 – Listed Building Consent for replacement windows – Consent Granted

2014/90665 – Listed Building Consent for replacement of single-glazed windows with double-glazed – Consent Granted

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 proposed alterations include the replacement of the existing single glazed windows, which were fitted in the late 20th century and are in a poor condition. The proposed replacements incorporate slim double-glazed units. These measures will improve the thermal performance of the windows and therefore it is felt the proposal complies with the climate emergency requirements.

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: 09/04/2021

Publicity expiry date: 02/04/2021

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

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 February 2019, 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

The applicant proposes the replacement of the existing single glazed timber windows with white painted timber slim double-glazed windows with flush fixed lights and side hung casements. The replacement of the front door and gutters is proposed, along with the installation of an extractor vent in the rear elevation.

The works within this application are proposed to reduce an ongoing condensation and damp problem within the building, which is causing the deterioration of the internal fabric.

The existing windows, although traditional in design, were installed following Listed Building Consent approval in 2006 (2006/92520). Historic photographs show that the previous windows were not original and were different in design to the existing. In 2014 (2014/90665) replacement windows with double-glazing were approved but this approval was not implemented.

The proposed timber windows are typical of this age and type of building, with a central glazing bar, flush casement windows with butt hinges and slim framed fixed lights and set back into the reveals as shown in the example photograph included within this application. Slim double-glazed units will improve the energy efficiency of the windows and reduce condensation, while black spacer bars within the units will minimise the visual impact of the double-glazing.

The existing front door is a timber panelled door which is a late 20th / early 21st century addition which detracts from the character of the cottage. The proposed replacement front door is a white painted timber vertical boarded door similar in style to the door at 17 Hill Top Road. This door is more typical of the traditional door found on this type of property and is an enhancement on the existing.

An extractor fan is proposed within the bathroom, with a small hole through the masonry and the external vent discreetly located below the gutter at the rear of the property. The rear elevation is finished in white painted render and

the proposed vent will be finished in white to match the render and minimise the visual impact.

The existing timber gutters are in a poor state of repair and are causing damp problems within the property. The applicant proposes to replace them with black aluminium gutters in the same profile as those on the adjacent property, to ensure that they connect securely and prevent the likelihood of leaks at the joint.

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.”

Paragraph 196 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 replacement of the existing single-glazed windows with timber double-glazed units is considered to lead to less than substantial harm to the significance of the listed building by the introduction of double glazing. However, this harm is slight as the existing windows are not historic, the replacement windows are traditional in design and slim double-glazed units with black spacer bars will be used to minimise the visual impact. The public benefits of improving energy efficiency and reducing the ongoing condensation problem within the building, without harming historic fabric, is considered to outweigh the harm. In addition, the installation of an extractor fan at high level on the rendered rear wall will also protect the building from dampness and due to the discreet location and rendered finish on this elevation does not cause any harm. The replacement door is an enhancement on the existing. Although the gutter is of a different material to the existing, the profile is traditional and it will match the adjacent gutter, minimising the possibility of leaks in the future.

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.

As the proposed works are minimal and justified, it is felt that the character and appearance of the listed building overall is maintained.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2021/90433

Officer Recommendation: Grant Consent

Conditions:

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, in the interests of the significance of the heritage asset and to accord within the National Planning Policy Framework.

3. New windows shall be fixed light or side hung casements in timber with a white painted finish, with mouldings and timber sections simple in design and profile with chamfered glazing beads. All slim double-glazed units shall have 4mm glass with a 6mm gap with black spacer bars. Opening casements shall be set flush with the frames with butt hinges and all new window frames shall be set back in the reveal by 75-100mm and shall not be fitted flush with the external wall.

Reason: For the avoidance of doubt as to what is being permitted and 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 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
Heritage Statement			4 February 2021
Front elevation photograph			4 February 2021
Rear elevation photograph			26 March 2021
Rear elevation ground floor			26 March 2021

proposed casements			
Rear elevation first floor proposed casements			26 March 2021
Front elevation proposed casements			26 March 2021
Extractor fan location image			26 March 2021
Extractor vent cover image			26 March 2021
Example of proposed windows			26 March 2021
Location Plan			22 February 2021

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:

14 April 2021