

**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: 2021/65/90976/W

Site Address: 72, Paris Road, Scholes, Holmfirth, HD9 1SY

Description: Listed Building Consent for installation of a double-glazed, timber-framed window to ground floor rear

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: 04-May-2021

Officer Report

Site Description

72 Paris Road is a three-storey mid-terraced dwelling dating to the early 19th century and situated in a semi-rural location. The house is constructed from hammer dressed stone with a stone slate roof and ranges of mullioned windows on the south facing front elevation. The rear elevation, which backs onto a large field, has a large single window on the second floor and a pair of mullioned windows on the first floor.

Description of Proposal

The insertion of a single fixed-light, timber-framed window on the ground floor of the rear elevation is proposed.

History of negotiations / amendments received

None.

Relevant History

2007/94173 – Listed Building Consent for opening-up walled up windows –
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 proposal is for the insertion of a new window on the rear elevation of the property. The new window incorporates a double-glazed unit and will provide natural light into the room, thereby reducing the energy consumption required

to light the space. This measure will improve energy efficiency within the property and therefore it is felt the proposal complies with the climate emergency requirements.

Consultation Responses

Holme Valley Parish Council: No observation; defer to Kirklees Listed Building Officer.

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: 25/04/2021

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 insertion of a single fixed-light, timber-framed window on the ground floor of the rear elevation is proposed.

Consent was granted in 2007 (2007/94173) to open-up several blocked-up windows within the property, including a pair of first floor windows on the rear elevation. The rear elevation of the building has limited architectural features and is of low significance, and the proposed new window is set partially below ground level where the visual impact is low.

The proposed fixed-light, timber-framed window is simple in design and painted white, set back into fair-faced stone reveals and with a tooled stone head and sill to match the others on the same elevation.

Due to the low significance of the elevation, the simple design of the window and the limited visibility of the propose location from any aspect, this proposal is acceptable.

Consultation responses

Holme Valley Parish Council: No observation; defer to Kirklees Listed Building Officer.

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 proposal leads to less than substantial harm to the significance of the listed building by the insertion of a new window on the rear elevation. However, this harm is slight as this elevation has low significance and the ground floor is set partially below ground level. The public benefits of reducing energy consumption by providing natural light into the space is considered to outweigh the slight harm.

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: - 2021/90976

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. The new window shall be timber framed with a white painted finish, with timber sections simple in design and profile with chamfered glazing beads. The slim double-glazed unit shall have 4mm glass with an 8mm gap and black spacer bars.

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			9 March 2021
Design and Access Statement			9 March 2021
Existing and proposed rear elevation drawing	PL01	P01	9 March 2021
Location Plan	PL01	P01	9 March 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. The submitted plans are felt to be acceptable.

Report Dated:

4 May 2021