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:	**2021/65/94378/W**
Site Address:	Flat A, 10, Thornhill Road, Edgerton, Huddersfield, HD3 3AU
Description:	Listed Building consent for renovation of existing windows and alterations
Recommending Officer:	Sue Brooks

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: 10-Mar-2022

Officer Report
Site Description

10 and 12 Thornhill Road is a pair of large Grade II listed semi-detached villas situated within the Edgerton Conservation Area and is one of several listed villas along the same street which form an important group of high-status mid-19th century dwellings. 10 Thornhill Road has been subdivided into two apartments, one of which is the ground floor and basement apartment of 10a, which is the subject of this application. The building is constructed from coursed natural stone with well detailed bays, with timber framed sash windows on all elevations.

Description of Proposal

The proposal is for the replacement of the existing sliding sash units with new timber units, painted white and incorporating slim double-glazed units. The removal of the aluminium framed secondary glazing is also proposed.

History of negotiations / amendments received
None.

Relevant Planning History

None.

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 glazing sash windows. The proposed replacements incorporate double glazed units with a 6mm gap and Low E glass. The sashes incorporate draught seals. These measures will greatly improve the thermal performance of 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.

Representations

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 29/12/2021

Publicity expiry date: 02/01/2022

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 July 2021, together with Circulars, Ministerial 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 proposal is for the replacement of the existing sliding sash units with new timber units, painted white and incorporating slim double-glazed units with a total section of 14mm, and with the retention of the timber sub-frames. The removal of the aluminium framed secondary glazing is also proposed.

The existing windows are in fair condition, although the glass is modern, and the opening lights do not function. The single glazing within these large windows is leading to excessive heat loss and the proposal is intended to improve energy efficiency within the property, whilst overhauling the mechanisms and improving the internal appearance.
The proposed sash units will be manufactured from high quality Accoya timber, with the detailing and profiles identical to the existing, albeit with the incorporation of slim double-glazed units. This will require a slightly wider section which will have a low impact on the aesthetic significance of the windows. The incorporation of black spacers within the double-glazed units will minimise the visual impact of this intervention.
In addition to replacement units, the removal of the existing secondary glazing and associated minor repairs is proposed. This will expose the historic timber reveals and architraves.

Conclusion

Paragraph 199 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 202 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 will cause slight harm to the significance of the listed building by the replacement of historic frames; however, these replacements will be in a high-quality timber and the detailing and profiles will be identical to the existing. The existing glass is not historic and therefore its replacement will cause no harm, while the introduction of slim double-glazed units will cause slight harm. This is mitigated using black spacers within the units to minimise the visual impact. The slight harm is outweighed by the public benefits of the proposal which are: the removal of secondary glazing that obscures historic internal detailing, improving the energy efficiency of the property, and introducing new sash cords and weights to allow the windows to function again. Overall, the public benefits are 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

As the works are minor in nature this proposal is considered to preserve the character and significance of the conservation area.
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: - 2021/94378
Officer Recommendation: Grant Consent

Conditions and Reasons:

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. Notwithstanding the submitted plans and information, all windows shall match the existing joinery details in terms of profiles, detailing, dimensions and colour, albeit with an increase in the internal section sufficient to accommodate slim double glazing. All slim double-glazed units shall have 4mm glass with a 6mm gap with black spacer bars. Putty glazing beads shall be used, however if this is incompatible with the double-glazed units, timber beading can be used subject to the detailing and profiles matching the existing, with particular attention paid to the curved top frame sections. Existing ironmongery in good condition shall be re-used, with any necessary replacements matching the existing.
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
Supporting document			22 November 2021

Proposed window section 1:2			22 November 2021
Location Plan			23 November 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 information is felt to be acceptable.

Report Dated: 10 March 2022