

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:	2021/65/94534/W
Site Address:	1388, Manchester Road, Slaithwaite, Huddersfield, HD7 5JX
Description:	Listed Building Consent for removal of single glazing glass and replacing with double glazing glass [within a Conservation Area]
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: 24-Jan-2022

Officer Report

Site Description

1388 Manchester Road is a two and three-storey cottage at the end of a terrace which is dated 1825. This Grade II listed property is situated in a prominent location within the Slaithwaite Conservation Area. The building is constructed from coursed natural stone with a stone slate roof, and timber windows with stone window surrounds and mullions.

Description of Proposal

The proposal is for the removal of the existing single glazing and replacement with double-glazing within the existing window frames.

History of negotiations / amendments received

None.

Relevant Planning History

2007/91916 – Listed Building Consent for replacement windows to back of property – Consent Refused

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 and its replacement with argon filled slim double-glazed units with an 8mm gap. These measures will improve the thermal performance of the windows and the energy efficiency within the property 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: 12/01/2022

Publicity expiry date: 10/01/2022

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 removal of the existing single glazing and replacement with double-glazed units within the existing frames. The proposed replacement units have an 8mm gap with black spacers, and the obscured glass in the bathroom is in a pattern to match the existing.

The existing sash windows on the front elevation were fitted in recent years, with photographs from 2000 showing top hung casement windows. The side and rear windows are top hung casements, side hung storm proof casements and single pane fixed lights.

The single glazing is leading to heat loss from the building, along with heavy condensation which is causing black mould to grow around the frames. The proposal is intended to improve energy efficiency and living conditions within the property.

As the existing windows are not historic, replacement of the modern glass will not harm the significance of the listed building or the character of the conservation area. The incorporation of double-glazed units will reduce the

section of the glazing beads slightly, however this change is insignificant, and the incorporation of black spacers will minimise the visual impact of the replacement units.

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 proposed replacement glazing causes no harm to the significance of the listed building as the existing glass is modern and no historic fabric is replaced or affected by this proposal.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

As the proposed works are minimal and justified, it is felt that the architectural and historic interest of the listed building is preserved. In addition, eliminating condensation within the cottage will contribute to the preservation of the building by reducing any deterioration.

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 this is a minor proposal with no loss of historic fabric it preserves the character and appearance of the conservation area.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that there is no harm and is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2021/94534

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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Heritage Statement	CH1546		06 December 2021
Design and Access Statement	CH1546		06 December 2021
Existing and proposed window details	CH1546		06 December 2021
Front elevation photograph - windows 1 to 5			06 December 2021
Front elevation photograph - windows 2 to 5			06 December 2021
Side elevation photograph - windows 6 to 7			06 December 2021
Rear elevation photograph - windows 8 to 14			06 December 2021
Location Plan			06 December 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:

24 January 2022
