

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:	2022/65/90888/W
Site Address:	Office 2, 71, New North Road, Edgerton, Huddersfield, HD1 5ND
Description:	Listed Building Consent for rebuilding of bay window at ground floor to the rear (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.

Teresa Harlow

AUTHORISED OFFICER

Date: 09-May-2022

Officer Report

Site Description

71 New North Road (Twin Trees) is a large Grade II listed former villa, now offices, in a prominent corner location within the Greenhead Park / New North Road Conservation Area. Most of the surrounding buildings are also Grade II listed. The building dates to the mid-19th century and is constructed from hammer dressed stone, with a decorative pitched slate roof with dormer windows and bargeboards on the gable ends. The windows vary in style throughout the building and are a mixture of side hung casements, fixed lights and top openers. The window surrounds also vary in style, with chamfered moulded surrounds, stone mullions and traceried heads. To the rear of the building on the south-east facing elevation is a ground floor bay window with a small projecting mono-pitch stone flagged roof, stone mullions and a modern timber window with fixed lights, a central top hung opening light and panel inserts. The boundary walls and gateposts to the front of the property are also Grade II listed.

Description of Proposal

The applicant proposes to rebuild and alter the ground floor bay window on the south-east facing elevation towards the rear of the building, which has suffered from structural instability along with cracking and deflection of masonry. To reduce weight, the replacement of the stone flag mono-pitch roof with a lead covered timber framed roof is proposed, with the replacement of the windows and delaminated stone sections.

History of negotiations / amendments received

The application included the replacement of a historic stone window mullion. Justification for this replacement was requested, and the agent responded stating that the mullion is in good condition and its replacement is proposed to provide consistent stonework throughout the bay window. As the principle of retaining historic fabric is important, this justification is not convincing and therefore a condition has been applied to this application requiring it to be retained.

Relevant Planning History

2020/91718 - Listed Building Consent for replacement windows (within a conservation area) – 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 glazed bay windows with replacements that incorporate slim double-glazed units. These measures, along with the repair of the masonry and prevention of water ingress, will improve the thermal performance of the building. 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: 16/04/2022

Publicity expiry date: 24/02/2022

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 applicant proposes to rebuild and alter the ground floor bay window on the south-east facing elevation towards the rear of the building, which has suffered from structural instability along with cracking and deflection of masonry. To reduce weight, the replacement of the stone flag mono-pitch roof with a lead covered timber framed roof is proposed, with the replacement of the windows and delaminated stone sections.

The bay projects from the building elevation by around 450mm and is constructed from coursed sandstone with a finely tooled sandstone window surround and mullions. The bay is topped with a mono-pitch roof constructed in heavy sandstone slabs with a carved gutter and chamfered eaves detail. Gradual deterioration and structural movement in this location have led to cracking of the stone lintol and roof slabs, deflection of the right-hand mullion, water damage and delamination of the stone jambs and cill.

The proposal is to carefully dismantle the bay window structure and rebuild it on a like-for-like basis, albeit with a different roof covering. Due to the heavy loads that the stone roof imposes on the structure, its replacement with a more lightweight timber roof structure is proposed, clad in a lead sheet covering with lead flashings to reduce the loading on the bay window. As the bay is towards the rear of the building and is not in a prominent location the removal of the stone roof will lead to a low level of harm to its significance. This slight harm is outweighed by the public benefits of protecting the building from further deterioration by reducing the loading in this area, along with the replacement of delaminated stonework which is beyond repair.

One of the historic stone mullions is in good condition and justification for its replacement was requested. The agent responded confirming that it is in good condition and replacement is proposed to provide consistent stonework throughout the bay window. As this is not necessary a condition has been applied to this application requiring it to be retained.

Along with rebuilding the bay, replacement windows are proposed. The three existing timber framed windows incorporate infill panels, with a single high-

level opening light in the centre. These late 20th century replacements make no contribution to the character of the listed building and therefore their replacement is not of concern. The proposed windows are timber framed with slim double-glazed units and a side hung opener on each side with a fixed central light. These low-level opening lights will be more accessible for the provision of natural ventilation and the removal of the infill panels will be a visual enhancement on the existing.

The bay window is set towards the west of the building in a yard area where it is visible from the unadopted road to the south but not from New North Road. The significance of this elevation is rather low and therefore a proposal which reduces the weight on the structure, protects the building from water ingress and further deterioration and improves energy efficiency within this space, will have a low impact on the significance of the listed building.

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 removal of the cracked stone slab roof structure and replacement of historic stonework will lead to less than substantial harm to the significance of the listed building by the loss of historic fabric, however this harm is low due to the low level of significance of this element of the building. Rebuilding the bay window in natural stone to match the existing, albeit with a traditional lead roof covering, will reduce the loading and improve structural integrity of the bay, prevent further deterioration and structural instability, and eliminate water ingress. These measures will also improve energy efficiency within the space. These public benefits are therefore considered to outweigh the slight harm.

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 limited to areas of low to medium significance and are justified, it is felt that the overall architectural and historic interest of the listed building is preserved.

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 proposed work is at the rear of the building and is not visible from the wider conservation area this proposal preserves its character and significance.

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: - 2022/90888

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 Policy LP35 of the Kirklees Local Plan and Policies within Chapter 16 of the National Planning Policy Framework.

3. Notwithstanding the information submitted on the application form and plans, the existing stone mullions shall be retained and incorporated into the rebuilt bay unless it is demonstrated, with details submitted to and approved in writing by the Local Planning Authority, that these cannot be reused. The masonry of the bay window shall be rebuilt like for like except for the roof, using the existing stone as far as possible and with any necessary replacement stonework matching the existing. New stone jambs and cill shall replicate the existing jambs in terms of stone type, size, hand tooling, bedding, colour, joint size and section.

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.

4. Lime mortar shall be use for pointing the masonry of the rebuilt bay, using a 1:3 NHL3.5 hydraulic lime:well graded sharp sand mortar and flush pointed.

Note: Weatherstruck, strap or ribbon pointing is not permitted.

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.

5. The new bay roof shall be finished in lead sheet with the correct expansion joints, thickness, and sheet lengths to the specifications of the Lead Sheet Association guidelines. All lead flashings shall be fixed into mortar joints and shall not be cut into the masonry, and no weepholes shall be inserted. Measures shall be taken to prevent lead theft from the new roof.

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.

6. 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 an 8mm gap with black spacer bars. Opening casements shall be set flush with the frames with butt hinges and window frames shall not be fitted flush with the external wall.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Design, Access and Heritage Statement			15 March 2022
Existing and proposed bay window plan, elevations, sections and location plan	20.047(2-)003	A	15 March 2022

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 and information which accurately mirror those negotiations and are felt to be acceptable.

Report Dated:

9 May 2022