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:	**2022/65/92899/W**
Site Address:	128, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SR
Description:	Listed Building Consent for external alterations (within a Conservation Area)
Recommending Officer:	Sue Brooks

DECISION – CONSENT GRANTED

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.

Helen Bower

AUTHORISED OFFICER

Date: 29-Sep-2023

Officer Report

Site Description

128 Gillroyd Lane is one of four back-to-back cottages in a small group dating back to the early to mid-nineteenth century. This Grade II listed building is constructed from hammer dressed stone with a pitched stone slate roof and ranges of small, mullioned windows on the two floors of the east facing façade and an external doorway on the same elevation. All windows and doors have been replaced with uPVC. The cottage is situated within the Linthwaite Conservation Area.

Description of Proposal

The applicant initially proposed the following works. Items omitted after negotiations are identified:

- replace the existing UPVC windows with painted hardwood windows (omitted).
- replace the existing UPVC external door with a painted hardwood door with a double-glazed vision panel.
- install gas central heating and add an external flue to the gable end.
- remove the gas meter from inside the lounge and relocate externally.
- install a burglar alarm and fit the alarm box in a discreet location under the eaves.
- remove the black paint from the stone lintols and restore to the original stonework or paint magnolia (omitted).

History of negotiations / amendments received

The level of detail within the application was limited and therefore further information was requested to clarify the proposals, along with the following amendments:

- Windows - 1:20 and 1:10 drawings of the proposed windows were requested, along with details of the type of windows proposed and the opening / fixed light configuration. A window cill section drawing was submitted (not to scale) which showed a flush opening light and chamfered beading, and side and front elevation images were submitted with limited detail on the proposals. The applicant requested ‘the same design as existing but with the correct design and opening’ and confirmed the colour as mahogany. The applicant was advised that bottom hinged windows would not be acceptable as they are not characteristic of the type found in cottages of this age and type, and side hung casements were recommended. Following further

discussions, the applicant withdrew replacement windows from the application.

Door - 1:20 and 1:10 drawings of the proposed door were requested but not submitted. Example images (not to scale) of two door types were submitted. The applicant was asked to confirm which of these doors is proposed and they confirmed the type with a sketch (not to scale) and example photograph submitted, in cooking apple green colour. A vertical timber boarded door with small high- level vision panel was recommended as a more traditional door type. The applicant requested a large vision panel to allow natural light into the room and reduce energy bills. As the timber door at the time of listing had a large vision panel this was accepted in principle. To ensure the proposed door can be adequately assessed a condition has been applied to this report.

- Gas central heating and external flue – the applicant confirmed that the external flue would be black.

- Alarm box – the submitted example was too large and an amended design was submitted and deemed acceptable.

- Removing black paint from the masonry - details of the paint removal method were requested to ensure the stonework is not damaged. No details were submitted, and the applicant confirmed that this would be omitted from the application and remain as existing.

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 outdated boiler with a more efficient model. The replacement of the existing door with a glazed vision panel makes a neutral impact. The proposal slightly enhances the energy efficiency of the property and is therefore felt to comply with climate emergency requirements.

Consultation Responses

Officer report has been compiled by the Senior 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: 08/09/2023

Publicity expiry date: 09/09/2023

Policies

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which is possesses'.

Kirklees Local Plan

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

LP 1-Achieving Sustainable Development
LP 2 – Place Shaping
LP 24 – Design
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 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2	Achieving sustainable development
Chapter 12	Achieving well-designed places
Chapter 16	Conserving and enhancing the historic environment

Assessment

Following amendments, the applicant proposes the following works:

- replace the existing UPVC external door with a painted hardwood door with a double-glazed vision panel.
- install gas central heating and add an external flue to the gable end.
- remove the gas meter from inside the lounge and relocate externally.
- install a burglar alarm and fit the alarm box in a discreet location under the eaves.

The final application is assessed below:

Door

The applicant proposes the replacement of the existing uPVC door (fitted in the late 20th century), with a new timber door with a large six-paned vision panel, painted in a cooking apple green colour.

Archive images from the 1980's show that the door in place prior to the uPVC door was similar in style to the one proposed, with a six-pane upper vision panel. This was likely to date to the mid-late 20th century. A vertical timber boarded door with small high- level vision panel would be more authentic in this type of cottage; however, the previous glazed timber door was in place at the time of listing and therefore sets a precedent, and a large vision panel will allow natural light into the room and reduce energy usage within this space. On balance, and based on the archive evidence available, the proposed door is acceptable in principle.

An example photograph and rough sketch (not to scale) have been submitted and do not provide adequate information to assess the proposal and therefore a condition has been applied below requiring details to be submitted for approval.

Boiler flue and alarm box

A small black external boiler flue is proposed at high level on the gable end, with a compact alarm box in the same location and the large redundant flue on the gable removed with the wall made good. The east facing facade is the principal elevation, with characteristic architectural detailing such as stone gutter corbels and mullioned windows. The gable elevation is of lower significance and therefore a suitable location for this equipment as there are no other elevations on this back-to-back cottage. As these interventions are considered necessary and are fully reversible this proposal is acceptable.

Gas meter

The existing gas meter is located within the property and the proposal is to relocate it into a more accessible and safe location externally. As it is at low level and set behind boundary wall there is no impact on the significance of the listed building.

Summary

In summary, the proposed external equipment has a low impact on the significance of the listed building, and it is accepted that it is necessary for modern living standards and security. The replacement of the unauthorised uPVC door with timber is welcomed and further detail is requested by condition as the information submitted is insufficient to assess the proposal.

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 unauthorised uPVC door and its replacement with a timber door will enhance the significance and character of the listed building by reinstating traditional details (subject to condition). On balance, the introduction of double-glazing within the vision panel is acceptable as the overall replacement will be an enhancement. The installation of an external

boiler flue and alarm box will lead to slight harm to significance, and this is outweighed by the public benefits of reinstating a traditional door, upgrading the building to modern standards and improving security, ensuring that it retains a viable use.

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, with a traditional detail reinstated, it is felt that the 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 proposal includes the reinstatement of timber door, this proposal is considered to enhance 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.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Recommendation **Grant Consent**

Decision Authorisation - Delegated Powers
Application Number: - 2022/92899
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 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.

3. Notwithstanding the information submitted, no works to install the new door shall take place until joinery details at 1:5 and elevations at 1:20 have been submitted to and approved in writing by the Local Planning Authority. The door shall be timber with a painted finish (colour: Farrow & Ball-Cooking apple green). The double-glazed units shall be slim in section, with 4mm glass and an 8mm gap with black spacer bars. The door frame shall be set back in the reveal to the existing depth and not fitted flush with the external wall. The works shall then be carried out in complete accordance with the approved details.
Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset 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 Statement			31 August 2022
Proposed boiler flue image			31 August 2022

Proposed alarm box and flue locations annotated image			20 September 2022
Proposed gas meter location image			20 September 2022
Proposed door example image			22 November 2022
Proposed alarm box image			28 September 2022
Location Plan			7 September 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 level of detail submitted and the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted information which accurately mirrors those negotiations and are felt to be acceptable, subject to the conditions above.

Report Dated: 25 September 2023