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:	**2022/65/93144/W**
Site Address:	15, Butt Lane, Hepworth, Holmfirth, HD9 1TF
Description:	Listed Building Consent for replacement and works to existing windows [within a Conservation Area]
Recommending Officer:	Sebastian Pickles

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: 01-Dec-2022

Site

The application relates to the site of No.15 Butt Lane, which is also know as the Vicarage. The building itself is not listed, however is curtilage Listed to the Grade II Church of the Holy Trinity, being associated and a part of the historic Church site and having a direct historic connection to the Church. As well as being Curtilage listed, the building is also within the Hepworth Conservation area, first designated in 1975. No.15 forms a part of one of the entry points into the Conservation Area, when coming along Butt Lane from the east.

No.15 is located to the immediate south, south-west of the Grade II Church of Holy Trinity. The building forms a part of the historic Church complex, being located within the perimeter wall of the Church complex. The site has a gently sloping gradient which is experienced on the approach along Butt Lane. The site is accessed via the original access drive which is located to the south east of site, located off Butt Lane. The perimeter of the site has a line of mature trees and planting. This thins out towards the west of the site where there is a break between the former Vicarage and The Old Coach House.

The building is understood to have been constructed around 1866, and was constructed in hammer dressed stone, with stone quoins and stone slate roof. The building has some hints of neo Gothic details, with the use of the Lancet arch detail above the windows. There is however also the inclusion of the tudor arch above a row of 3 window lights with stone mullions to the western elevation.

Description of Proposal

The proposals are for the replacement of sliding sash windows to a pair of windows to the north-western elevation and four sliding sash windows to a bay window to the north eastern elevation.

Relevant Planning History

None.

History of negotiations / amendments received

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 works are for the replacement of existing single pane sliding sash windows in matching detail, however to include slim line 16mm double glazed units. The existing windows are in a state of disrepair and performing poorly. The replacement windows will allow for some improved thermal performance. This should have a positive impact in the reduction of the amount of heating required, which is supported under climate change policy.

Consultation Responses

Officer report has been compiled by the Conservation and Design Officer.

Holme Valley Parish Council – 07/11/2022 – No observations. Defer to Kirklees Conservation Officers.

Kirklees Local Plan Policy

LP 1-Achieving Sustainable Development
LP 2 – Place Shaping
LP 24 – Design
LP 35 Historic environment.

National Policies and Guidance:

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'.

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

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Assessment

As set out the proposed works focus on the replacement of a small number of windows to the property, two pairs of sliding sashes to the north, north-western elevation and four pairs of sliding sashes to the north, north western elevation.

The existing windows are in a poor state of repair and there is some evidence of previous repairs having been undertaken. The existing frames are showing signs of water penetration to the core of the timber and sections are hollow, showing signs of rot. The existing frames are a later replacement, being of soft wood and the glass being 20th century sheet glass. The existing frames have followed the detail of the original frames, however are of limit significance in themselves. Repairs could be considered, however given the number of repairs required this is not considered to be economically viable.

The proposed replacement frames are to be constructed in matching profile to the existing windows, the only difference being that the replacement glazing will be of slim line 16mm double glazed units. The replacement units are considered to be of an acceptable thickness and will not have an unduly harmful impact on the character of the building. Given the frames are to be replaced, the introduction of the double-glazing units is considered to be a reasonable improvement.

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."

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.

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.

This application has been assessed against relevant policies in the development plan and other material considerations. The proposals will have no impact upon the character and appearance of the Hepworth Conservation Area.

While the proposals will see the loss of the existing frames, as set out the existing frames hold limited significance, being later replacements. The repair to the frames is not considered to be economically viable as it would require more than 50% of the frames to be replaced. The replacement frames will ensure the detail of the existing frames is replicated and will ensure a matching detail to the existing. This will therefore have a negligible impact on the character of the listed building and the existence of the double-glazing units will only be noticeable when in immediate proximity to the windows.

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: - 2022/93144
Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development shall be begun within three years of the date in which this 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 submitted details, the double-glazing units shall be fitted to the frames using putty and shall of a putty finish to match the existing detail.
Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP2, LP24, LP35 of the Kirklees Local Plan, Chapters 2, 12 and 16 of the NPPF and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. Notwithstanding the submitted details, the double-glazing units shall have a warm edge spacer bars.
In the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP2, LP24, LP35 of the Kirklees Local Plan, Chapters 2, 12 and 16 of the NPPF and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990
Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	TQRQM222721 70330945		30/09/2022
Existing and Proposed Window details	J Gallager 15, Butt Lane,		15/09/2022

	Hepworth, HD9 1TF		
Window Location Plan	15 Butt Lane – Window refurbishment to living room		21/09/2022
Design and Access Statement			22/09/2022
Heritage Statement			22/09/2022

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. The submitted plans and information are felt to be acceptable.

Report Dated: 21 November 2022