# 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**

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| Reference No: | **2023/65/90300/W** |
| Site Address: | 15, Hill Top Fold, Slaithwaite, Huddersfield, HD7 5EQ |
| Description: | Listed Building Consent for replacement windows |
| 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: 24-Mar-2023**

**Site**

The application relates to No. 15 Hill Top Fold. No.15 forms part of a large former Yeoman House, which is listed at Grade II.

The building is located on a corner plot, with Olney Street to the south, Meal Hill Lane to the west and Waverley Street to the north. The building is surrounded by terraced housing which is of the late 19th and early 20th century.

The building is a lovely example of the local Vernacular. The building was formerly one single Yeomans House, however, it was later subdivided in the 19th century to form 4 dwellings.

**Description of Proposal**

The proposals are for the replacement of the existing timber windows with metal casement windows.

**Relevant Planning History**

2010/90588 – Listed Building Consent for internal alterations and news windows – Consent Granted – 22.04.2010.

**History of negotiations/amendments received.**

Upon assessment of the initially submitted details, some concerns were raised regarding the thickness of the proposed glazing units. Amended details were submitted by the applicant which addressed the concerns.

**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 proposals are for the replacement of the existing timber windows, with metal casement windows, with slim profile double-glazed units. The existing windows are of no merit and are beyond economic repair. While the proposals will see the removal of the existing windows, as they are timber they can be

recycled. The proposed replacement windows will see some improvement in the thermal performance of the building and will therefore have a positive impact.

**Consultation Responses**

The officer report has been compiled by the Senior Conservation and Design Officer.

**Public/Members Response**

The application has been publicised with a site notice and a press notice.

Date site notice expired: 06.03.2023

Publicity expiry date: 17.03.2023

**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 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.

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

**Assessment**

As previously set out, No.15 forms a part of the former historic Yeomans House, which was later subdivided in the 19th century. The building is a lovely example of the local Vernacular architecture.

The existing windows are timber side opening and fixed casement windows. The existing windows are not considered to be of any historic merit, and it appears from the planning history that the windows were replaced around 2010. On visiting the property, the existing timber windows do appear to be constructed in softwood and are in a poor condition. While repair should be the

first consideration, given that the existing frames are of softwood, they will only have a limited life span as softwoods are not durable and highly susceptible to decay.
The proposals are for the removal of the existing timber windows and replacement with metal casement windows. The metal frames are constructed from steel and have a powder-coated finish. The replacement windows will have a slim profile double-glazing unit with a thickness of 16mm. The windows also make use of traditional window stays and closers and are in a style which is appropriate to the character of the property.
Given the age of the building and its construction type, it is likely that the original windows were metal casement. The frames of the replacement windows are thin and will provide an improved visual impact and will enhance the character of the building.
The method of fitting the windows will also have an acceptable impact and will not cause any harm to the stone mullions.
The proposals are considered to be acceptable. The existing windows are of no merit and constructed of poor-quality softwood. The replacement metal frames will see an improved visual impact and will also allow for some improved thermal performance for the 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."*
*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. While the proposals see the removal of the existing timber windows, it has been established that they are not of historic merit and are beyond reasonable economic repair. The replacement metal frames are of appropriate detail, with slim frames and well-considered ironmongery. The double-glazing units are low-profile slim units and will not have a detrimental impact and will allow for some improved thermal performance. The proposals will have a minor positive improvement/ enhancement to the listed building.

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**: - 2023/90300
**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 submitted details all replacement double-glazed window units shall have a thickness of no more than 16mm.
**Reason:** To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, as well as Chapters, 2, 12 and 16 of the National Planning Policy Framework.

4. Any repair works required to the stone mullions shall be undertaken using lime repair mortars.
**Reason:** To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, as well as Chapters, 2, 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location Plan | | | 06/02/2023 |

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|---|---|---|---|
| Window Detail – Steelyte Slim | Steelyte Slim | | 20/03/2023 |
| Window Detail – Insulead Unit | 16mm Insulead Unit | | 20/03/2023 |
| Heritage Statement | 15 Hill Top Fold, Slaithwaite | | 30/01/2023 |
| Design and Access Statement | 15 Hill Top Fold, Slaithwaite | | 30/01/2023 |

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. Following engagement and discussions with the applicant additional details were submitted which satisfied initial concern and the proposals are now considered to be acceptable.

**Report Dated:** 21st March 2023