

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:	2023/65/93318/W
Site Address:	103, Trinity Street, Huddersfield, HD1 4DN
Description:	Listed Building Consent for refurbishment of original windows and doors and replacement of modern windows and doors and to fit en-suite bathroom pods to bedrooms (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: 05-Apr-2024

Officer Report

Site Description

103 Trinity Street is a Grade II listed mid-terraced dwelling which dates from the mid-19th century. It is an elegant, two-storey, ashlar fronted building with fine detailing, a pitched slate roof with tall stacks. On the front elevation the sash windows are set into decorative openings with shallow arched heads, with one bay projecting forward with a gable, and the timber panelled front door set into a highly carved doorway.

The rear elevation is simpler in design, with a pitched slate roof and hammer dressed coursed stonework and sash windows with ashlar heads and cills on the first floor. On the ground floor is a doorway set within a pair of heavy jambs, with a full height sash window on each side. The top lights incorporate decorative leaded lights, and the fully glazed door appears to be a later replacement. The rear single doorway to the right has been infilled and converted into a window, and a rear door is set within a small mono-pitch side extension. Three small windows are located on the north-west gable with three on the south-east gable.

The building is within the Greenhead Park / New North Road Conservation Area and is situated close to the junction with Trinity Street and Park Avenue, where the front, north-west gable and rear elevations are highly visible from public vantage points. It is within the setting of Greenhead Park, a registered park.

Description of Proposal

The proposal is for the refurbishment of original windows and doors, the replacement of modern windows and doors and the construction of ensuite pods within the bedrooms.

History of negotiations / amendments received

Clarification was requested on the following points:

- The agent was advised that double glazing needs to be slim in section (4:8:4). The agent confirmed that slim double-glazed units will be specified and confirmed that the existing frames can accommodate slim double-glazed units.
- Minor amendments were made to the window schedule, with single glazing retained in the staircase window and secondary glazing to W14 instead of a replacement window.

- Drainage runs were requested to ensure that no architectural details will be damaged. The information submitted was acceptable.

Relevant Planning History

2008/94405 - Listed Building Consent for installation of new window (within a Conservation Area) –Consent Granted. **Note:** This reinstated a timber window to rectify the unauthorised installation of a uPVC window on the north-east gable.

2000/90062 – 101-105 Trinity Street - Listed Building Consent for recovering roofs, rebuilding part chimney stacks, renewing sash windows and doors, renewing gate and railings and general external repairs (within a Conservation Area) – Consent Granted. **Note:** No windows or doors replaced at 103 Trinity Street.

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 single glazing with slim double-glazed units within specified existing historic windows, and the replacement of modern windows with new timber framed slim double-glazed windows. The proposed replacements incorporate double glazed units with an 8mm gap and secondary glazing. These measures will greatly improve the thermal performance of the windows and therefore it is felt the proposal complies with the 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: 26/02/2024

Publicity expiry date: 08/03/2024

Policies

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) applies. This 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 it 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 20 December 2023, 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 and beautiful places
- Chapter 16 Conserving and enhancing the historic environment

Assessment

The proposal is for the refurbishment of original windows and doors, the replacement of modern windows and doors and the construction of ensuite pods within the bedrooms.

Windows and doors

The windows vary in style throughout the building. On the front elevation are three large single glazed one over one sash windows with shallow arched profiled timber top sashes with horns. All three windows have applied lead on the glazing and the timber frames are in fair condition.

On the rear elevation are two first-floor sash windows, a pair of ground floor sashes with a central glazed door, and a sash window within an infilled former doorway. Smaller windows are situated at high level on both gables.

The proposal is for the off-site repair of the historic sash windows, as identified in the window schedule. Draught strips are proposed for all windows, with single glazing replaced with double-glazing in most of the windows (except for W2, W3 and W15 which will remain as single glazed, and W14 which will be secondary glazed). This will improve the thermal efficiency and sound proofing within the rooms.

It is proposed to replace two modern windows on the gable elevation with like for like replacements, albeit with double-glazing, and infill a small window opening with matching stonework.

The front door is an original timber panelled door with two vision panels and a glazed top light. The surviving vision panel is likely to be historic, with decorative etched glass, and the other panel has been boarded up. The restoration of the door is proposed with an etched glass vision panel.

A modern rear door is housed within a small side extension and is of no historic interest. This is retained.

En-suite pods

The building is currently used as an HMO and it is proposed to improve the living standards for individual occupants by constructing bathroom pods within three bedrooms. The proposed pods are constructed from timber stud partitions with a plasterboard finish and a floating floor. They are set well below the decorative cornices within the rooms and fixed around the skirtings to ensure that these historic details are retained, and the original plan forms can be understood. It is also proposed to subdivide the existing first floor bathroom to create an ensuite and kitchen.

The Design and Access Statement states that the new fittings will be connected to the existing drainage which will minimise the level of intervention within the rooms. A drawing has been submitted to show the drainage runs.

Summary

The proposal will address the deterioration of windows and historic external doors by their overhaul and restoration, whilst improving energy efficiency and comfort levels with the property by the installation of double-glazing and draught proofing with minimal alterations to the historic fabric.

Providing private facilities within the rooms will improve the standard of living for the occupants. The en-suite pods have been designed around the historic architectural details within the rooms so that they cause no physical damage, and they are set below ceiling height so that the historic plan form can still be understood. The pods are constructed in timber studwork and can therefore be removed in the future to reinstate the historic plan form.

Conclusion

Paragraph 205 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 208 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 restoration of the historic windows and doors will ensure the conservation of these historic architectural elements. The replacement of non-original single glazing with double-glazed units will lead to slight harm to significance by the visual appearance of the windows, with minor internal adaptations of the frames to accommodate deeper units. This is mitigated by specifying slim double-glazed units with black spacers to minimise the visual impact.

Internally, the insertion of bathroom pods and minor changes to the layout are proposed to provide occupants with private bathrooms and kitchens. The proposed changes are designed to minimise any impact on the historic fabric and are reversible, and therefore the harm to significance is low.

The public benefits of restoring the existing windows and doors, improving energy efficiency with the building, and ensuring the sustainability of the

building by providing a good standard of accommodation for the occupiers, is considered to outweigh this 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.

The proposed works ensure the restoration of the historic windows and doors, ensuring that these architectural features are preserved. Proposed alterations are kept to a minimum and are justified and it is felt that the architectural and historic interest of the listed building is preserved.

Section 72(1) 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.

The restoration of the historic windows and doors will enhance the character and appearance of the conservation area.

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).

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: - 2023/93318

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: 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. All new double-glazing shall have a section of no more than 16mm (4:8:4), with black warm edge spacers. New glazing shall be fitted to the internal face of the frames to ensure that no alterations are made to the external profiles of the windows, and all new glazing shall follow the profiles of the existing window frames.

Reason: 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.

4. Notwithstanding the information submitted, new drainage and pipe runs for the new bathrooms shall be installed to avoid any damage to the architectural details within the rooms, including cornices, skirtings, picture rails and chimney breasts.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Heritage Statement		Rev 01	26 January 2024

Design and Access Statement			8 November 2023
Existing floor plans	P1187-05		8 November 2023
Proposed floor plans	P1187-10	03	4 April 2024
Existing elevations	P1187-06		8 November 2023
Proposed elevations	P1187-11	03	20 March 2024
Pod details	P1187-15		26 January 2024
Location Plan			8 November 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. 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 which accurately mirror those negotiations and are felt to be acceptable.

Report Dated:

5 April 2024