

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) Section 191/192**

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF  
LAWFUL DEVELOPMENT**

Reference no.: 2024/CL/90846/W

Site: 5 The Crossroads, Market Place, Station Street,  
Meltham, Holmfirth, HD9 4NH

Description: Certificate of lawfulness for proposed installation of  
replacement windows and doors (within a Conservation Area)

Case Officer: Sharoz Ilyas

**Decision Reference: PROPOSED OPERATIONS GRANT**

**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.**

Kevin Walton

**AUTHORISED OFFICER**

**Date 03-Jul-2024**

<b>Reference:</b>	2024/CLD/90846/W
<b>Applicant: -</b>	The Crossroads Project
<b>Location: -</b>	5 The Crossroads, Market Place, Station Street, Meltham, Holmfirth, HD9 4NH
<b>Proposal: -</b>	Certificate of lawfulness for proposed installation of replacement windows and doors (within a Conservation Area)

### **Site Description**

5 The Crossroads is a two-storey commercial property located on a prominent corner plot at the junction between Greens End Road and Station Street. The property is stone built (painted white) with uPVC white window frames utilised on the first floor and wooden framed single-glazed windows at the ground floor. There are three windows which face on to Greens End Road and 1 access door. The access door and two of the three windows on this façade have recessed shutters which do not extend beyond the plain of the façade. The shop front accessed from Station Street is set back within the site and the majority of it is glazed with a single main access door. The shop frontage is made using timber and is single glazed. The property does not benefit from any external amenity space. The property is located within a commercial setting along Stations Street and Huddersfield Road (B6108).

### **Description of Proposal**

The proposal is for the replacement of windows and doors at ground level. It will include the following:

- 1 x Shop front screen facing onto Market Street with a pair of double doors with side lights either side with timber boarding above and below.
- 2 x fixed light windows along Greens End Road.
- 1 x arch door and arched fanlight over the door.
- 1 x pair of double doors along Greens End Road, with one leaf fully glazed and one half glazed, with the fully glazed leaf to be made wider to accommodate wheelchair access.

### **History of negotiations/amendments received**

No negotiations have taken place and no amended plans received.

### **Relevant Planning History**

No relevant planning history.

### **Consultation Responses**

None required.

## **Legislation**

The Town and Country Planning Act 1990 Section 55.

### **Assessment: -**

The main considerations in the determination of this application are:

1. Whether the proposed development would constitute development as defined section 55 of the Town and Country Planning Act 1990;

The plans are for the replacement of windows and doors with like for like materials and design including the removal of existing shutter boxes.

With regard to the window replacements, the proposal would keep the character and appearance of the building by retaining its key windows and doors designs. The profile of the timber frames will match the existing frames and while the use of double glazing may affect the light reflection to a degree, the “double image” often found with double glazing would be marginal and inconsequential in terms of appearance.

The double doors to the frontage will not change in appearance or design. The double doors facing Greens End Road are being amended to half glaze the right hand leaf and slightly alter the proportions of each leaf to provide wider access for wheelchairs. While the changes to these doors result in a different design, the change in the appearance of the whole building would be insignificant and largely un-noticeable to the degree the change in appearance is de-minimis and non-material.

The single door facing Green End Road would undergo a change to install a fanlight above the 4 panelled door. This further change along with the change to the double door, is also considered to result in an inconsequential change in terms of an alteration of the appearance of the whole building and as such de-minimis.

The removal of the shutter boxes and replacement with a blank panel would also not add to any significant change to the appearance of the current building.

Overall it is considered the alterations would not collectively result in a material change to the appearance of the building as a whole. The works are regarded as the carrying out for the maintenance, improvement or other alteration of any building or works which do not materially affect the external appearance of the building and therefore not development as defined by section 55 (2)(a)(ii) of the Town and Country Planning Act 1990. Thus, the proposal does not constitute the carrying out of building, engineering, mining or other alterations in, on, over or under land.

### **Conclusion:**

It is considered that the proposed replacement of windows and doors as shown and described within the submissions listed below do not materially affect the external appearance of the building and do not therefore constitute development as defined by section 55 of the Town and Country Planning Act 1990 by virtue of paragraph 55(2)(a)(ii) of Section 55.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	1034536		26/03/2024
Supporting Statement	1034537		26/03/2024

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 Case Officer did not enter into negotiations or request amended plans for the proposed development as it was considered that the application was considered acceptable in its submitted form.

**Dated:** 28.06.2024