

**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:	2024/65/91037/W
Site Address:	Edgerton Cottage, 15, Edgerton Road, Edgerton, Huddersfield, HD3 3AA
Description:	Listed Building Consent for replacement windows and doors (within a Conservation Area)
Recommending Officer:	Sebastian Pickles

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.

Emma Thompson

AUTHORISED OFFICER

Date: 20-Aug-2024

Site

No. 15 Edgerton Road, Listed at Grade II is a large, detached dwelling. The building is on a prominent corner location within the Edgerton Conservation Area. The building is located on the corner of Luther Place and Edgerton Road. While the building does benefit from some buffering in the form of hedging and the surrounding stone boundary wall, the building holds a strong presence in the street scene.

The building is of the mid-19th century, constructed in fine ashlar to the principal elevation fronting Edgerton Road and coursed stone the sides and rear elevation. The building is of a double pile, with a slight stepping. The windows are mainly of a 1 over 1 sliding sashes with some historic float glass. There are some fixed lights to the northern elevation which includes a decorative stained glass window with lead canes. To the southern elevation there is one casement stile window and in central first floor is an elongated curved head landing window. The roof is finished in pitched stone slates and has stone consoles to the eaves.

Proposals

The application is for listed building consent for the replacement of the windows and doors.

Relevant Planning History

2022/91433 – Listed Building Consent for replacement windows and door – Refused

History of negotiations / amendments received

There has been a high level of engagement with the planning agent. On initial assessment there were some concerns with the proposed works. While the intention was to replace the existing windows in timber, there are several windows which are considered of merit, which included colour glass and lead caning. Following engagement with the agent a position has been reached which sees the retention of the historic elements and the repairs/ replacements undertaken where necessary.

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 and repair of the existing windows and doors. The proposals include upgrading the glazing from single to double which will offer some thermal improvements. The proposed will therefore have some benefits in regards to reduction in the amount of energy used.

Consultation Responses

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

Public/Members Response

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

Date site notice expired: 26.04.2024

Publicity expiry date: 31.05.2024

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 it possesses'.

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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

No. 15 Edgerton Road, Listed at Grade II is a large, detached dwelling. The windows are mainly of a 1 over 1 sliding sashes with some historic glass. There are some fixed lights to the northern elevation which includes a decorative stained-glass window with lead canes. The stain glass window while being a fixed light does form a part of character of the building. To the southern elevation there is one casement style window and in central first floor is an elongated curved head landing window. The existing windows are single glazed and some of the windows do include historic glass. However, on inspection, it does appear that at some point in the later 20th century, many of the windows were replaced and they have modern float glass. This is also evident from the more modern closers on the windows.

As stated, the proposals are for the replacement of the existing windows and doors to the building. While this will see the loss of the existing frames, it is considered that this will not have a detrimental impact on the character and significance of the building. The replacement frames will be of a match to the existing ones in every respect, saved that the new frames will have slim line double-glazed units. The replacement frames are to be putty finished which again will ensure there is a matching appearance to the existing.

The only window that has some detail outstanding is that of window 15 on plan 2466-D-20-002 – A. This is the large, curved head landing window. The principle of replacement is considered to be acceptable, however, the finer details have not been confirmed nor agreed. It will therefore be necessary to attach a condition for the details to be submitted for approval.

As noted, there are some existing windows which have decorative colour glass and lead caning. It has been confirmed that these windows are to remain unaltered and will only have repairs undertaken to them as necessary. Additionally, there are new windows proposed for the basement. On inspection and review of the submitted information, there are historic openings which have been previously infilled. There will simply be reopened, and new windows fitted. This will therefore have a positive impact as it will reinstate detail which has been previously lost.

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.”

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 will see the loss of some of the existing frames the proposals are considered to be acceptable. The more significant colour glass and lead-caned windows are to be retained, therefore the character and significance of the building will be retained.

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: - 2024/91037

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 plans, joinery details of window 15 as shown on plan 2466-D-20-002 – A shall be submitted to the Local Authority for approval in writing. The joinery drawing shall be submitted at a scale of 1:20 and shall include both section and profile details of the proposed window. The works shall be completed in accordance with the details.

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 submitted details there shall expressly be no use of filler or expandable foams in any of the works to the building.

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

5. Notwithstanding the submitted details the window surrounds shall be finished using burnt sand mastic only. Once cured the burnt sand mastic can be painted in a colour to match to the windows.

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

6. Notwithstanding the submitted details any works for the repair, re-bedding or any required repointing works shall be undertaken using lime mortar only.

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
Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	PP-12950182v1		12/04/2024
Heritage and Design and Access Statement			12/04/2024
Proposed Window Sections	2466-D-20-003	A	30/07/2024
Proposed Window and Door Schedule	2466-D-20-002	A	30/07/2024
Proposed Window and Door Schedule	2466-D-20-001	A	30/07/2024
Basement Windows			30/07/2024
Window Reference – Photographic Survey			30/07/2024

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. Following engagement with the planning agent and the submission of amended plans and details the proposals are considered acceptable.

Report Dated:

19.08.2024