




# Planning Heritage, Design & Access Statement

**LISTED BUILDING  
CONSENT BY:**

**MR J SYKES**

**RELATING TO:**

**132 GILLROYD LANE  
LINTHWAITE  
HUDDERSFIELD  
HD7 5SR**

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**1. INTRODUCTION & BACKGROUND**

1.1. This Planning, Heritage, Design & Access Statement has been prepared to support a listed building consent for the following development at 132 Gillroyd Lane, Linthwaite, Huddersfield:

**“Installation of UPVC windows and door (retrospective).”**

1.2. The application has been submitted following dialogue with the Council under reference COMP/23/0128.

1.3. The existing UPVC windows and door were installed in 2016 but did not receive formal consent. The purpose of this listed building consent is to obtain retrospective permission for the works.

1.4. It is important to emphasise that the applicant did not install the UPVC windows and door, which was done by the previous owner of the property.

1.5. The following information is lodged with the listed building consent:

- Application Form
- Location Plan
- Block Plan
- Photographs of Existing Windows and Door

**2. THE HERITAGE ASSET AND SITE:**

2.1. The application property is a Grade II listed property, together with Nos.126, 128 and No.130 Gillroyd Lane.

Early to mid C19. Cottages and underwellings. Hammer dressed stone. Pitched stone slate roof (No 126 bitumen covered). Coped gables and footstones. Stone brackets to west elevation. 2/3 storeys. East elevation: Ground floor: two entrances with stone surrounds and tie-stones. Two 4-light stone mullioned windows (2 mullions removed). First floor: four 3-light stone mullioned windows. West gable: four 2-light stone mullioned windows (1 window blocked, 1 window has 1 mullion removed). West elevation: Ground floor: two entrances with stone surrounds and tie stones; two 4-light stone mullioned windows. First floor: four 3-light stone mullioned windows. Second floor: four 3-light stone mullioned windows.

2.2. It is understood that the building was listed in 1985.

2.3. The building is situated on the western side of Gillroyd Lane broadly opposite Colne Valley High School. The topography of the site drops steeply in an east to west direction across the application site.



Figure 1: OS Map.

2.4. The area is residential in character and comprises a mix of architectural types and styles. There are a large variety of window styles and colours with most of them being UPVC windows

including other the cottages to the south of the application property which are situated within the Conservation Area.

- 2.5. Nos.126-132 Gillroyd Lane are situated close to the public highway and appears as a two storey building from the street. The building has a pitched roof with gable ends. Nos.126-128 are accessed from the street, whereas Nos.130-132 are accessed to the rear of the building with access gained along the southern side of the property.



Figure 2: Street scene elevation.

- 2.6. Given the change in topography, Nos.130-132 are three storeys in height.



Figure 3: Rear elevation of No.132 (ground, first and second floor).

- 2.7. All windows and the door on the building comprise UPVC. The windows which face onto the highway are white UPVC windows, whereas the windows on the rear of the building are wood-effect UPVC windows. The existence of UPVC windows on the property was acknowledged by the Council under planning reference 2022/65/92899/W.<sup>1</sup>
- 2.8. In terms of other planning designations, the site is situated within the Linthwaite Conservation Area.

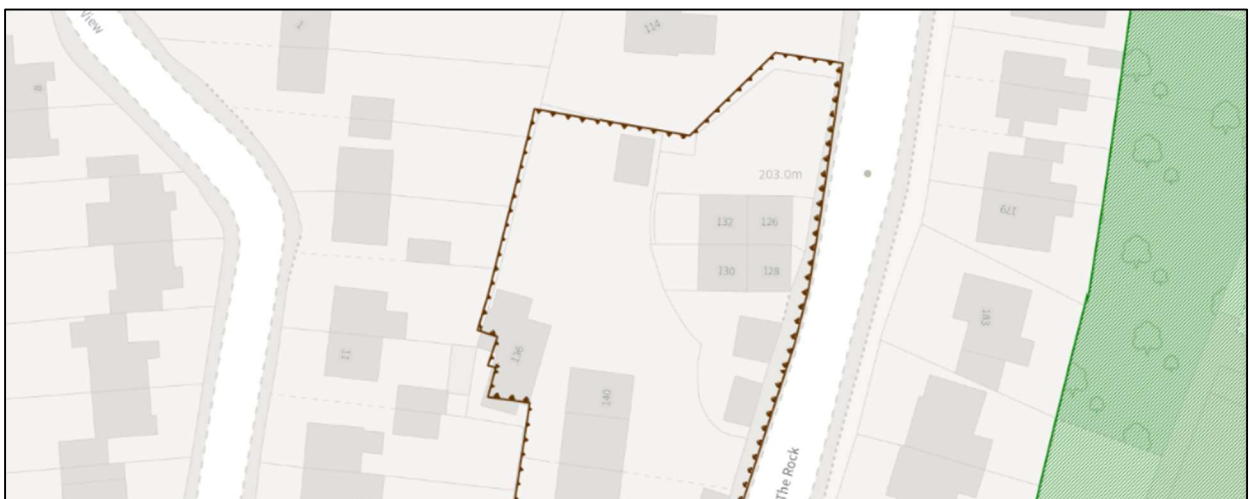


Figure 4: Proposals Map.

<sup>1</sup> See Planning History Section

**3. APPLICATION DEVELOPMENT:**

3.1. The application seeks to formalise the existing UPVC windows and one door which were installed at the property June 2016. The UPVC windows and door comprise high quality fenestration and are timber-effect and reflect the style and colour of the adjacent No.130 in terms of appearance.



Figure 5: Application property (left) and No.130 (right).

**4. PLANNING HISTORY:**

**(i) Site**

4.1. There is no planning history attributed to the property. As outlined, this submission has been made following dialogue with the Council under reference COMP/23/0128.

**(ii) Adjoining Properties**

4.2. The following records are recorded for the adjoining properties:

- 2022/65/92899/W - 128, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SR  
Listed Building Consent for external alterations (within a Conservation Area)

4.3. Under this application the Council acknowledges the following in the Officer Report:

128 Gillroyd Lane is one of four back-to-back cottages in a small group dating back to the early to mid-nineteenth century. This Grade II listed building is constructed from hammer dressed stone with a pitched stone slate roof and ranges of small, mullioned windows on the two floors of the east facing façade and an external doorway on the same elevation. **All windows and doors have been replaced with uPVC.** The cottage is situated within the Linthwaite Conservation Area

4.4. The proposal, amongst other things, sought to replace the existing UPVC windows with painted hardwood windows. However, this element proposal was omitted. The UPVC windows are still in place at the property.

- 2019/65/94088/W – 126, The Rock, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SR  
Listed Building Consent for replacement external door (within a Conservation Area)

4.5. This proposal sought to replace a replacement external door. The Council approved the application on 21 February 2020. It is assumed the case officer at that time visited the site.

**5. PLANNING POLICY:**

5.1. The following legislation, guidance and planning policy has been reviewed as part of the preparation of this Planning, Heritage, Design & Access Statement:

- The Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (2023)
- Kirklees Local Plan Strategy and Policies (2019)
- Linthwaite Conservation Area Appraisal

**Planning (Listed Buildings and Conservation Areas) Act 1990**

5.2. 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.

5.3. Section 66 of the Act describes the statutory duties relating to planning permission for development that will affect a listed building or its setting and Section 66(1) reads:

*“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.”*

5.4. 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

### **National Planning Policy Framework (2023)**

5.5. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are material considerations. The following chapters of the NPPF have been reviewed as part of this appraisal.

- (2) Achieving sustainable development
- (12) Achieving well-designed and beautiful places
- (16) Conserving and enhancing the historic environment

5.6. Annex 2 of the framework defines conservation as: *“The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.”* The definition of conservation also confirms that change should be embraced and not resisted. Change is only harmful insofar as it erodes significance.

5.7. ‘Significance’ in terms of heritage-related planning policy is defined in the Glossary of the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

5.8. The NPPF definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

- archaeological interest: As defined in the Glossary to the NPPF, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset

has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

- historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

### **Kirklees Local Plan (2019)**

5.9. Policy LP1 outlines that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

5.10. Policy LP24 states that good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review. Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape
- d. high levels of sustainability, to a degree proportionate to the proposal, through:

- i. The re-use and adaptation of existing buildings, where practicable;
- iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials

5.11. Policy LP35 states that development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset.

**6. PLANNING & HERITAGE ASSESSMENT:**

- 6.1. The application submission seeks to formalise the installation of the UPVC windows and door at the property which have been in place since June 2016. As outlined in the introduction section, it is important to highlight that the applicant did not undertake the works.
- 6.2. This statement has shown that all other windows and doors on the building, including on Nos.126, 128 and 132 are UPVC. The windows and doors on Nos.126 and 128 are white UPVC and given their condition, have clearly been installed at the property for some time<sup>2</sup>. The planning history section has identified that the Council are aware of UPVC windows and doors on the building but have chosen not to undertake any enforcement action for these works.
- 6.3. The windows at the application property are identical in style to the historic windows. Importantly, the windows are the same in style, appearance and colour as No.130. This ensures a consistency and rhythm to the fenestration on the rear of the property. The windows are not visible from the street or wider Conservation Area.
- 6.4. This statement has demonstrated that there is a large diversity of windows within the surrounding area. Indeed, there are multiple examples of UPVC windows on the cottages to the south which are also situated within the Conservation Area., with no apparent consistency in colour, style or appearance.
- 6.5. The applicant did not install the UPVC windows and door and the cost to replace these will be completely unviable. The existing windows and door are a high quality product which respect the historic appearance of the building.
- 6.6. The windows and door are in excellent condition and provide a high thermal performance, given the exposed position of the building on top of the valley. On 12 November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying

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<sup>2</sup> Google Street View confirms that UPVC windows were in place at least in June 2009.

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 predates 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. In this regard the removal of UPVC windows and door which are in excellent condition and their replacement with an alternative material is not sustainable and contradicts the Council's Climate Emergency targets.

- 6.7. In terms of heritage impact on the listed building, the works to the windows are minimal and justified with traditional detailing reinstated. This assessment has shown that as the windows match other UPVC windows and doors on the rear elevation of the property, on balance the architectural and historic interest of the listed building is preserved. Therefore, there has been a neutral impact on the heritage asset as a result of the works.
- 6.8. In terms of the Conservation Area, it has been demonstrated that the windows will not be visible from the public realm and therefore the setting and character of this heritage asset will be preserved. It has also been outlined that there are multiple other examples of UPVC windows within the Conservation Area. Again, the heritage impact on the Conservation Area is therefore assessed as being neutral.
- 6.9. It is therefore concluded that the 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 NPPF and Sections 16(2), 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

## **7. CONCLUSION:**

7.1. The submission for listed building consent seeks the formalisation of the installation of UPVC windows and door at No.132 Gillroyd Lane. As outlined these windows have been in situ since 2016 and were not installed by the applicant. The following justification for formalising the works are:

- All other properties within the listed building have uPVC windows and doors and the Council are aware of this.
- The UPVC windows and door are identical in style to the historic openings and are consistent with the appearance of the fenestration to adjoining dwelling at No.130.
- The windows and door not visible from the wider public realm given that they are on the rear elevation.
- There are UPVC windows throughout area including properties to the south within the Conservation Area.
- The windows and door are in excellent condition and will be very expensive to replace for the applicant who did not install them.
- The UPVC windows and door have good sustainability credentials and high thermal performance which reflect the Council's Climate Emergency Targets. The removal of the windows which are in excellent condition and their replacement is not sustainable.

7.2. It has been shown through this analysis that the heritage impact on the listed building and Conservation is neutral in this circumstance.

7.3. On balance this Planning, Heritage, Design and Access Statement has demonstrated that the 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 NPPF and Sections 16(2), 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

7.4. It is therefore requested that listed building consent is granted.