

**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:	<b>2024/65/92090/W</b>
Site Address:	Marsden Mechanics, Peel Street, Marsden, Huddersfield, HD7 6BW
Description:	Listed Building Consent for Installation of two high level windows in the east elevation (Listed Building within a Conservation Area)
Recommending Officer:	Laura Yeadon

**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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 24-Sep-2024**

## **Officer Report**

[Weblink](#)

### **Site Description**

Marsden Mechanics is a large, community building which is a Grade II listed building located within the Marsden Conservation Area and defined Marsden District Centre within the Kirklees Local Plan. The property is located within a prominent location within Marsden and sits on the corner of Peel Street and Brougham Road and is adjacent to Marsden Infant and Nursery School.

The main entrance is located on the south facing elevation via an existing conservatory and the building has recently been fitted with a newly refurbished lift providing access to the main hall at first floor (detailed within the submitted Access Statement).

### **Description of Proposal**

The application is for Listed Building Consent for the installation of two high level windows in the eastern elevation of the building. An application for Planning Permission for the works has also been submitted under application number 2024/92089 and runs concurrently with this application.

The windows would be located within the ground floor of the side elevation facing the side elevation of the School providing natural light and ventilation to the designated office space. The windows would be similar in dimensions being a height of 0.6 metres, width of 1.2 metres and 1.1 metres with stone lintels and sills. The windows themselves would be high level, top hung slim double glazing, constructed from timber and opaquely glazed.

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

Following initial comments from Conservation and Design Officers, the plans were updated to demonstrate that the windows would be top hung openings and that the originally submitted triple glazed alu-clad windows were replaced with slim double glazed timber windows. The amended plan (3A) was received on 27<sup>th</sup> August 2024 and forms the basis of this assessment. Due the changes relating to the finishing material for the openings, it was not considered necessary to re-advertise the proposal.

### **Relevant Planning History**

The planning history of the site incorporates both planning permissions and listed building consent for various works including CCTV, a radio antenna, relocation of conservatory entrance door, internal alterations, signage, refurbishment of existing windows and installation of poster display cases and a plaque.

### **Representations**

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters, site notice and newspaper advertisement.

Final publicity date expired 14<sup>th</sup> September 2024 – no representations received

Parish/ Town Council – not applicable

### **Consultation Responses**

K.C Conservation and Design – following the submission of amended plans, no objection subject to conditions

The National Amenity Societies – no comments received

### **Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The site is within the Marsden Conservation Area on the Kirklees Local Plan. The building is also a Grade II Listed Building.

The listing description of the building is as follows:

*1860. Mechanics Institute by John Hogg of Halifax. Hammer dressed stone with ashlar dressings. Hipped slate roof with frieze of moulded bracketed eaves cornice. Two storeys with deep ashlar band between floors. 3-bay symmetrical facade to Peel Street: central portico with paired, Corinthian columns with backing pilasters, full entablature of blocking course. Later iron balcony rails. Round arched ground floor windows with voussoirs and impost band. Round arched 1st floor windows with impost capitals, scrolled spandrels, console keystone and bracketed cornice. The centre window is surmounted by carved head with scrolled support. The 5-bay symmetrical facade to Brougham Road is treated the same, except that the portico has only single columns, and the 2 ground floor windows to left are square headed with tall brackets supporting cornice. A dormer with scrolled support surmounts this elevation. The 3-bay elevation has good stack at eaves level. Surmounting the corner is a tall, timber, square clock tower, louvred at the base and with round clock to all four faces, which each have triangular pediment over. Steep pyramidal roof with lucarnes and decorative metalwork railings at top. Important corner site.*

#### Kirklees Local Plan:

- **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<sup>th</sup> December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

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

### Legislation

Legislation The Town & Country Planning Act 1990 (as amended)  
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990  
The Planning and Compulsory Purchase Act 2004.

### **Assessment**

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering whether to grant planning permission for development which affects a listed building or its setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This is also reiterated within Policy LP35 of the Local Plan.

The works have been detailed within the submitted (albeit amended plans) and also the Access Statement and Heritage and Design Statement as required by Chapter 16 of the NPPF. These are also detailed as above within the 'Description of Proposal' section of this report.

The proposal is for the installation of two windows within the side elevation of the building facing the side elevation of the neighbouring School. There is a narrow passageway between the two buildings and due to the siting of the openings, would be only slightly visible from public vantage points.

This particular elevation is constructed from hammer dressed stone with little architectural detailing.

The proposed windows have been amended from triple-glazed alu-clad windows with opaque glazing to double glazed timber framed set into new openings with external stone lintels and cills.

Conservation and Design Officer's were formally consulted and the comments cite that the proposed windows are in traditional materials, set into stone surrounds and in an area of low significance towards the rear of the building. The level of harm to the significance of the listed building and the character of the conservation area is considered to be low. The public benefits or providing natural light into the office of this community building, reducing energy consumption and costs slightly, are considered to outweigh the slight harm which accords with the requirements of Policy LP35 of the Kirklees Local Plan and paragraphs 208 and 209 of the NPPF.

Officers have requested that conditions are to be imposed on this Listed Building Consent application to include the

- The heads and cills for both new openings shall be in tooled natural stone and shall replicate the heads and cills of the existing external ground floor windows on the south elevation in terms of stone type, material, colour, size, tooling and section. Jambs shall be finished in hammer dressed coursed stone to match the existing wall and cut faces shall not remain visible.
- New windows shall be timber framed with double-glazed units, and the obscured glazing shall have a plain etched finish and not be in patterned glass. Visible trickle vents shall not be permitted, and the windows shall be set into the reveals by 125mm.

Subject to these conditions being imposed Conservation and Design Officers raise no concerns with the proposed works.

#### Other matters:

*Climate Change* - Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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.

Due to the limited nature of the development proposed, it is not considered that specific mitigation measures are required to facilitate this development.

Representations:

None

Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

**Recommendation**

**APPROVE**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2024/92090

**Officer Recommendation:** Grant Consent

**Conditions:**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP2, LP24 and LP35 of the Kirklees Local Plan, and to accord with Policies within Chapters 12 and 16 of the National Planning Policy Framework.

3. The heads and cills for both new openings shall be in tooled natural stone and shall replicate the heads and cills of the existing external ground floor

windows on the south elevation in terms of stone type, material, colour, size, tooling and section. Jambs shall be finished in hammer dressed coursed stone to match the existing wall and cut faces shall not remain visible.

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

4. New windows shall be timber framed with double-glazed units, and the obscured glazing shall have a plain etched finish and not be in patterned glass. Visible trickle vents shall not be permitted, and the windows shall be set into the reveals by 125mm. **Reason:** In the interest of preserving the historic and architectural interest 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
Location plan	100047474		25 <sup>th</sup> July 2024
Existing east elevation	Dwg No. 01		1 <sup>st</sup> August 2024
Proposed east elevation	Dwg No. 02		1 <sup>st</sup> August 2024
Proposed part east elevation, section and floor plan	Dwg No. 03A		27 <sup>th</sup> August 2024
East elevation photograph			1 <sup>st</sup> August 2024
North elevation photograph			1 <sup>st</sup> August 2024
Passage between building and School photograph			1 <sup>st</sup> August 2024
Timber screen in passage photograph			1 <sup>st</sup> August 2024
Climate Change Statement	Appendix A		1 <sup>st</sup> August 2024
Heritage and Design Statement	Arian Lord ARIBA		1 <sup>st</sup> August 2024
Access Statement	Arian Lord ARIBA		1 <sup>st</sup> August 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 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 initial comments from Conservation and Design Officers, the plans were updated to demonstrate that the windows would be top hung openings and that the originally submitted triple glazed alu-clad windows were replaced with slim double glazed timber windows. The amended plan (3A) was received on 27<sup>th</sup> August 2024

**Report Dated:** 24<sup>th</sup> September 2024

Coal – none