

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//93011/W
Site Address:	Edgerton Cottage, 15, Edgerton Road, Edgerton, Huddersfield, HD3 3AA
Description:	Variation condition 2 (plans) on previous consent (ref: 2024/91037) for Listed Building Consent for replacement windows and doors (within a Conservation Area) to add additional window details
Recommending Officer:	Joanna Rednall

DECISION – VARIATION OF CONDITION APPROVED

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.

John Holmes

AUTHORISED OFFICER

Date: 09-Jan-2025

Officer Report

Site Description

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.

Description of Proposal

The application is for a variation condition 2 (plans) on previous permission 2024/91037 for Listed Building Consent for replacement windows and doors (within a Conservation Area).

Condition 2 stated:

“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.”*

It is proposed to vary the list of approved drawings to take account of the arched window heads to the two basement windows.

The application form sets out the application seeks the new drawing to be referenced, this is drawing ref: 2466-D-20-002RevB. The drawing referenced to within the consent is 2466-D-20-002RevA.

History of negotiations / amendments received

No amendments have been sought during the process of this application.

Relevant History

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

2024/91037 – Listed Building Consent for replacement windows and doors (within a Conservation Area)

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 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.

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

Conservation and Design: The proposed details are acceptable.

Public/Members Response

The application has been publicised with a site notice and a press notice. No representations have been received.

Publicity expiry date: 13th December 2024

Policy

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'.

It is considered that the following policy and legislation is applicable to the determination of 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 are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, 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 places
- Chapter 16 Conserving and Enhancing the historic environment

Assessment

Significance

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.

Impact of the proposal on significance

The impact of the proposals has been previously assessed under 2024/91037 and were found to be acceptable. The proposed variation relates to the previously approved plans, more specifically the arched window heads to the two basement windows. The proposed basement windows would see the historic openings which have been previously infilled reopened, and new windows fitted. These details would have an acceptable impact on the significance of the Listed Building as it will reinstate detail which has been previously lost.

Conclusion

Paragraph 212 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 215 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that any application for development must preserve the character and appearance of the listed building.

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 recommended the submitted plan is referenced to in the decision and conditions updating reference to revision A with reference to be to revision B of the submitted plan. The approval of the LBC application to which this case relates was on 20th August 2024. As such it is recommended condition no.1 is updated to require the development to be begun not later than 20th August 2027, to preserve the three year time limit in relation to the commencement of development.

Recommendation Grant Variation of Condition

Decision Authorisation - Delegated Powers

Application Number: - 2024/93011

Officer Recommendation: Grant Consent

Conditions:

1. The development shall be begun not later than 20th August 2027.

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, in the interests of the significance of the heritage asset and to accord within the National Planning Policy Framework.

3. Notwithstanding the submitted plans, joinery details of window 15 as shown on plan 2466-D-20-002 – B 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: -

NOTE This listed building consent should be read in conjunction with the allied planning permission 2024/91037.

Plans and specifications schedule: -

Plan & Document Type submitted as part of application 2024/91037	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-20-001	A	30/07/2024
Basement Windows	-	-	30/07/2024
Window Reference – Photographic Survey	-	-	30/07/2024
Plan & Document Type submitted as part of application 2024/93011	Reference	Version	Date Received
Proposed Window and Door Schedule	2466 D 20 002	B	22/10/2024

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 submitted plans and information is considered to be acceptable.

Report Dated:

08/01/2024