

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:	2024/65/93149/E
Site Address:	Cumberworth Ce Va First School, Cumberworth Lane, Upper Cumberworth, Huddersfield, HD8 8NU
Description:	Listed Building Consent for replacement windows (within a Conservation Area)
Recommending Officer:	Joanna Rednall

DECISION – CONSENT GRANTED

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: 15-Jan-2025

Site Description

Cumberworth Ce Va First School is a grade II listed building set within the upper Cumberworth Conservation Area. It is a single-storey building with a hipped roof with distinctive gothic window features. The building has been previously extended to include a glazed reception area linking the side elevation of the listed building to a later extension.

List description:

Former National School. Dated 1820. Altered. Hammer dressed stone with ashlar dressings. Hipped stone slated roof. Single storey. Originally a symmetrical facade. Four 3-light gothic arched windows with intersecting tracer.

Description Proposal

The application is for Listed Building Consent for the installation of replacement windows (within a Conservation Area)

History of negotiations / amendments received

Details were requested of proposed window frames and window openings.

Relevant Planning History

2024/91587: Listed Building Consent for installation of replacement windows (within a Conservation Area)

Listed Building Consent Granted

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 proposal includes the replacement of the existing glazed windows with new windows incorporating double glazed units with a steel frame using slim W20 sections with polyester powder coated finish. These measures will improve the thermal performance of windows and therefore it is felt the proposal complies with the climate emergency requirements.

Consultation Response

KC Conservation & Design were consulted on submitted plans. There were no objections, subject to conditions relating to openings.

Representations

The application was advertised by site notice, press notice and neighbourhood notification letters.

Final publicity date expired: 20th December 2024

No representations were received as a result of the publicity.

Policies

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'.

Kirklees Local Plan

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

- LP 1 – Achieving Sustainable Development
- LP 2 – Place Shaping
- LP 24 – Design
- LP 35 – Historic Environment

Assessment

The proposal is for the replacement of the 4 arched windows to the front façade of the school, two are located in a classroom and two are located in the dining hall. The windows are currently in a poor condition with visible deterioration. Windows frames are currently single glazed, and the section of the sealant is loose. Sections of the frames having succumbed to rot. Parts of the masonry has cracked and displaced.

The following specifications are proposed:

- Slim double glazed window units 18mm thick with 4mm toughened low 'E' glass with gas filled cavity
- Steel windows using slim W20 sections with polyester coated finish

Masonry Repairs

The existing masonry has split and become displaced in areas. The planning agent has submitted a plan for masonry repairs indicated on drawing 004 Rev B which illustrates repairs on the most easterly window. It is recommended any grant of consent requires the use of matching stone work and or lime mortar in relation to the repairs to the stonework and stone surrounds.

In turn, no stone cleaning shall take place to preserve the appearance of the windows, this shall be secured by condition.

Subject to conditions the proposal is considered to be acceptable in this regard.

Windows

The application seeks Listed Building Consent for replacement windows. The four replacement windows will be slim double-glazed units, and would replace the existing single glazed timber windows to the front elevation of the school. The windows will be of polyester-powder coated steel windows with double-glazed units to suit all window openings, including the tracery elements above.

The repairs and replacement of windows and masonry is considered to improve the listed building bringing it towards modern practicable standards, improving the efficiency of the building, which in turn will ensure the building's future use.

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).

Conclusion

Paragraph 207 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 of the NPPF states 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.”

The works considered will lead to less than substantial harm to the significance of the building through the introduction of double glazing. Replacement windows will have traditional detailing, be slim double-glazed units which will minimise the visual impact of the double glazing. The public benefits of enhancing the school’s energy efficiency and reducing noise without harming the historic fabric is considered to outweigh the slight harm.

The purposes of the proposal will not conflict with the future use of the heritage asset.

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.

The proposed works are minimal and justified, leading to alterations that maintain the character and appearance of the listed building.

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 proposal is considered to preserve the character and significance of the conservation area.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation: Grant Consent

Decision Authorisation: Delegated Powers

Application Number: 2024/93149

Officer Recommendation: Grant Consent

Conditions

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 so as 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 details there shall be no use or inclusion of friction or egress hinges. The replacement windows shall have traditional window closers and window stays.
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, the double-glazed units shall be of no more than 16mm in thickness and shall have black edge spacers in the double-glazing units.
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 replacement windows shall not make use of or include trickle vents.
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, if the windows require restrictors, they shall be of a traditional style, being of screw-down straight stays or screw-down locking quadrant stays.
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.
7. Notwithstanding the submitted details there shall be no use of filler or expandable foams in any part of the works.
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.
8. Notwithstanding the submitted details, there shall be no use of silicone or mastic sealants in any part of the works.

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.

9. The materials of construction used for all works relating to repairs to the stonework and stone surrounds shall be matching stonework and or lime mortar.

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.

10. There shall be no stone cleaning undertaken to the existing stone work.

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	-	-	06/11/2024
Existing Elevation	001	-	06/11/2024
Existing Arrangement	002	-	06/11/2024
Existing Window Section (Plan View)	005	-	01/12/2024
Proposed Arrangement	003	B	06/11/2024
Replacement of 4No Windows	004	B	06/11/2024
Proposed Elevation	005	-	06/11/2024
Proposed Window Section (Plan View)	006	-	01/12/2024
Proposed Window Section (Fixing Detail)	007	-	01/12/2024
Heritage Statement (dated 1 st November 2024)	-	A	06/11/2024
Design & Access Statement (dated 31 st May 2024)	-	A	06/11/2024
Application form	-	-	06/11/2024

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. Details were requested of proposed window frames and window openings.

Report Dated: 13/01/2025