

# 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:	2024/65/93542/E
Site Address:	7, Eightlands Road, Eightlands, Dewsbury, WF13 2PF
Description:	Listed Building Consent for installation of replacement windows (within a Conservation Area)
Recommending Officer:	Edward Cheseldine

#### **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: 14-May-2025**

## **Officer Report**

2024/93542 - 7, Eightlands Road, Eightlands, Dewsbury, WF13 2PF

### **Site Description**

7 Eightlands Road is a villa property in Dewsbury. It is a two-storey, detached building dressed in coursed stone with a hipped stone slate roof. It is set in a prominent position from the north-east aspect of the site and from the Dewsbury rail line, due to its sitting on a hilltop and the rail line. It is set back from Eightlands Road. The building rests in the Dewsbury Town Centre Conservation Area.

List description:

*Public house, formerly a villa. Early to mid C19. Altered. Thinly coursed stone with rusticated ashlar quoins and ashlar plinth. Low pitched, hipped stone slate roof, with eaves cornice gutter. 2 storeys, 5 bays. Later sash windows. Central panelled door with architrave, rectangular fanlight frieze and cornice. To the left and right of this main block is a lower wing each with central, panelled door with semi-circular fanlight, with smaller later sashes to each side.*

### **Proposal Description**

The application is seeking listed building consent for the replacement of timber framed windows. The application is to replace all external windows. Window detail plans have been submitted.

The proposed windows will be similar in design and appearance to the existing windows, with double-glazed units and timber frames. The frames will be painted to colour match the existing or painted a heritage colour.

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

The initial windows included uPVC replacement frames. It was requested updated plans with details and sections for the timber construction were submitted.

### **Relevant History**

2017/91395 - Change of use of offices (B1) to dwelling (C3) (Listed Building within a Conservation Area) – Permission granted

2017/91396 - Listed Building Consent for alterations to facilitate change of use of offices (B1) to dwelling (C3) – Consent granted

### **Public Representation**

The application was advertised by way of site notice which expired on 28-Mar-2025 and press notice 03-Apr-2025. As a result of the publicity, there were no representations.

### **Access Considerations**

None required.

### **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.

This proposal includes the replacement of the existing single glazed windows with new windows incorporating double glazed units. These measures will improve the thermal performance of windows and therefore it is felt the proposal complies with the climate emergency requirements.

### **Consultation Responses**

KC Conservation & Design – Initial objection to uPVC frames. No objection to amended plans.

### **Policy & Legislation**

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

## *National Policies and Guidance*

National planning policy and guidance is 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**

The proposal is for the replacement of windows. The new windows will be double glazed with double-glazed glass and timber frames.

Full replacements are proposed of the existing windows to update the efficiency of the dwelling. Wooden frames have decayed and are in a poor condition. In order to upgrade the energy efficiency of the dwelling double-glazed windows with 8mm spacers are proposed. Windows will have a similar appearance to the ones that were present at the time of listing.

The proposed works will update the dwelling to modern habitable standards improving the energy efficiency of the building, which will in turn ensure the future use of the building.

### **Conclusion**

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 introducing slim line glazing and justified given the condition of the current frames, 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 due the window frame details and material.

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 214 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.”*

The works will lead to less than substantial harm to the significance of the building by the introduction of double glazing. The harm is slight considering the windows to be replaced are not historic windows. Replacement windows will have traditional detailing, be slim double-glazed units and have black spacer bars which will minimise the visual impact of the windows. The public benefits of improving energy efficiency in the building without harming the historic fabric is considered to outweigh the slight harm.

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:** - 2024/93542  
**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 LP24 & LP35 and to accord with Chapters 12 & 16 of the National Planning Policy Framework.

3. New opening windows shall be timber double-glazed sliding sashes. Joinery details shall match details in the Windows Detail Plan A101. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. Trickle vents and friction hinges shall not be permitted.

**Reason:** In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

4. All external joinery shall have a painted finish to match the existing. Unless a colour scheme is submitted to and approved in writing by the Local Planning Authority before painting works commence. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	-	-	16 December 2024
Proposed Elevations	-	-	16 December 2024
Window Details Plan	A101	-	16 December 2024
Sash Window Plan	-	-	01 May 2025
Conservation/Heritage Assessment	-	-	16 December 2024
Design and Access Statement	-	-	16 December 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 2024 and otherwise actively engaged with the applicant in dealing with the application.

The initial windows included uPVC replacement frames. It was requested updated plans with details and sections for the timber construction were submitted.