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:	**2025/65/90185/W**
Site Address:	132, Gillroyd Lane, Linthwaite, Huddersfield, HD7 5SR
Description:	Listed Building Consent for removal of existing UPVC windows and door, installation of slim line double glazed timber windows and timber door (within a Conservation Area)
Recommending Officer:	Molly Storer

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: 20-Mar-2025

Site Description

The application site relates to 132 Gillroyd Lane, a Grade II Listed Builing located in the area of Linthwaite, Huddersfield. The property is part of a larger building which had been separated into 4 separate dwellings.

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.

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.

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.126128 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. Given the change in topography, Nos.130-132 are three storeys in height.

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 UVPC windows.

The property is situated within Linthwaite Conservation Area.

List description:

'Early to mid C19. Cottages and underdwellings. 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.'

Description Proposal

The application is seeking Listed Building Consent for the removal of existing UPVC windows and door, installation of slim line double glazed timber windows and timber door (within a Conservation Area)

History of negotiations / amendments received

No negotiations or amendments as part of this application however there were previous discussions prior to this application with Kirklees Council Conservation Team.

It was discussed that replacement of the windows and doors can be considered but the replacement windows would need to be constructed in timber.

Relevant Planning History

2024/91749 - Listed Building Consent for installation of UPVC windows and door (within a Conservation Area) - Withdrawn

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 windows with new windows incorporating stormproof double glazed units. These measures will improve the thermal performance of windows and protect the building therefore it is felt the proposal complies with the climate emergency requirements.

Consultation Response

KC Conservation & Design were consulted on submitted plans. They confirm they have no objections, subject to conditions.

Representations

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

Final publicity date expired: 14th March 2025

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 removal of existing UPVC windows and door, installation of slim line double glazed timber windows and timber door

Windows

The application seeks Listed Building Consent for replacement windows. The replacement windows to the rear elevation.

Previous discussions with Kirklees Council Conservation officers it was outlined that they would not support the retention of the existing windows and door given that they are UPVC. This is because UPVC windows and doors are quickly recognisable and stand out visually as they are not able to replicate the detail of timber and have thicker frames, creating a negative and visually harmful impact on the character of the building. The method of fitting also conflicts with the traditional construction of the building and these methods of fitting add to the negative impact and leads to issues with the surrounding fabric of the windows.

The plans show that the proposed windows are to be slim line double glazed units with 4mm glass and an 8mm gap with black spacer. It is also noted that the windows are stormproof.

Timber door

The replacement door is also to be located to the rear elevation where the existing door is located. This is to be constructed from timber and have glazing to the top half of the door.

K.C. Conservation and Design were informally consulted on the application and stated that the windows should be stained to a dark brown timber finish or an off white paint finish, should be recessed from the front wall and any obscured

glass shall be plain frosted and not patterned. This is in order to ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage. A condition will be attached upon any grant of approval to ensure this is implemented.

It is considered that the proposed windows and door will preserve the character and appearance of the listed building and the setting of the Conservation Area.

The replacement of the current UPVC to the rear and replacement of slim line double glazed windows and a timber door 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 also considered that given the exposed location of the building in this case stormproof windows are considered acceptable.

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. Replacement windows and door 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 buildings energy efficiency and protecting it from the exposed location 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: 2025/90185
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. All new windows shall be timber framed fixed light or side hung casements with a painted finish, with mouldings and timber sections simple in design and profile with chamfered glazing beads. All double-glazed units shall be slim in section, with 4mm glass and an 8mm gap with black spacer bars. Opening casements shall be fitted with butt hinges and traditional window stays (friction hinges and visible trickle vents shall not be permitted) and all new window frames shall be set

back in the reveal by 100-125mm and not fitted flush with the external wall. Any obscured glass shall be plain frosted and not patterned.
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. The door shall be timber with a painted finish of either off white or another appropriate colour or stained dark brown. The double-glazed units shall be slim in section, with 4mm glass and an 8mm gap with black spacer bars. The door frame shall be set back in the reveal to the existing depth and not fitted flush with the external wall. The works shall then be carried out in complete accordance with the approved 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
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Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	PP-13696355v1	-	23/01/2025
Block Plan	-	-	23/01/2025
Elevation of remaining 3 Spot Windows	-	-	23/01/2025
Elevation of Kitchen Window	-	-	23/01/2025
Door	-	-	23/01/2025
Stormproof section	-	-	23/01/2025
Design & Access Statement	-	-	23/01/2025
Application form	-	-	23/01/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 19th March 2025