

**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:	2025/65/90255/W
Site Address:	40, Meltham Road, Lockwood, Huddersfield, HD1 3US
Description:	Listed Building Consent for installation of replacement windows
Recommending Officer:	Edward Cheseldine

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.

Helen Bower

AUTHORISED OFFICER

Date: 18-Mar-2025

Officer Report

2025/90255 - 40, Meltham Road, Lockwood, Huddersfield, HD1 3US

Site Description

40 Melham Road is an end-terrace Grade II listed, two storey dwelling. The house is constructed from ashlar stone with a stone slate roof. The house has origins dating it back to the early 19th Century. On the south-east facing façade there are three large window openings, which is replicated on the north-west façade.

Description Proposal

The applicant is seeking permission for the replacement of 6 upvc glazed windows with new timber double-glazed sash type openings. The proposed windows will reinstate the style of the original windows, removing modern alternatives. These windows are later replacements of the original windows.

The proposed windows will be similar in design and appearance to the original windows, at the time of listing whilst including double-glazed units and timber frames. The frames will be painted in white.

History of negotiations / amendments received

None.

Relevant History

None relevant.

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 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.

This proposal includes new windows incorporating double glazed units improving the thermal performance of windows and therefore it is felt the proposal complies with the climate emergency requirements.

Consultation Responses

KC Conservation & Design – No objection.

Public Representations

The application was advertised by site notice and press notice. No representations have been received.

Date site notice expired: 06-Mar-2025

Press notice expiration date: 14-Mar-2025

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 6 windows. The new windows will be double glazed with double-glazed glass and timber frames.

Full replacements are proposed of the existing windows to regularise the appearance of the listed building. The appearance of which are suitable and are a 'like for like' replacement of the original sash type openings which can be seen through archive photographs. Windows will have a similar appearance to the ones that were present at the time of listing.

In order to upgrade the energy efficiency of the dwelling double-glazed windows are proposed. 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

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.”

In totality, the works considered improve the appearance of the building by reinstating the original window design, replacing Upvc frames. Replacement windows will have traditional detailing, and incorporate slimline double-glazed units which will minimise the visual impact of the windows. The public benefits of improving energy efficiency in the cottage and reducing noise without harming the historic fabric is supported.

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 there will be no harm from the reinstatement of the original window design and is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2025/90255

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. All new windows shall be of timber construction with a painted timber finish. The works shall be carried out in complete accordance with the submitted 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: -

Plan Type	Reference	Version	Date Received
Location plan	-	-	31 January 2025
Block plan			31 January 2025
Windows plan – Gen01	-	-	31 January 2025
Conservation Heritage Assessment	-	-	31 January 2025
Listing title	-	-	31 January 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.

Report Dated:

18 March 2025