



Planning (Listed Buildings and Conservation Areas) Act 1990

LISTED BUILDING CONSENT

Application Number: 2021/65/93007/E

To: Michael Powell
Peacock and Smith
Central House
47 St Paul's Street
Leeds
LS1 2TE

For: Radcliffe Developments(Farnley)Ltd

The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been granted for the execution of the works referred to:-

LISTED BUILDING CONSENT FOR CONVERSION OF EXISTING BARN TO FORM 8 DWELLINGS, ERECTION OF 9 DWELLINGS, DEMOLITION OF REDUNDANT AGRICULTURAL BUILDINGS AND ASSOCIATED WORKS (LISTED BUILDING WITHIN A CONSERVATION AREA)

At: YEW TREE FARM, 63, THE VILLAGE, FARNLEY TYAS, HUDDERSFIELD, HD4 6UQ

In accordance with the plan(s) and applications submitted to the Council on 27-Jul-2021 subject to the condition(s) specified hereunder:-

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, to ensure that the works conserve the significance of the listed structure, and to accord with Policies LP24(a) and LP35 of the Kirklees Local Plan and Policies within Chapters 12 and 16 of the National Planning Policy Framework.

3. Notwithstanding submitted plans and details, the roof slopes of hereby approved dwellings (plots 1 – 8) shall be covered with natural stone roofing slates and laid in diminishing courses onto a breathable membrane. Existing stone slates shall be re-used as far as practicable, and where there is a shortfall, any replacement slates shall match the existing. Slates shall not be turned.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage assets 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 plans, further details of the proposed hard and soft landscaping throughout the site shall be provided prior to the occupation of the dwellinghouses hereby approved. Most specifically details shall be provided in respect of the car parking area to the north of the site.

Reason: In the interests of visual amenity to preserve and enhance the character and appearance of the Conservation Area and protect the setting and significance of adjacent Listed Buildings, and to accord with policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

5. Notwithstanding the submitted plans and information, the replacement windows on the ground floor of the north elevation of the barn (plots 1 – 4) shall be timber framed with timber mullions, not stone mullions as proposed.

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 plans and information, full details of all windows, and doors (1:20 elevations and 1:5 sections) of the hereby approved dwellings (plots 1 – 8) shall be submitted to and approved in writing by the Local Planning Authority before development commences. Submitted information shall include glazing type, materials, profiles, colour, opening light configuration, shutter details, depth within the reveals and fixing details into the masonry. Double glazed units shall be slim in section with black spacers, and trickle vents and friction hinges shall not be permitted. 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.

7. Prior to the repair of stonework on the listed buildings and following areas of demolition, a specification showing the extent of repairs, a method statement, and samples of stone and repair mortar shall be submitted to and approved in writing by the Local Planning Authority. All new stone shall match the existing and mortar repairs shall be a close match to the surrounding stone. The works shall be carried out in accordance with the approved specification, method statement and sample materials thereafter.

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. Historic stone flag flooring which survives in good condition shall be incorporated into the ground floor of the barn conversions (plots 1-5) and details shall be submitted to and approved in writing by the Local Planning Authority prior to the laying of the floors.

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. Where alterations are to be made to the existing openings or new openings are created within the hereby approved dwellings (plots 1 – 8), the heads and cills shall follow the line of the existing stone coursing and shall not be cut into the masonry unless otherwise agreed in writing by the Local Planning Authority. Where new openings are created, all exposed edges shall be tooled to match the existing and no power tooled or cut edges shall be visible.

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. Details of the repair methods for the historic roof timbers of the hereby approved dwellings (plots 1 – 8) shall be submitted to and approved in writing by the Local Planning Authority prior to commencing repair works. 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.

11. All new window and door surrounds of the hereby approved dwellings (plots 1-8) shall be of natural stone. No works to install window and door surrounds shall take place until design details (at 1/20 scale) have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

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.

12. No stone cleaning shall take place until full details of the specification of cleaning methods has first been submitted to and approved in writing by the Local Planning Authority. A 1sq.metre sample panel of cleaning shall be prepared on site and approved in writing by the Local Planning Authority before stone cleaning commences. Thereafter any stone cleaning undertaken shall be in accordance with the agreed methods.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. No development is to take place within the site outlined in red on the hereby approved Location Plan until the applicant, or their agents or successors in title, has secured the implementation of a programme archaeological and architectural recording. This recording must be carried out by an appropriately qualified and experienced archaeology consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure that an appropriate level of archaeological investigation has been carried out at the site which is located at the heart of a settlement recorded in the Domesday Book of 1086, partially within the Farnley Tyas Conservation Area and contains the presence of 4 grade II listed buildings. This is in accordance with Policy LP35 of the Kirklees Local Plan and paragraph 194 of the National Planning Policy Framework.

14. Notwithstanding the submitted information and plans, further details of boundary treatments to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. These details should also include information on how the curtilage listed boundary wall to the east will be protected and retained/repared.

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.

15. Re-pointing of external masonry within the approved dwellings (plots 1-8) shall be carried out using a 1:3 NHL3.5 hydraulic lime: well graded sharp sand mortar unless otherwise agreed in writing by the Local Planning Authority. Joints shall be raked out manually and repointing shall be formed flush within the confines of the joint and tamped with a stiff churn brush. A 1 sq. metre sample panel of pointing shall be prepared on site and approved in writing by the Local Planning Authority before re-pointing the elevations commences. The works shall be carried out in accordance with the approved sample panel thereafter. Weatherstruck, strap or ribbon pointing is not permitted.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

16. Notwithstanding submitted plans and details, the doors and windows within the existing doorways of the northern bay of the east elevation of the dairy (plots 6-8) shall be amended, with full details (1:20 elevations and 1:5 sections) submitted for approval. Thereafter the works shall be carried out in accordance with the approved details.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

17. Prior to the development of the former dairy (plots 6-8), full details and method statement of the proposed consolidation, structural repairs and restoration of the external walls along with the extent of demolition and reconstruction shall be submitted to and approved in writing by the Local Planning Authority. The need for demolition must be clearly demonstrated, and where it is necessary the walls shall be rebuilt using the existing stone, shall match the existing detailing, and shall be constructed using lime mortar. Existing stone must be reclaimed and re-used in the re-construction where possible and where there is a shortfall in re-useable stone, replacement stone shall match the existing in terms of stone type, tooling, bedding and coursing. Samples of new walling stone shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. Construction details showing how the proposed internal structures of the hereby approved dwellings (plots 1-8) will be fixed to the historic fabric, including wall and ground floor finishes, floor joists and beams, construction details of the first floor within the cart entrances, roof trusses, etc, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall thereafter be completed in accordance with the approved details.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

19. The external elevations of the dairy (plots 6-8) shall be recorded prior to partial demolition to enable external detailing of the reconstructed areas to match the detailing of the existing building. The reconstruction shall match the existing detailing unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

20. No works to install external extractor vents, heater flues, meter boxes, burglar alarms, and external lights on the hereby approved dwellings (plots 1-8) shall take place until full details have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

21. Rooflights hereby approved within the dwellinghouses (plots 1-8) shall be of a Conservation style in accordance with details to be submitted and approved in writing by the Local Planning Authority before installation commences. The works shall be carried out in accordance with the approved details thereafter.

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.

22. No demolition of the dairy (plots 6-8) shall be allowed to proceed unless the larger development goes ahead.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

23. Works to convert the listed buildings (plots 1-8) must be substantially complete prior to occupation of the first new build dwelling.

Reason: To ensure that the restoration of the listed buildings is carried out within an acceptable timeframe in accordance with Government guidance contained within Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

Plan Type	Reference	Web ID	Date Received
Existing Site Plan	(EX)001	A	17th March 2023
Location Plan	(EX)002	A	4th November 2022
Proposed Site Plan	(20)001	I	10th May 2023
Demolition Works Plan	(20)002	B	29th March 2023
Boundary Treatment Details	(20)004	B	17th March 2023
Alternative Access	(20)005	B	17th March 2023
Site Sections	(35)001	F	17th March 2023
Rear Street Scene	(35)002	B	17th March 2023
Plot 9	(72)001	D	17th March 2023
Plot 10	(72)002	E	17th March 2023
Proposed Garage Details	(72)002	-	28th April 2023
The Village Section	(72)003	-	28th April 2023
Plot 11	(72)003	C	17th March 2023
Plot 16	(72)004	C	17th March 2023
Plot 17	(72)005	C	17th March 2023
The Farmhouse	(72)006	C	17th March 2023
Plot 14	(72)007	C	17th March 2023
Plot 13	(72)008	C	17th March 2023
Plot 12	(72)009	E	17th March 2023
Plot 5 - Conversion	(72)010	D	17th March 2023
Plot 5 – Demolition	(72)010D	A	17th March 2023
Plots 1-4 Conversion	(72)011	E	17th March 2023
Plots 1-4 Demolition	(72)011D	D	17th March 2023
Plots 6-8 Conversion	(72)012	D	17th March 2023
Plots 6-8 Demolition	(72)012D	C	17th March 2023

Measured Building Survey	ODS_48_FP	-	27th July 2021
Elevation Survey – 1 of 2	ODS_48_EL	-	27th July 2021
Elevation Survey – 2 of 2	ODS_48_EL	-	27th July 2021
Heritage Statement – Supporting Information	BOW-4010-ZZ-ZZ-RP-A-0001	P2	26th April 2022
Structural Inspection Report Milking Shed – Supporting Information	4011/SIR001	1	26th April 2022
Structural Inspection Report Original Farmhouse – Supporting Information	4011/SIR002	1	26th April 2022
Structural Inspection Report – Supporting Information	2877/SIR – 17/06/19	-	27th July 2021
Planning Statement – Supporting Information	-	-	28th March 2023
Design Pack – Supporting Information	-	-	27th July 2021

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Following a number of discussions throughout the life of these planning applications, as well as a site meeting which was undertaken on 28th July 2022 and was attended by Case Officer, Conservation & Design Officer, Heritage Consultant, Applicant, Agent and applicant's architect, numerous new, amended or corrected documents have been submitted to the Council which included revisions made to the layout, design, number of dwellings proposed (reduced to 9 new builds), access, retention of TPO trees, materials, boundary treatments, as well as other changes to the scheme.

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- **Economic prosperity – workforces that are digitally-literate enables business to thrive.**
- **Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.**
- **New services – digital delivery can lower costs and provide innovative public and health services more conveniently.**

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “submitted to and approved in writing by the Local Planning Authority”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.

- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision> Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>. You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 21-Dec-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2021/65/93007/E .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
