



Planning (Listed Buildings and Conservation Areas) Act 1990

REFUSAL OF LISTED BUILDING CONSENT

Application Number: 2023/65/93163/W

To: Marc Taylor
AV Architects
2nd Floor
29 Station Road
Steeton
Bradford
BD20 6RL

For: Dave Makin, Red Interests LTD

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

LISTED BUILDING CONSENT FOR ERECTION OF EXTENSIONS AND ALTERATIONS TO ONE DWELLING TO FORM 2 DWELLINGS, DEMOLITION OF EXISTING EXTERNAL STORE, WIDEN PARKING BAY, IMPROVE EXTERNAL STEPS AND ACCESS, EXTERNAL AND INTERNAL ALTERATIONS

At: 57-59, CLIFF ROAD, HOLMFIRTH, HD9 1UY

In accordance with the plan(s) and applications submitted to the Council on 23-Nov-2023. The reasons for the Council's decision to refuse consent for the development are:

1. The proposed extensions and modifications to No. 57-59 Cliff Road would have a detrimental impact on the setting and heritage significance of the building by adding a piecemeal addition to the rear elevation which would compromise the historic fabric of the building, as well as the loss of stair / staircases and internal walls without the submission of any justification and / or evidence as to their historical significance. This would result in less than substantial harm to the significance of the listed building for which no public benefits to outweigh this harm have been demonstrated. The development is contrary to Policy LP24a and LP35 of the Kirklees Local Plan, Chapters 12 and 16 of the National Planning Policy Framework and the Council's duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	(10)01	-	30.10.23
Existing Site Plan	(11)01	-	30.10.23
Existing Ground Floor Plan	(20)01	-	01.11.23
Existing First Floor Plan	(20)02	-	01.11.23
Existing Second Floor Plan	(20)03	-	01.11.23
Existing Elevations	(30)01	A	01.11.23
Proposed Site Plan	(12)01	C	23.11.23
Proposed Site Section	(41)01	-	23.11.23
Proposed Ground Floor Plan	(22)01	E	27.03.24
Proposed First Floor Plan	(22)02	C	27.03.24
Proposed Second Floor Plan	(22)03	B	27.03.24
Proposed Elevations	(31)01	D	27.03.24
Heritage, Design and Access Statement	548A (97) 01	-	30.10.23
Climate Change Statement	-	-	14.11.23

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.

Amended plans were submitted by the applicant / agent in response to Conservation and Design comments.

The second consultation response from KC Conservation and Design was sent to the planning agent with no reply.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA – STANDING ADVICE

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

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the 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 [the Planning Inspectorate website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#). 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: 28-May-2024

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on [the Planning and Building Control web site](#)

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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