

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:	2024/65/92342/W
Site Address:	3, Lockwood Scar, Lockwood, Huddersfield, HD4 6BL
Description:	Listed Building Consent for alterations to dwelling to form 1 flat and 3 bed House in Multiple Occupation
Recommending Officer:	Katie Chew

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: 24-Apr-2025

Officer Report

Site Description

3, Lockwood Scar, Lockwood, Huddersfield, HD4 6BL.

The application site relates to a row of stone-built, three-storey terraced properties fronting the Lockwood Scar/Bridge Street/Woodhead Road junction in Lockwood. The property benefits from amenity spaces to the front and rear, with vehicular access available via a private access track to the west of 1 Lockwood Scar.

The site is not located within a Conservation Area but relates to and is adjacent to Grade II Listed Buildings.

Description of Proposal

The application seeks Listed Building Consent for alterations to the existing dwelling to form 1 flat and a 3 bed House in Multiple Occupation.

Flat 1 (Ground Floor) – this flat has an internal floorspace of approximately 56sqm, and comprises of 1 double bedroom, en-suite and an open plan kitchen/dining/living room.

In respect of the accommodation relating to the HMO, these are to be located on the first and second floors of the property and would provide 3 bedrooms, all with en-suite facilities and small living areas. Communal space is also provided on the first floor and consists of a dining/kitchen area and bathroom. The overall internal floorspace relating to the HMO equates to circa 108sqm.

The lower-ground floor of the dwelling is to remain as a cellar.

In terms of external alterations, the proposals seek to reinstate internally blocked up openings and replace windows and doors within the property. Historical walls are also to be repaired where possible to their original state.

Vehicular access is to remain as existing via the private access track to the west of 1 Lockwood Scar, with parking provided for 4 vehicles to the rear.

History of negotiations/amendments received

Amendments were made to the scheme to remove 1 of the originally proposed flats as this was to be located within the lower-ground floor of the dwelling, and as the site is within a Flood Zone 2 area, a self-contained flat in this location would not be acceptable.

Relevant Planning History

There is no relevant planning history at the application site or at sites adjacent.

It should be noted a planning application (ref: 2024/92341) seeking permission for the development the subject of this Listed Building Consent application has also been submitted and where relevant is referenced to within the following report.

Consultation Responses

KC Conservation & Design – Comments received 8th October 2024. No objections subject to conditions relating to the submission of details of the proposed replacement windows, external doors and internal wall insulation. Fireplaces and surrounds on the ground and first floors are also to be retained.

Parish/Town Council

N/A.

Local Ward Members

None.

Representations

Final publicity date expires:

Site Notice – Expired 17th October 2024.

Press Notice – Expired 1st November 2024.

No representations have been received to date.

Officer note: The application has been advertised by site notice and press notice in line with the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. This is due to the site relating to, and being adjacent to Listed Buildings.

Planning Policy Background

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'.

The host property and adjoining property no. 1 Lockwood Scar are Grade II Listed, as such the following is considered relevant in the consideration of this application:

Kirklees Local Plan (LP):

- 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 in December 2024 (updated February 2025), the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 Achieving sustainable development
- Chapter 12 Achieving well-designed & beautiful places
- Chapter 16 Conserving and enhancing the historic environment

Assessment:

The key issue for consideration in this case is the impact on the significance of the listed building.

Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.”*

Listed Buildings are designated heritage assets and Paragraph 208 of the NPPF states that: *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.”*

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 213 of the NPPF goes on to state that: *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

Paragraph 215 of the NPPF states that when a proposed development would lead to less than substantial harm, it is necessary to achieve public benefits that

outweigh the harm to the heritage asset, including securing its optimum viable use.

Policy LP35 of the Kirklees Local Plan echoes this guidance and states that: *“Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The host property relates to a Grade II Listed Building and adjoins no. 1 Lockwood Scar which is also Grade II Listed. The listing description of these buildings are as follows:

“LOCKWOOD SCAR 1. 5113 Salford Nos 1 and 3 SE 1315 38/819 II 2. Early or mid C19. Hammer-dressed stone. Ashlar dressings. Pitched stone slate roof. 3 storeys and attics. Modillion eaves cornice. Rusticated quoins. 3 ranges of bipartite sashes in plain raised frames. 2 doors in moulded frames with friezes and moulded cornices. Side elevation has one range of 4-light stone mullioned windows and one range of loading doors, that on 1st floor approached by flight of 12 stone steps. Rear has 2 ranges of 4-light stone mullioned windows, 2nd floor with door reached by wooden ladder.

Listing NGR: SE1371815102”.

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

3 Lockwood Scar is a Grade II listed, three-storey mid-terraced dwelling with a basement, which dates to the early or mid-19th century and constructed in fair-faced hammer dressed stone with heavy quoins, a stone slate roof and large mullioned windows with timber top hung casements on the front elevation, with ranges of smaller mullioned windows on the rear.

The building was previously used as a single dwelling and has been vacant for some time. It has been subject to disrepair and vandalism internally, with many internal finishes damaged. The applicant proposes the subdivision of the building to provide one flat on the ground floor, with a three-bedroom HMO on the first and second floors.

In this instance, it has been noted that the majority of the works consist of internal alterations with some minor external alterations.

Given the nature of the proposals the Council's Conservation & Design (C&D) team were consulted.

At ground floor level, the ground floor is currently accessed via a side entrance, with the front door leading directly into the front room permanently blocked up. The proposal is to reinstate the front door and subdivide this room to create a hallway leading into a front bedroom with bathroom, and a kitchen/ living room in the rear room. The side door will be used to access the first and second floors, and to provide a self-contained unit the existing doorways leading from the front and rear rooms into this entrance hallway are blocked up, with the architraves retained to show locations of the historic openings. Where new openings are formed, new architraves will replicate the existing. There is an impact on the historic plan form of the ground floor, however C&D Officers feel that the proposed alterations have been justified. To enable the building to have a viable use, it is accepted that some subdivision is required to ensure private access to the basement and ground floor flat, with separate access to the upper floor rooms.

The conversion of the first and second floors into a 3 bed HMO requires minor alterations. Given the lack of surviving internal features on these floors, Conservation & Design Officers accept the proposed alterations.

Externally, the replacement of the existing timber and uPVC windows with new timber windows with slim double-glazed units is proposed, with the replacement of timber and uPVC external doors with timber external doors.

The proposals also seek to demolish the detached garage, although as this dates to the late 20th century, its demolition is not of concern.

The proposed works are considered to lead to slight harm to the significance of the building by the subdivision of the space internally, however, there will be an enhancement externally through the replacement of the windows and doors (subject to the approval of details, to be secured via condition). Nonetheless, the harm accrued is considered to be outweighed by the public benefits of refurbishing the listed building which is in disrepair and by bringing it into a viable and sustainable use.

Alongside the above recommended conditions, Conservation & Design Officers also request details of internal wall insulation to the external walls to be submitted for approval, alongside the retention of fireplaces and surrounds on the ground and first floors to be retained, with the apertures blocked up and with flue ventilation installed as necessary. These will also be secured via condition.

Given the above assessment, the proposed development is considered to meet the requirements of Chapters 12 & 16 of the National Planning Policy Framework, and in turn is compliant with Policies LP2, LP24 & LP35 of the Kirklees Local Plan and Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that subject to conditions, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Grant consent.

Decision Authorisation – Delegated Powers

Application Number: 2024/92342

Officer Recommendation: Grant consent

Conditions and Reasons:

1. The development hereby permitted 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 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 that the works conserve the significance of the listed structure, and to accord with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans and information, full details of all windows and external doors to be replaced (1:20 elevations and 1:5 joinery details) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Submitted information should include the window profiles, opening mechanisms, materials, slim double-glazing and colour. Obscure glazing is to be frosted and not patterned glass. The works shall then be carried out in complete accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development upon completion and to retain the significance of the designated heritage asset and to accord with Policies LP24 & LP35 of the Kirklees Local

Plan, as well as policies within Chapters 12 and Chapter 16 of the National Planning Policy Framework.

4. Prior to works commencing on site, details of internal wall insulation to be used within the external walls is to be submitted and approved in writing by the Local Planning Authority. Materials used shall ensure the breathability of the external structure. The works shall then be carried out in complete accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development upon completion and to retain the significance of the designated heritage asset and to accord with Policies LP24 & LP35 of the Kirklees Local Plan, as well as policies within Chapters 12 and Chapter 16 of the National Planning Policy Framework.

5. Fireplaces and surrounds on both the ground and first floors of the host dwelling are to be retained, with the apertures blocked up and flue ventilation installed as necessary.

Reason: To ensure the satisfactory appearance of the development upon completion and to retain the significance of the designated heritage asset and to accord with Policies LP24 & LP35 of the Kirklees Local Plan, as well as policies within Chapters 12 and Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	24/1023/01	-	23 rd August 2024
Existing Block Plan	24/1023/02	-	23 rd August 2024
General Arrangement as Existing	24/1023/03	-	23 rd August 2024
General Arrangement as Proposed	24/1023/04	F	22nd April 2025
Proposed Block Plan	24/1023/05	A	22nd April 2025
Climate Change Statement – Supporting Information	24/1023	-	23 rd August 2024
Flood Risk Appraisal – Supporting Information	24/1023		10 th September 2024
Heritage Impact Assessment/Planning Supporting Statement – Supporting Information	24/1023	-	23 rd August 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 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. Amendments were made to the scheme to remove 1 of the originally proposed flats as this was to be located within the lower-ground floor of the dwelling, and as the site is within a Flood Zone 2 area, a self-contained flat in this location would not be acceptable.

Report Dated:

22nd April 2025.