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:	**2025/65/90182/W**
Site Address:	236, Almondbury Bank, Almondbury, Huddersfield, HD5 8EJ
Description:	Listed Building Consent for lifting of York stone flooring to allow access to excavate and repair leaking water supply pipe and reinstatement of flooring on completion
Recommending Officer:	Danielle Cooper

DECISION – Listed Building 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 10-Mar-2025

Officer Report

2025/90182 - 236, Almondbury Bank, Almondbury, Huddersfield, HD5 8EJ

Site Description

The site is a Grade II listed building located at 236 Almondbury Bank. The property is an attractive mid-terrace, two-storey, stone-constructed building with stone slate roof tiles.

The building is Grade II listed, list description as follows:

Hammer-dressed stone. Pitched stone slate roof. 2 storeys. Stone brackets to gutter. One 9-light stone mullioned window on 1st floor.

Description Proposal

The application is for Listed Building Consent for lifting of York stone flooring (2 slabs) to allow access to excavate and repair leaking water supply pipe and reinstatement of flooring on completion (internal works).

History of negotiations / amendments received

None.

Relevant Planning History

87/03940 - Listed Building Consent for extension to form conservatory – Consent granted

90/04111 – Listed Building Consent for installation of 2 roof lights – Consent granted

Consultation Response

KC Conservation & Design – No objection subject to conditions

Representations

The application was advertised by neighbour letters, site notice and a press advertisement. The publicity expiry date ended on the 7th March 2024.

As a result of the publicity, there were no representations.

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

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, 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 and beautiful places
Chapter 16 - Conserving and enhancing the historic environment

Assessment

The proposal is to lift 2 York stone flags to expose and repair the water supply pipe. The existing leak requires repair to prevent any damage being caused to the listed building.

The York stone flags will be reused and relayed using limecrete.

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 215 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."

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposed development to carefully lift 2 York stone slabs by appropriate hand tools to repair the water supply pipe and then relay the York stones on limecrete and point the flags to match the existing mortar. The limecrete and mortar must be breathable and will be conditioned as such to protect the original fabric of the building.

The LPA consider the proposed works to be acceptable and will not cause significant harm to the original flooring of the listed building. In addition, the proposed works are required to prevent any damage being caused to the listed building. Furthermore, the Council's Conservation Officer was consulted and raised no objections subject to conditions which are deemed reasonable to attach in the event that planning permission be approved. As such the proposed works will therefore have a neutral impact on the listed building.

In the event that the 2 x York stone slabs become damaged, they would need to be replaced with matching York stone slabs which are of a high-quality to protect the character and appearance of the listed building.

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).

This application has been assessed against relevant policies in the development plan and other material considerations. The internal alterations will have a neutral impact on the significance of the listed building.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers
Application Number: - 2025/90182
Officer Recommendation: Grant Consent

Conditions:

1. The development shall be begun within three years of the date in which this 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: 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.

3. The York stone flags shall be relaid on a permeable, breathable layer of limecrete in accordance with the submitted Method Statement as received on the 23/01/25 and 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.

4. The stone flags shall be pointed with an appropriate lime mortar to match existing as closely as possible and 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.

5. The 2 York stone flags must be refused where possible. If the flags are damaged, they shall be replaced with nature stone flags to match existing in terms of size, thickness, colour, texture and finish, and 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			23/01/2025
Proposed Site / Block Layout	57302		23/01/2025
Heritage Statement			23/01/2025
Method Statement			12/02/2025

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 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: 10/03/2025