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:	**2025/65/90382/W**
Site Address:	10, Sike Lane, Totties, Holmfirth, HD9 1JG
Description:	Listed Building Consent for installation of replacement of windows (within a Conservation Area)
Recommending Officer:	Molly Storer

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: 01-Apr-2025

Site Description

The application site relates to 10 Sike Lane, a Grade II Listed Building located in the area of Holmfirth, Huddersfield. The property is a mid-terrace property with the other terraces on either side also being listed.

The row of terraces in which the property is situated was grade II listed in August 1983 and the listing consists of 4 properties. The list entry number is 1313580. The list entry is as follows:

SE 1508 SIKE LANE 13/292 (Totties) Nos 8, 10 and 12 GV II Formerly 5 dwellings, part of row. Early C19. Hammer dressed stone. Quoins. Stone slate roof with 4 ashlar stacks. Three storeys. Nos 8 and 10 formerly had one 4-light stone mullioned window to each floor with ground floor entrance. Ground floor is now altered and includes one modern bow. Central stone porch to No 8. Stone mullions removed from upper floors. No 12 formerly 2 houses with 2 entrances, one in recent porch. Two 2-light windows to ground floor. Two 3-light windows to first and second floors.

The property is situated within Totties Conservation Area, the Green Belt and within Holme Valley Neighbourhood Development Plan, LCA 8.

Description Proposal

The application is seeking Listed Building Consent for the for the installation of replacement of windows (within a Conservation Area).

This is a retrospective application as the original windows have already been replaced.

History of negotiations / amendments received

No negotiations or amendments as part of this application however there were previous discussions prior to this application with Kirklees Council Conservation Team.

It was discussed that replacement of the windows should be constructed from timber.

Relevant Planning History

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 predates 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.

Consultation Response

KC Conservation & Design – informal discussions have taken place with no objections raised.

Representations

The application was advertised by site notice, press notice and neighbourhood notification letters.

Final publicity date expired: 28th March 2025

No representations were received as a result of the publicity.

Policies

The site is designated as Green Belt on the Kirklees Local Plan, falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area (LCA8, Settled Slopes of the Holme Valley), is a Listed Building and within Totties Conservation Area.

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

Neighbourhood Development Plans:

Holme Valley Neighbourhood Development Plan (2021-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design

The application site is within Landscape Character Area 8, Settled Slopes of the Holme Valley.

The Key characteristic of the area are strong rural setting and agricultural character with long panoramic views, with the built characteristic being by older settlements with Wooldale being one of the largest characterised by their agricultural past with properties built from millstone grit with grey slate roofs.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st July 2021, 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.

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

Legislation

The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990

Assessment

The proposal is for the installation of replacement of windows (within a Conservation Area).

Previous discussions with Kirklees Council Conservation officers it was outlined that the windows could be supported if they were constructed from timber

The plans show the windows that have been replaced are 4 to the front on the ground and first floors and one to the rear on the second floor. It is noted that the windows to the ground and first floor were previously 4-light stone mullioned (the same style as the second floor) but were altered prior to the listing.

The original windows were top hung windows however these have been replaced with high-quality timber vertical casement. The replacements windows follow the existing fenestration pattern, with no alterations to the size, shape, or arrangement of the openings. The white finish to match other timber windows on the terrace.

K.C. Conservation and Design were informally consulted on the application and stated that the application seeks to regularise the current timber casement windows. Whilst these do not closely reflect the original window types in this property, they are considered to be no worse in terms of harm than the casements which were in the property at the time of listing (in fact arguably they are a slight improvement) and therefore in this case, the submitted information is considered to be acceptable in heritage terms.

It is considered that the proposed windows will preserve the character and appearance of the listed building and the setting of the Conservation Area. They will closely match the appearance of the other existing timber windows, ensuring minimal impact on the building's historic character.

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).

Conclusion

Paragraph 207 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 of the NPPF states 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."

The works considered will have a neutral impact to the significance of the building.

The purposes of the proposal will not conflict with the future use of the heritage asset.

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 that the public benefits of the proposal outweigh the slight harm and is therefore recommended for approval.

Recommendation: Grant Consent

Decision Authorisation: Delegated Powers
Application Number: 2025/90382
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.

1. 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 so as to ensure the satisfactory appearance of the development on completion, in the interests of the significance of the heritage asset and to accord within the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received

Grouped plans and elevations	3635 (0-) 01	-	13/02/2025
Proposed elevations	3635 (0-) 02	-	31/03/2025
Application form	-	-	13/02/2025
Design and access statement	-	-	13/02/2025

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2025 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: 31st March 2025