

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:	2025/65/90399/W
Site Address:	202, Blacker Road, Edgerton, Huddersfield, HD2 2AA
Description:	Listed Building Consent for internal alterations, installation of roof lights, boundary works and gated access, and removal of external store (within a Conservation Area).
Recommending Officer:	Edward Cheseldine

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: 18-Jun-2025

Officer Report - Listed Building Consent

2025/90399 - 202, Blacker Road, Edgerton, Huddersfield, HD2 2AA

Site Description

202 Blacker Road is a grade II listed two-storey, detached dwelling formed with stone exterior coursed walling and a cross-pitched roof clad in blue-slate tiles. The property has a modest front, rear and side garden. The property is bounded by a low coursed stone wall, it currently does not have a vehicular access. Blacker Road is a category C road. The site is surrounded by a bank of protected trees (HU1/71/a39). It is also within the Edgerton Conservation Area.

The listed building has a collective identity shared with listed structures within the former Ellerslie Estate situated to the east of the site.

List description:

BLACKER ROAD 1. 5113 (North Side) Edgerton No 202 SE 1317 27/203 (Lodge to Ellerslie) II 2. Mid C19. Hammer-dressed stone. Pitched slate roof. 2 storeys. Coped gables. One canted bay on ground floor: moulded cornice and blocking course. Paired sash above, colonnette with foliate capital. One range of sashes on right, 1st floor with gabled dormer over, coping on kneelers: 2-centred arch on colonnettes with stylised foliage capitals.

Proposal Description

The applicant is seeking Listed Building Consent for internal alterations, installation of roof lights, boundary works and gated access, and removal of external store (within a Conservation Area).

The following works will be undertaken:

- Removal of 3.75m of stone walling along the eastern aspect of the site.
- Installation of iron gate and ashlar stone pillars
- Surfacing improvement works to parking area
- Removal of no.1 tree
- Removal of external store
- Installation of no.1 side elevation and no.3 rear elevation conservation style skylights
- New double-glazed slimline sash replacement windows installed within the original building

- Replacement of soil pipe to new pipe with cast iron material painted in black.
- Internal alterations:
 - Removal of original wall connecting dining room with kitchen
 - New internal layout of first floor

History of negotiations / amendments received

The applicant was asked to reduce the number of skylights on the side elevation to one window. The applicant was asked to reduce the number of skylights on the side elevation to one window. Amended plans were received to include reducing the number of side elevation skylights

Relevant Planning History

2005/92224 – Erection of kitchen extension – Full permission granted

2005/92225 – Erection of kitchen extension – Consent granted (LBC)

2005/92226 - Erection of kitchen extension Full permission granted

2005/92227 - Erection of kitchen extension – Consent granted (LBC)

2019/91102 – Listed Building Consent for alterations to boundary wall (within a Conservation Area) – Consent granted

2025/90398 - Installation of roof lights, creation of dropped kerb and gated access and removal of external store and associated alterations and works (Listed Building within a Conservation Area).– Pending decision

Access Considerations

None required.

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 pre-dates 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 – No objection, subject to the removal of one side windows and conditions for materials.

Amended plans were received reducing the number of skylights on the side elevation. This is satisfied the requirements of Conservation & Design.

It should be noted that cognisance was given to the requirements of the 'Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021'

At table 3 this specifies that Notice of applications for listed building consent and of the decisions taken by local planning authorities on those applications must be given for works for the demolition of a listed building; or for works for the alteration of a listed building which comprise or include the demolition of any part of that building.

For the purposes of interpretation of this requirement, it is specified within the direction that a proposal to retain less than 50 per cent of the surface area of that

part of a principal building represented on any elevation (ascertained by external

measurement on a vertical plane, including the vertical plane of any roof) is treated

as a proposal for the demolition of a principal external wall;(b) a proposal to demolish

any principal internal element of the structure including any staircase, load-bearing

wall, floor structure or roof structure is treated as a proposal for the demolition of a

substantial part of the interior.

The size and scale of the external store to be removed, and extent of removal of the wall to create the access is such that, in this case, it was not considered that there was a requirement to consult the national amenity societies.

Public Representation

The application was advertised by way of a site notice and press notice:

Site Notice Expiry: 11-Apr-2025

Press Notice Expiry: 19-Apr-2025

As a result of the publicity there were no representations.

Policies & Legislations

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 December 2024, 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
Chapter 16 – Conserving and enhancing the historic environment

Assessment

Proposed works will include alterations to the building and curtilage of the listed building. The site is viewed from aspects along Blacker Road. It is relatively screened due to a bank of protected trees around the dwelling (HU1/71/a39).

Visible alterations include the removal of original stone walling, which will be replaced with ashlar gate posts and an iron gate, as well as the resurfacing of parking area. It will be conditioned masonry work is lime mortar and matches the appearance of the existing front boundary.

On the building, windows will be replaced to upgrade the thermal efficiency of the building. The windows are casement opening and not original. It will be conditioned that timber, sliding sash, slimline double glazed units are installed to reinstate the sash type openings. New skylight openings appear on the side and rear elevation, they will be conservation type skylights.

Due to the changes to the internal layout of the building, a horizontal soil pipe will be replaced with a cast iron pipe in black, which is an appropriate replacement.

There will be some removal of historic fabric from the changes to the boundary and installation of skylights, although on the whole, the alterations are considered to amount to minor improvements works to the listed building.

Internal alterations will also occur. Studs walls will be installed on the first-floor. The layout is still consistent with the original layout and the alteration is not considered to be over and above what be suitable for a listed building. An original wall will be removed on the ground floor to link the kitchen and dining area. The nib of this wall will be retained to identify the position of the original which is acceptable.

The applicant is also seeking consent to remove a storage shed to rear of the building. The outbuilding is in a poor condition, it has been evidenced there is damp and its conditioned has deteriorated over time. It has likely caused harm to the main building. There is no objection to its removal given the limited views of the outbuilding and its harm by attachment to the main building.

To conclude, subject to conditions of materials, the alterations are acceptable.

Conclusion

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.

It is not considered the proposed works will cause harm to the setting of the architectural and historical significance of the listed building or conservation area. Works are sympathetic given the proposed materials and conservation rooflights. The architectural features set within the principal elevation are preserved due to the placement of the parking areas. The site is surrounded by a collection of trees partially concealing the sight of the parking areas. Furthermore, the changes to the boundary treatment are sympathetic to the original style of the building and boundary. Window replacements will instate the sash type openings and conservation rooflight will be used which is appropriate.

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 214 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.”

There will be less than substantial harm to the significance of the listed building and setting of the conservation area due to the removal of historic material from the alterations to the boundary wall, forming of new window openings and removal of historic walling.

The building does not currently have any off-street parking associated with the site. It rests off Blacker Road which is a category C road. In the interest of

highways safety, it is reasonable to allow for two off-street parking places to avoid parking on Blacker Road and this would be a public benefit associated with the development.

The site is surrounded by a thick canopy of protected trees (HU1/71/a39). It is recognised this may affect light levels within habitable rooms. It is reasonable to allow minimal alterations to increase the flow of light into habitable rooms. It will reduce the strain to prune protected trees, whilst improving the usability of the dwelling, which benefits the vitality of the use of the historic asset.

The application is for the removal of a tree within the curtilage of a listed building, its removal is not considered to impact upon the setting of the listed building, due to the surrounding treescape.

It is hereby concluded that the proposed development accords with the requirements of policies LP1, LP2, 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) and the principle of development is acceptable.

This application has been assessed against relevant policies in the development plan and other material considerations. The proposal will support the vitality of the building and improve its condition providing public benefits to the conservation of the heritage asset. It is therefore recommended that consent is granted.

Recommendation Grant Consent

Conditions and Reasons:

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: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. Notwithstanding the submitted plans replacement windows shall be timber double-glazed sliding sashes. All slim double-glazed units shall have 4mm glass with an 8mm gap with black spacer bars. Mouldings, timber sections and glazing shall be of a traditional design and shall be retained thereafter. Trickle vents and friction hinges shall not be permitted.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

4. The roof windows shall be Conservation Roof windows, with recessed flashing kit and central glazing bar and thereafter retained as such.

Reasons: 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. All external joinery shall have a painted finish to match the existing and shall be retained thereafter.

Reason: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with Chapter 16 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

6. Pointing shall be carried out using a 1:3 NHL3.5 hydraulic lime: well graded sharp sand mortar which shall in all respects match the appearance of the adjacent pointing. Weatherstruck, strap or ribbon pointing is not permitted.

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. The soil pipe shall be cast iron in a black colour. It shall be supported by metal brackets/stone corbels and shall not be fixed to a timber fascia and shall be retained as such 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.

Plan Type	Reference	Version	Date Received
Location plan	BR01	-	14 February 2025
Existing site plan	BR02	-	14 February 2025
Proposed site plan	BR06	RevA	16 June 2025
Existing floor plan	BR03	-	14 February 2025
Proposed floor plan	BR07	RevA	16 June 2025
Existing elevations	BR04	-	14 February 2025
Proposed elevations	BR08	RevA	16 June 2025
Existing street scene plan	BR05	-	14 February 2025
Proposed street scene elevation	BR09	-	14 February 2025
Conservation/Heritage Assessment	-	-	14 February 2025
Climate change statement	-	-	14 February 2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. The applicant was asked to reduce the number of skylights on the side elevation to one window.

