

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:	2025/65/90496/W
Site Address:	Scotland Farm, Lingards Road, Slaithwaite, Huddersfield, HD7 5TZ
Description:	Listed Building Consent for modified proposal for alterations to internal layout in connection with previous permission 2022/93203 (for one dwelling to form two dwellings alterations to attached barn and car shelter)
Recommending Officer:	Molly Storer

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: 30-Apr-2025

Officer Report

Site Description

The site relates to Scotland Farm, Lingards Road, Slaithwaite. Scotland Farm is a Grade II listed dwelling (originally two cottages) with an attached barn at the west end. The building dates to the late 18th or early 19th century and situated in a rural hillside location within the Colne Valley between the settlements of Marsden and Slaithwaite. Access to the property is gained from Lingards Road.

The building is constructed from hammer dressed stone with a stone slate roof and short ranges of mullioned windows in the cottages, along with a few larger openings at ground floor level on the rear elevation and in the gable elevation. The barn is agricultural in character with few openings, with a doorway and three single windows on the gable, a mono-pitch extension on the south (front) elevation and a stone garage/ car port extension on the north (rear elevation) which appears to be an adapted earlier structure. Internally, the barn retains a flag stone floor and has stalls on the ground floor, with a first-floor level accessed by timber steps.

The site is within the Green Belt and partly within a water source protection zone.

It is not within a Conservation Area and there are no public rights of way within the vicinity of the site.

Description of Proposal

Listed Building Consent is sought for a modified proposal for alterations to internal layout in connection with previous permission 2022/93203 (for one dwelling to form two dwellings alterations to attached barn and car shelter)

The modifications to the previously approved development (application ref: 2022/93203) relate to the following:

- Removal of an internal stone wall in 'The House' between the proposed dining room and corridor/kitchen. This wall is a non-load bearing of single skin coursed stone construction, it is not believed to form part of the original structure as the first floor over is supported on timber beams either side of the chimney breast.
- The removal of the wall will open up the dining room to existing windows both front and back and will remove a corridor which currently provides access to the former barn and which under the new proposals is unnecessary.
- Works will also include walling up an existing door opening between the proposed hall and dining room.

All other works remain the same as granted by the extant consent (ref: 2022/93203).

History of negotiations/amendments received

No negotiations or amendments were deemed necessary.

Relevant Planning History

2022/93182 – Alterations to one dwelling to form two dwellings, alterations to attached barn and car shelter to extend living accommodation. (listed building). Conditional Full Permission.

2022/93203 - Listed Building Consent for alterations to one dwelling to form two dwellings, alterations to attached barn and car shelter to extend living accommodation (listed building). Granted Consent 3rd August 2023.

Final publicity date Expires:

Site notice expired on 18th April 2025. Press advertisement expired on 11th April 2025.

No representations have been received.

Consultation Responses

KC Conservation and Design: informal consultation – no objections subject to conditions.

Policy

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 (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 2024, 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

Assessment

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.

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 state 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.”*

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”.*

Under the 2022/93203 application a detailed assessment of the proposal on the significance of the building was undertaken by the Conservation Team who have been consulted on the modified proposal the subject of this application. They confirmed that in principle and in detail that there are still no objections to the scheme:

Removal of an internal wall to 'The House' and walling up of an existing door opening:

Conservation officers concluded that the proposal is an improvement to the original design as it allows for a breathable space opening up the dining room to existing windows both front and back.

It was agreed that the internal wall is not believed to form part of the original structure and therefore removing it would not significantly harm the significance of the building.

The small door opening to be walled up is considered to have been altered over time and is of low significance, and therefore its replacement is not of concern.

It is recommended that conditions be attached including ensuring natural stone was used for the wall to match the house as closely as possible to retain the significance of the heritage asset.

These minor changes will still provide the overall retention of the historic plan form whilst suiting modern living requirements and create useable space.

Paragraph 207 of the NPPF requires applicants to describe the significance of any designated heritage affected to understand the potential impact of the proposal on their significance, and paragraph 213 requires any harm to, or loss of, the significance of a designated heritage asset to require clear and convincing justification.

In the 2022/93203 application the applicant demonstrated that the barn does not currently have a viable use, and this justifies the sensitive conversion of this underused space into living accommodation. The modified proposal leads to a low level of less than substantial harm to the significance of the listed building by removing an internal wall and walling up a door entrance.

Paragraph 215 requires this harm to be weighed up against the public benefits of the proposal. In this case, the removal of an internal wall and walling up a door entrance will provide a sustainable use whilst retaining its legibility and ensuring its future maintenance and upkeep. These public benefits outweigh the slight harm.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.'

Policy LP35 of the Kirklees Local Plan goes on to state that proposals affecting a designated heritage asset should preserve or enhance the significance of the

asset. Following amendments to the proposal the significance, special interest and character of the building is maintained.

Policy LP24 requires the form, scale, layout and details of all development to respect and enhance the character of the townscape, heritage assets and landscape. This simple conversion with minor interventions in traditional materials complies with this policy.

Conclusion

In conclusion, having regard to the fact the Conservation and Design Team have no objection to this modified scheme and the proposal will provide a sustainable use for the barn which secures the longer term use of the building public benefits are considered to be present in this case to outweigh any less than substantial harm resulting from the proposal and as such Officers are able to support the proposal subject to the recommended condition relating to materials.

In addition, as the submitted plans have set out the alterations such as new windows and nother alterations detailed within submitted application 2022/93203, the conditions in place upon that consent (where relevant) shall also be included to ensure the scheme adheres to that which has previously been granted consent (as well as those proposed as part of this application).

Given the above, it is considered that the proposal, subject to conditions, would thereby accord with the Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework

Conclusion:

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

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/90496

Officer Recommendation: Grant listed building consent

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 Order 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 that the proposed works preserve the character and appearance of the Listed Building and to accord with the aims of Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

3. All new and replacement windows, including the replacement of existing UPVC windows in 'The Cottage', shall be installed in accordance with the details submitted as part of application 2022/93203 and received 2nd August 2023.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4. All proposed external flues and extractor vents shall be located on the rear (north) elevation of the building, with those at first floor level to be discreetly set below the eaves to minimise harm to the elevations. Any redundant ground floor vents shall be removed with matching stone used to infill the holes before either dwelling is first brought into use.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Where stones are inserted to raise the height of the door lintol on the western elevation, these shall match the stonework of the door jambs in all respects. In addition, all new or replacement door and window heads, cills and jambs shall be in natural stone to match the stonework of existing head, cills and jambs in all respects.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

6. Any remedial stonework necessary for the repair of existing walling, the alterations to the existing outriggers and/or alterations the subject of this application shall use existing walling stone reclaimed from site. Where additional stone is required, this shall be natural stone of the same type, texture, colour and appearance as the stone on the existing building. In both cases the stone shall be laid, dressed, coursed and pointed in lime mortar to match that of the existing building.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

7. Notwithstanding the external door details shown on the proposed elevations (Rev C), the 4-panelled timber doors are not approved. All external doors shall be hardwood vertical boarded doors which retain the vernacular agricultural appearance of the building, which shall be constructed in accordance with the details submitted as part of application 2022/93203 and received 2nd August 2023. Thereafter, the doors shall be installed in accordance with the details so approved.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

8. All roofing slates for rebuilding and repairs shall be reclaimed natural stone slates which match the size, colour and coursing of the existing roof slates.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

9. All existing UPVC windows, none of which benefit from listed building consent, shall be replaced with hardwood windows, as specified in condition 3, within 3 years of the date of this consent.

Reason: To ensure that the unauthorised windows are removed from the building during the wider renovation works to ensure that the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

10. The conversion, alteration and renovation of the building shall be undertaken in accordance with the specifications set out in the revised Heritage Statement Revision A submitted as part of application 2022/93203 except where conditions specify otherwise.

Reason: To ensure that the completed development is in keeping with and conserves the special character of the existing historic building and to comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

NOTE: The applicant is reminded that the carrying out of unauthorised work to a listed building is an offence, punishable by a fine, imprisonment or both, as detailed in Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	03/03/2025
Site plan	-	-	03/03/2025
Ground Floor Plan Existing	Rev B	-	03/03/2025
First Floor Plan Existing	Rev A	-	03/03/2025
Elevations Existing	Rev B	-	03/03/2025
Ground floor plan proposed	Rev D	-	03/03/2025
First floor plan proposed	Rev C	-	03/03/2025
Elevations proposed	Rev C	-	03/03/2025
Application form	-	-	03/03/2025
Heritage statement	Rev B	-	03/03/2025

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 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:

5th May 2025