

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:	2025/65/91957/E
Site Address:	4, Marsh Hall, Marsh Hall Lane, Thurstonland, Huddersfield, HD4 6XB
Description:	Listed Building Consent to replace guttering
Recommending Officer:	Joshua Merriman

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: 05-Sep-2025

Case Officer Report – 2025/91957

Site

The application site refers to 4, Marsh Hall, Marsh Hall Lane, Thurstonland, Huddersfield, a single-storey semi-detached property designated as a Grade II Listed Building. The dwelling is faced in natural stone, with a pitched tiled gable roof, and white painted timber doors and windows. The application property lies in a uniform street scene, being surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the dwelling benefits from a small area of amenity space alongside a track parking area to the front, as well as garden space and further amenity space to the rear. The property has the following listed description:

“Formerly farmhouse, now private house. Mid C17 but C20 reconstruction. Timber frame with plastered panels and thatched roof. Single storey and attic. 16 panels in length and 6 panels wide, 3 windows. All walls small framing with angle braces. Replaced oak boarded doors, in oak frames, in north and south elevations. Oak mullion windows, with leaded lattice glazing at ground floor level, 3-and-4-light north and 4-and-5 light south. There is a 5-light, slightly projecting, window in the east gable-end at ground floor level. All attic windows are in the gables. Chimney stack built of old bricks. interior: Timbers in internal walls Exposed chamfered beams and ceiling joists. Replacement oak boarded doors. During the reconstruction roof dormers were removed and the interior floor arrangement was altered.”

Proposal

The application request Listed Building Consent to replace the existing guttering.

The application site is allocated in the Green Belt within the Kirklees Local Plan (adopted 2019). The site is also located within the proximity of PRow KIR/252/10, has had permitted development rights removed, and is a designated Grade II Listed Building.

Relevant Planning History

The most relevant planning history relates to the following planning applications:

2001/91157 – Listed Building Consent for reuse and adaptation of existing barn to extend existing dwelling – consent granted.

2002/90774 – Listed Building Consent for demolition of section of internal wall to form new opening – Consent Granted.

2015/90976 – Listed Building Consent for erection of extension and alterations to existing outbuildings to form studio and erection of detached garage – Consent Granted.

2015/90977 - Erection of extension and alterations to existing outbuildings to form studio and erection of detached garage (Listed Building) – Conditional Full Permission.

2016/92087 - Discharge of conditions 5 (wall material), 6 (roof material), 8 (garage door) on previous permission 2015/90977 for erection of extension and alterations to existing outbuildings to form studio and erection of detached garage (Listed Building) – Compliance with Condition(s) Approved.

Climate Change

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.

Public/Members Response

The application has been publicised as affecting the setting of a Listed Building and affecting the setting of a Public Right of Way on the Council's website, by site notice, and by press advertisement.

The publicity period for this application expired on 21/08/2025.

Kirkburton Parish Council were consulted regarding the application but have offered no comment, deferring to Kirklees officers.

Kirklees Local Plan Policy

LP1 Achieving Sustainable Development

LP2 Place Shaping
LP21 Highway and Access
LP22 Parking
LP24 Design
LP35 Historic Environment
LP57 The extension, alteration or replacement of existing buildings

National Policies and Guidance

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'.

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter2 Achieving sustainable development
Chapter12 Achieving well-designed places
Chapter13 Protecting Green Belt land
Chapter14 Meeting the challenge of climate change, flooding and coastal change
Chapter16 Conserving and enhancing the historic environment

Assessment

4 Marsh Hall is an example of a mid-17th Century single storey converted farmhouse faced in natural stone, with a pitched gable tiled roof, white painted wooden windows and doors. Prior to the reconstruction of the farmhouse into a private dwelling, the building was constructed using a timber frame, with plastered panels and a thatched roof alongside oak mullioned windows with leaded lattice glazing at ground level, and oak doors.

Although the application site is located in the Green Belt, it is considered that the proposal would have no significant impact upon the openness of the Green Belt due to its limited scale.

The application proposes the replacement of a concealed lead valley gutter with a flexible GRP (Glass Reinforced Plastic) alternative in dark grey. The aim is to ensure continued water tightness and long-term protection of the listed building.

The proposed works involve a like-for-like replacement in terms of form and function, but using more flexible and durable material in a non-visible location. The GRP material will replicate the form and function of the original lead valley gutter while being more resistant to leaks and weathering

It is therefore concluded that the replacement guttering to 4 Marsh Hall is acceptable.

Conclusion

Paragraph 207 of the NPPF states that:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

Paragraph 208 of the NPPF goes on to state 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. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

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.”

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 involve a like-for-like replacement in terms of form and function, but using more flexible and durable material in a non-visible location. The GRP material will replicate the form and function of the original lead valley gutter while being more resistant to leaks and weathering

It is therefore concluded that the replacement guttering to 4 Marsh Hall will lead to less than substantial harm to the heritage asset and is acceptable.

Recommendation – Grant Consent

Decision Authorisation - Delegated Powers

Application Number: 2025/91957

Officer Recommendation: Grant 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 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 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 materials of the replacement guttering hereby approved shall in all respects match the 'Flexible GRP System in Dark Grey' detailed within the application forms.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Location Plan	-	-	14/07/2025
Existing Site/Block Layout	MHF-VG-01	-	14/07/2025
Proposed Site/Block Layout	MHF-VG-02	-	14/07/2025
Application Form	-	-	14/07/2025
Design and Access Statement	-	-	14/07/2025
Conservation/Heritage Assessment	-	-	14/07/2025
Photos General	-	-	14/07/2025

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 2015 and otherwise actively engaged with the applicant in dealing with the application. Following assessment of the submitted details the proposals are considered acceptable.

Report Dated:

26/08/2025
