

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:	2025/65/92613/W
Site Address:	29-31, Town Gate, Marsden, Huddersfield, HD7 6DD
Description:	Listed Building Consent for removal of internal wall
Recommending Officer:	Molly Storer

DECISION – CONDITIONAL FULL PERMISSION

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: 10-Nov-2025

Officer Report

Site Description

31 Town Gate in Marsden is a Grade II listed cottage dating to the late 18th or early 19th century. It is constructed in hammer dressed stone with ranges of mullioned windows on the south west elevation and rendered gables on the north west and south east elevations. 29 Town Gate is unlisted and is not included within this application. The site is located close to a Grade II listed road bridge over the Wessenden Brook and is within the Marsden Conservation Area.

Description Proposal

The application seeks Listed Building Consent for the removal of an internal wall.

The proposal involves removing an internal wall on the ground floor which currently separates the living room and kitchen.

The submitted Design and Access Statement sets out that the wall in question appears to have been added after the original construction, possibly during the 19th or 20th century. It is not bonded into the primary structure and sits directly on the original stone flag floor, serving as a partition wall, potentially added to offer some support or divide the space. The removal will be carried out with care to retain the original stone flags beneath and to ensure no impact on the structural integrity of the listed fabric.

History of Negotiations / Amendments Received

None required.

Planning History

2020/92737 - Discharge of conditions 3. (sample panel of render) on previous permission no. 2020/91931 for Listed Building Consent for new door and window openings, removal of internal stud wall and removal of external render. – Split decision.

2020/91931 - Listed Building Consent for new door and window openings, removal of internal stud wall and removal of external render. – Consent Granted.

2004/95001 - Listed Building Consent for alterations and conversion of 2 dwellings to form one dwelling (within a Conservation Area).

2004/95000 - Alterations and conversion of 2 dwellings to form one dwelling (within a Conservation Area). – Permitted Development.

Access Considerations

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.

The proposal is for internal alterations to the building. This work is not considered to have any impact on carbon emissions and therefore it is felt that climate emergency requirements are not relevant in this instance.

Consultation Responses

KC Conservation & Design – no objection.

Public Representations

The application was advertised by site notice and press notice. No representations have been received.

Final publicity expiry date: 31st October 2025

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

The application is for the removal of an internal wall.

31 Towngate is a late 18th or early 19th-century dwelling, typical of the vernacular architecture associated with weavers' cottages in West Yorkshire. Built of hammer-dressed stone with stone mullion windows, its plan and fabric reflect domestic architecture of the period and the local textile-based economy. The internal wall to be removed is on the ground floor and separates the living room and kitchen areas.

The heritage statement lays out that the internal wall proposed for removal is of non-original stone construction, likely introduced after the building's original construction. It is not bonded to the external or original structural walls and sits on top of the original stone flags. Its form, materials, and detailing suggest it

was added later, possibly in the late 19th or early 20th century for functional subdivision or ad hoc support. The floor beneath it and any adjacent fabric will be recorded and conserved as part of the process.

It is considered that the removal of this wall will expose more of the original floorplan and allow for a better appreciation of the historic spatial layout whilst allowing the occupants to have a more appropriate layout.

KC Conservation and Design officer's were consulted during the course of this application and agreed that the wall was most likely a later addition to the property and appears to have been added after the original construction.

Taking into account the response from KC Conservation, it is considered that there would be a low impact to the significance of the listed building and the proposal would enhance the significance of the listed building by the removal of a non-original wall and the reinstatement of historic layout.

Conclusion

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.”*

In conclusion, having regard to the fact the Conservation and Design Team have no objection and the proposal is to remove a non-original wall it is considered that the scheme would have a neutral impact to the Grade II Listed Building.

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.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered there will be no harm from the removal of the internal wall and is therefore recommended for approval.

Recommendation: Grant Consent

Decision Authorisation: Delegated Powers

Application Number: 2025/92613

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.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	PP-14335221v1	-	17/09/2025
Site block plan	-	-	17/09/2025
Design and Access Statement	-	-	17/09/2025
Calculations and drawings	-	-	17/09/2025
Heritage Statement	-	-	17/09/2025
Application form	-	-	17/09/2025
Photographs indicating wall to be removed	-	-	17/09/2025

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 2024 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: 3rd November 2025