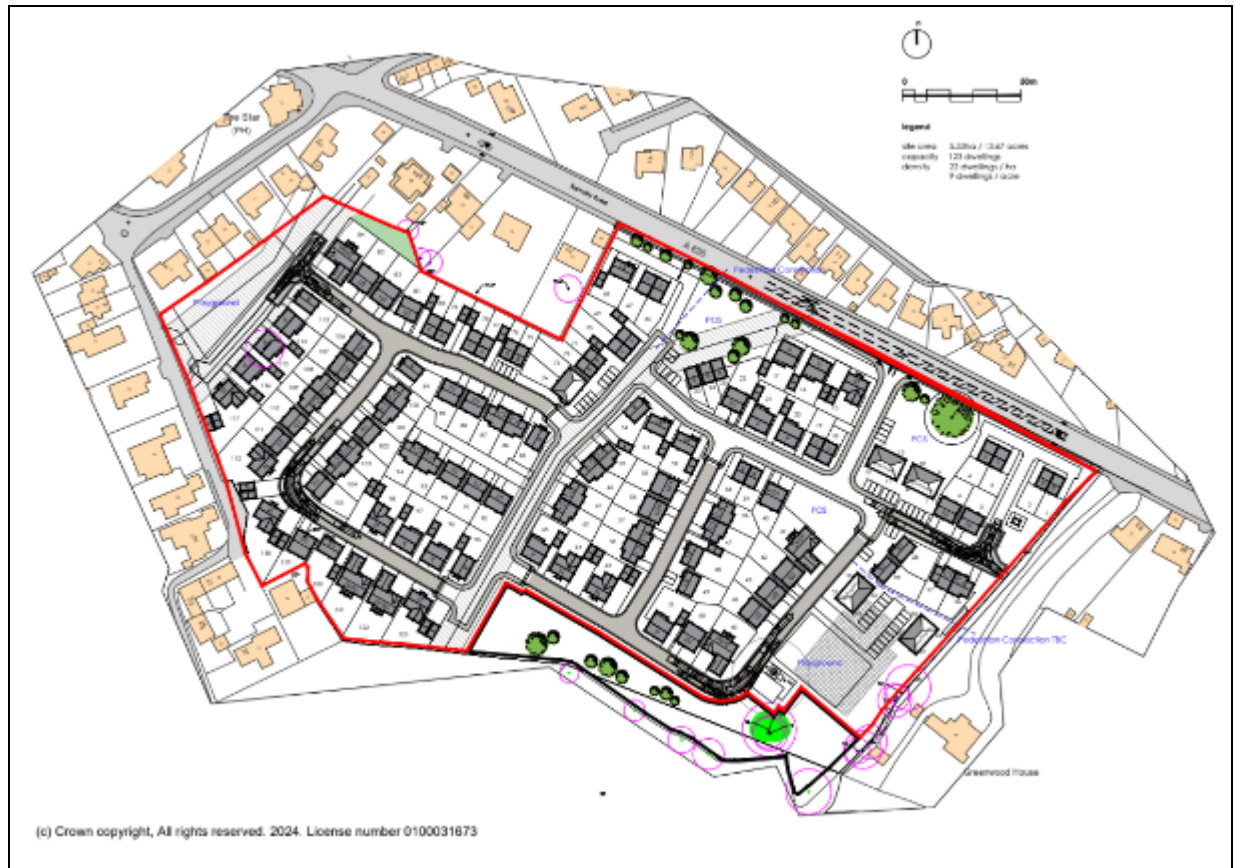


# PROPOSED DEVELOPMENT OFF BARNESLEY ROAD

UPPER CUMBERWORTH, METROPOLITAN BOROUGH OF KIRKLEES



## HERITAGE ASSESSMENT

GARRY MILLER *HERITAGE CONSULTANCY*

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HERITAGE ASSESSMENT

SEPTEMBER 2025

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*Providing heritage planning advice since 2002*

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## GARRY MILLER *HERITAGE CONSULTANCY*

Garry Miller is a heritage advisor, architectural historian and published author who has spent more than 40 years studying and working with buildings of town and countryside, in particular those of North West England. His career as a consultant began in the mid-1980s with the Preston-based Nigel Morgan Historic Building Consultancy, of which he became a partner in 1992 upon its rebranding as Datestone. In 1997 he was commissioned by the Heritage Trust for the North West, a buildings preservation trust based at Barrowford, Lancashire, to produce an in-depth regional study of vernacular houses in southwest Lancashire: the result, *Historic Houses in Lancashire: The Douglas Valley, 1300-1770* was published in 2002. The book was described as 'scholarship as its best' by *Country Life* (June 2003), and 'well analysed and presented' in *Transactions of the Ancient Monuments Society* (Vol 48, 2004); and was widely cited in the 2006 Buildings of England volume on Liverpool and Southwest Lancashire. Extensive research on the houses of Georgian and Regency Liverpool has also been undertaken, with a view to future publication. Following the success of his Douglas Valley book, Garry Miller established his own consultancy, producing analytical and interpretive reports on historic buildings, in particular the heritage assessments required to support planning applications affecting the historic environment. His area of operation encompasses the North West, Midlands, North Wales and parts of Cumbria and North and West Yorkshire. Several local authorities have cited his assessments as examples of best practice, and reports on more than 150 buildings or sites are produced annually.

### THIS REPORT

**Date of issue:** September 2025

**Status:** for planning submission

**Text:** Garry Miller

### IMPORTANT LEGAL ADVISORY

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# 1: EXECUTIVE SUMMARY

This report supposed proposed residential development of 123 homes upon a site to the south of Barnsley Road, Upper Cumberworth, in the Metropolitan Borough of Kirklees, West Yorkshire.

The site forms part of the wider setting of seven listed structures, and also the setting of Upper Cumberworth Conservation Area. The heritage consideration arising from the proposal is its potential impact upon the setting and therefore the significance (i.e. heritage interest and value) of the listed structures and that of the conservation area.

The Grade II designation of the listed structures denote they are of national importance for their special architectural and historic interest. Their significance essentially derives from this intrinsic special interest, which can be summarised individually as follows:

- 31 Carr Hill Road: an 19<sup>th</sup> century house on the edge of the village
- The Church of England School: a former National School of 1820
- The Church of St Nicholas: a small village church of 1876 with lower tower possibly of the 18<sup>th</sup> century
- The stocks in the churchyard: a probably 19<sup>th</sup> century example of their type
- The cross base: a surviving fragment of a medieval preaching cross set within the churchyard
- 31 Cumberworth Lane: a 17<sup>th</sup> or early 18<sup>th</sup> century house in the village centre
- 2 Balk Lane: a former laithe house of the 17<sup>th</sup> century origin with later alterations

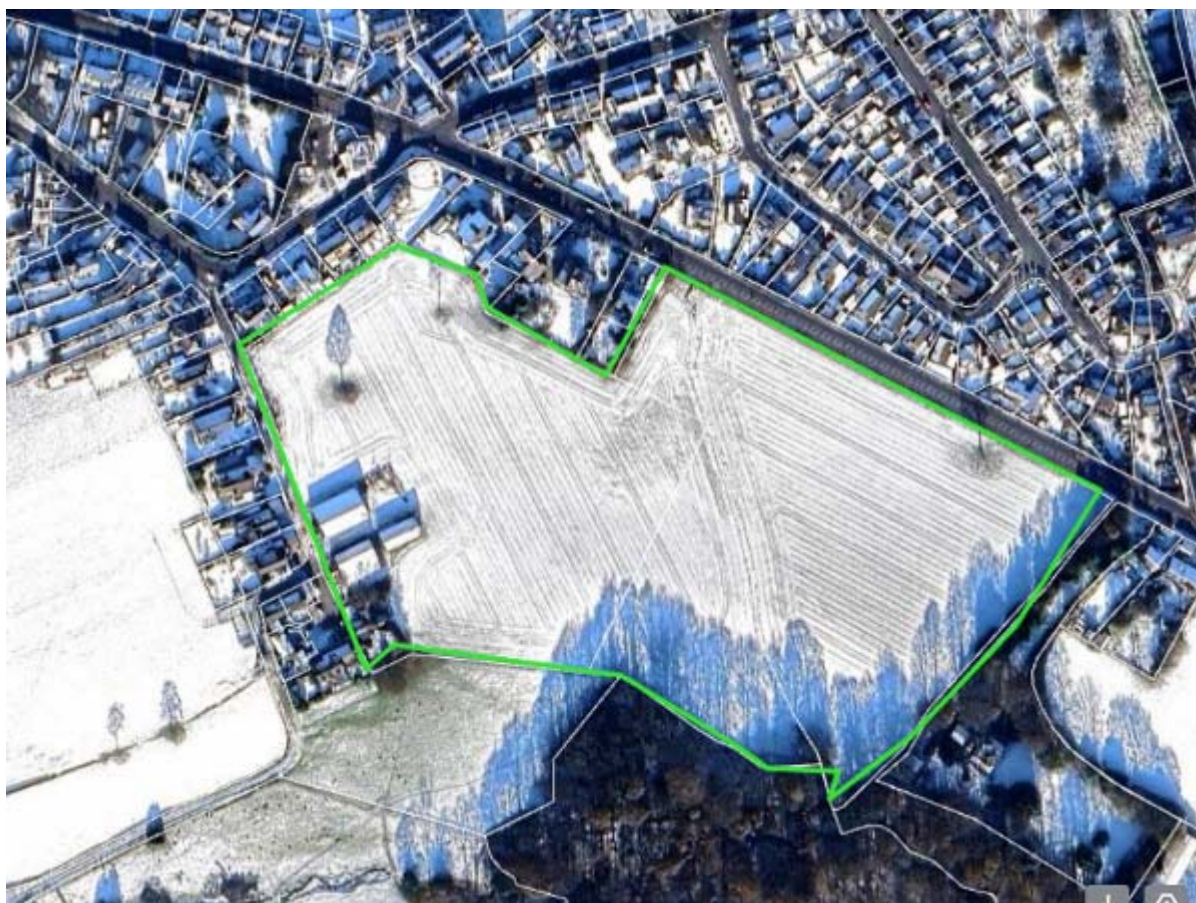
Owing to separation distance and screening, as discussed in this report, the proposal will have no harmful effect upon the setting of the listed structures, given that there is no intervisibility between them and the site.

As regards the conservation area, its significance derives from its character and appearance as a small, clustered group of house, village school and converted farm buildings centred on St Nicholas' Church. The immediate setting of the conservation area is already defined by adjoining modern housing along Cumberworth Lane and beyond, which restricts views outward from its core. Hence the proposed development is not out of character with its surroundings. The site will only be visible from the southern edge at the Barnsley Road/Cumberworth Lane/Carr Hill Road junction, in outward views to the southeast only, in which the development will be partially screened by existing buildings in the foreground along Barnsley Road. From the core of the conservation area, around St Nicholas' Church, the development will be entirely hidden from view. For these reasons it is considered that the conservation area's setting will not be harmed.

To conclude: the proposal will preserve the intrinsic significance of the listed structures and the conservation area, and will have no adverse effect upon the contribution that their setting makes to this significance. The proposal is therefore in full accordance with national guidance and the local development plan, and so merits approval without delay.

## 2: THE SITE

The application site is located to the southeast of the village of Upper Cumberworth in the Metropolitan Borough of Kirklees, West Yorkshire. The site is an agricultural field bounded to the north by the A635 Barnsley Road and adjacent properties, to the northwest by dwellings along Carr Hill Road, to the southeast by an access road and to the southwest by Park Lane.



*Location of the application site*



*The site, northeast view from Park Lane*



*Looking southwest to the site from Barnsley Road*

### 3: THE PROPOSAL/SCOPE OF THIS REPORT

#### *Proposed development*

Outline proposals have been submitted to Kirklees Metropolitan Borough Council for a new residential development upon the site.

#### *Designations*

The site forms part of the wider setting of seven listed structures, and also the setting of Upper Cumberworth Conservation Area.

#### *Heritage impact*

The heritage considerations arising from the proposal are its potential impact upon the setting and therefore the significance (i.e. heritage interest and value) of the listed structures and that of the conservation area.

#### *Scope and purpose of this report*

Paragraph 207 of Chapter 16 (*Conserving and Enhancing the Historic Environment*) of the National Planning Policy Framework (as revised December 2024) states local planning authorities should require an applicant to describe the significance of the heritage assets affected, including the contribution made by their setting. The scope and purpose of this report is therefore to identify the significance of the listed structures and conservation area, along with the contribution made by the application site, and to evaluate the impact of the proposal upon it.

**The level of detail, in accordance with paragraph 207, is proportionate to the importance of these heritage assets and no more than is necessary to understand the proposal's impact.**

This report is to be read in conjunction with other documentation submitted in support of the application.

## *Report structure*

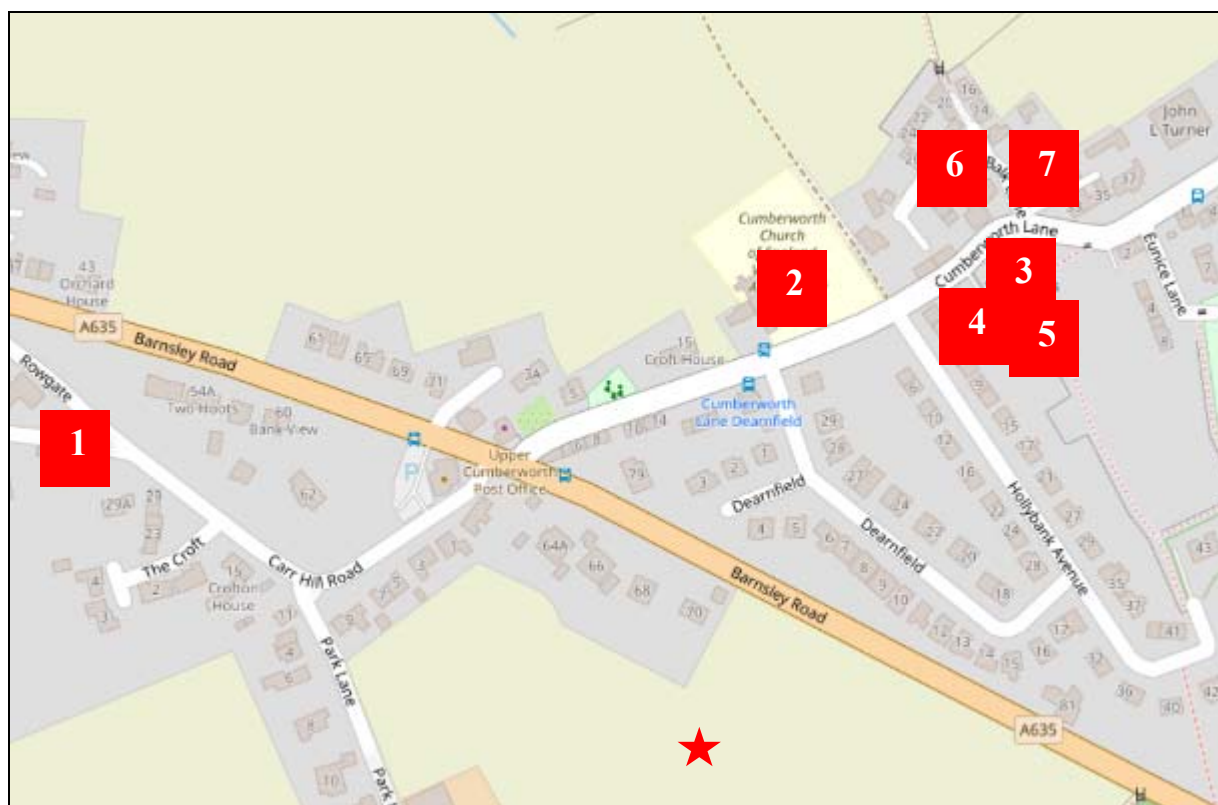
This is as follows:

1. A concise, proportionate description of the listed structures (Section 4) and conservation area (Section 5)
2. A brief description of the application site (Section 6)
3. A summary of the significance of the heritage assets (Section 7)
4. A summary of the relevant heritage planning policy context (Section 8)
5. Evaluation within this context of the impact of the proposal upon the setting of the listed structures and the conservation area (Section 9).

## 4: THE LISTED STRUCTURES

### Overview

There are seven listed structures in the vicinity of the proposal site:



*The listed structures in relation to the site*

- 1** 31 Carr Hill Road, an early-mid 19<sup>th</sup> century house around 200 metres northwest of the site. The National Heritage List description is available at:

<https://historicengland.org.uk/listing/the-list/list-entry/1135329>

- 2** The Church of England School, a former National School of 1820, around 200 metres north:

<https://historicengland.org.uk/listing/the-list/list-entry/1135332>

**3**

The Church of St Nicholas, 1876 with the lower stage of its tower possibly 18<sup>th</sup> century, around 225 metres north:

<https://historicengland.org.uk/listing/the-list/list-entry/1135330>

**4**

Stocks three yards south of the porch of St Nicholas, probably 19<sup>th</sup> century and around 220 metres north:

<https://historicengland.org.uk/listing/the-list/list-entry/1135331>

**5**

Medieval cross base approximately five yards south of St Nicholas, also around 220 metres north:

<https://historicengland.org.uk/listing/the-list/list-entry/1184573>

**6**

31 Cumberworth Lane, a 17<sup>th</sup> or early 18<sup>th</sup> century house around 300 metres north:

<https://historicengland.org.uk/listing/the-list/list-entry/1184529>

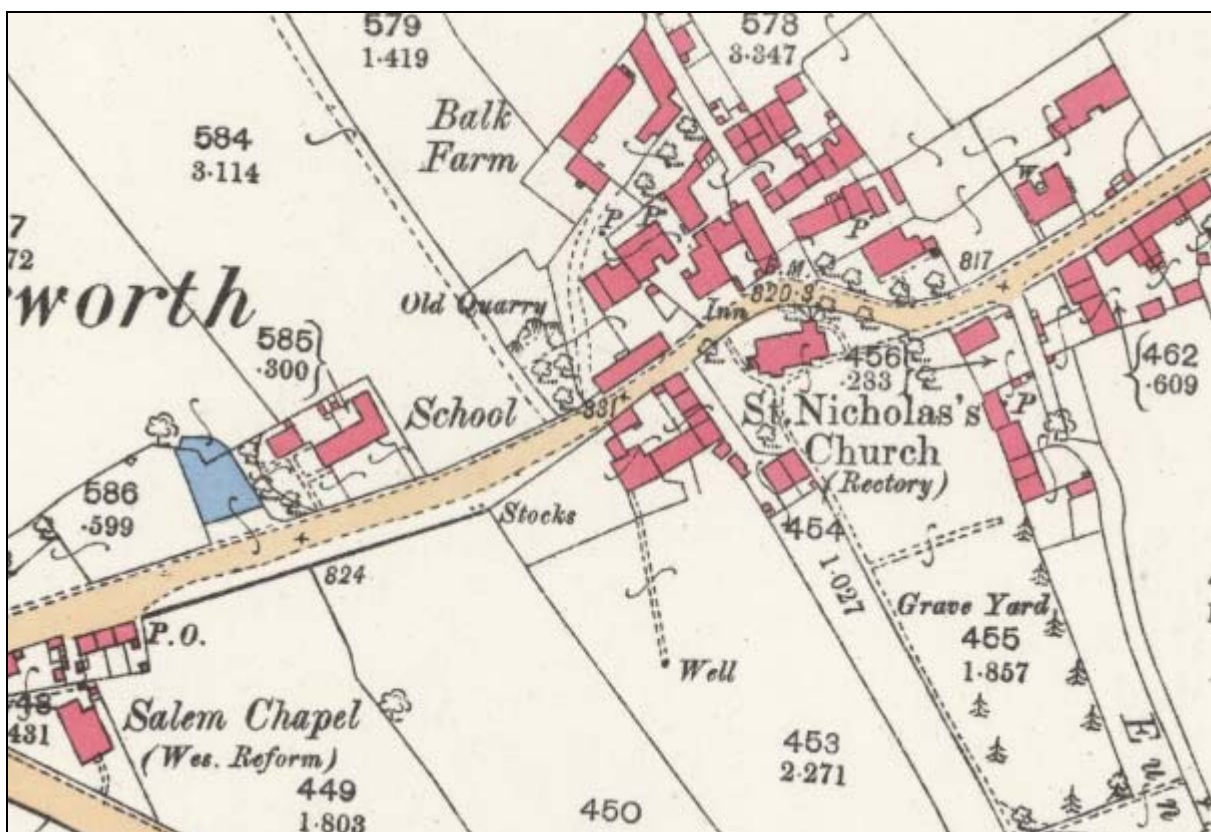
**7**

Number 2 Balk Lane and adjoining barn, a laithe house of 17<sup>th</sup> century origin, also around 300 metres north

<https://historicengland.org.uk/listing/the-list/list-entry/1135322>

### *Setting*

The setting of the listed structures is essentially the core of the small village centred upon St Nicholas, and of which they historically formed part. The exception is 31 Carr Hill Road, which is an outlier some distance beyond this nucleus. However the expansion of the village in the mid/late 20<sup>th</sup> century – notably to the south of Cumberworth Lane and also along Carr Hill Road – means all these historic survivors now occupy altered surroundings which are defined by a mixture of both traditional and modern properties.

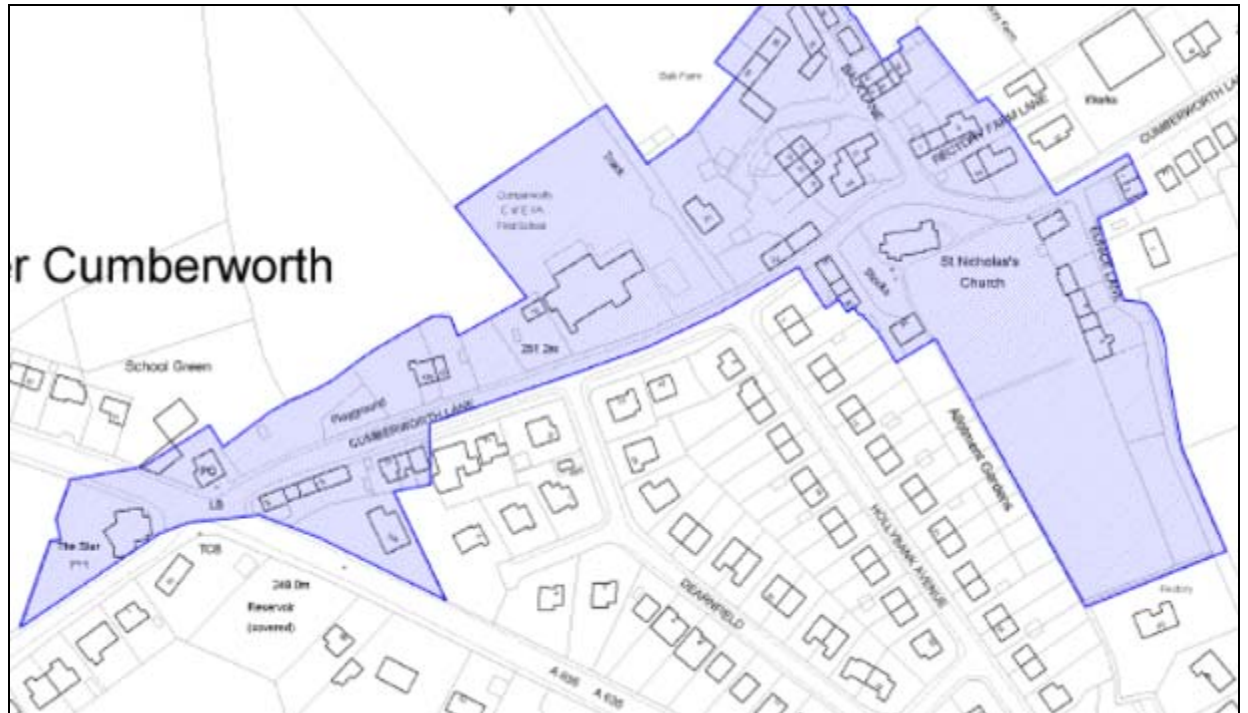


*The original extent of the village, depicted by the 25-inch OS edition of 1891*



*Its mid-20<sup>th</sup> century expansion is recorded by the 1:2500 OS edition of 1971*

## 5: THE CONSERVATION AREA



*The conservation area covers the core of the historic village*

The conservation area at Upper Cumberworth covers a small area that defines the core of the village. It is summarised in the character appraisal produced by Kirklees MBC in 201 as: *' a small group of clustered houses and converted farm buildings centred on St Nicholas' church. The school and Balk Farm also play an important role in creating and maintaining this characterful, stone built settlement.'*

The essential character of the conservation area is described in the appraisal as follows:

- A clustered village group, containing church, school, converted agricultural buildings and older terraces, built of local stone with slate roofs
- Its rural setting, emphasising the agricultural origins of properties along Rectory Lane and Balk Lane, with outstretching fields to the north towards Emley Moor presenting an undulating rural panorama
- Cumberworth Lane, which extends into the heart of the conservation area and from which the school, church and other buildings can be appreciated

- St Nicholas and its churchyard, which occupy a significant proportion of the conservation area and their mature trees and greenery create an area of tranquillity

The appraisal also notes that owing to the owing to the compact, clustered nature of conservation area, the views within are insular and sheltered by modern development on either side along Cumberworth Lane.



*The clustered core of the conservation area is centred on St Nicholas' Church*

## 6: THE APPLICATION SITE

The site is a large irregular field which extends south of Barnsley Road and also includes some modern agricultural sheds at the end of Park Lane that are of no interest. While the site forms part of the wider rural surroundings of the listed structures and conservation area, owing to separation distance and screening by intervening properties, there is no intervisibility in the case of the listed structures; and in respect of the conservation area, only a limited degree (looking out from the Barnsley Road/Cumberworth Lane junction). The site's relationship to the heritage assets is therefore of a marginal nature, and not one that is crucial to their settings.



*Looking from Carr Hill Road, adjacent to number 31, towards the site, which is out of view in the distance*



*View south from St Nicholas towards the site, which is screened by intervening buildings*



*The site is also hidden in the southward view from the Church of England School*



*Northwards view across the site from Park Lane, where housing screens the core of the village from view*



*Modern sheds on the site at the end of Park Lane*

## 7: SUMMARY OF SIGNIFICANCE

### *Rationale*

Paragraph 201 of the National Planning Policy Framework states local planning authorities should identify and assess the particular significance of a heritage asset, including its setting, and take this into account when considering the impact of a proposal in order to avoid or minimise conflict between the asset's conservation and any aspect of the proposal. Significance is defined in the NPPF Glossary as:

*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

### *The listed structures*

The Grade II designation of the listed structures denote they are of national importance for their special architectural and historic interest. Their significance essentially derives from this intrinsic special interest, which can be summarised individually as follows:

- 31 Carr Hill Road: an 19<sup>th</sup> century house with mullioned windows on the edge of the village
- The Church of England School: a village National School of 1820 in Gothic style
- The Church of St Nicholas: a small village church of 1876 with its lower tower possibly of the 18<sup>th</sup> century
- The stocks in the churchyard: a probably 19<sup>th</sup> century example of their type
- The cross base: a surviving fragment of a medieval preaching cross set within the churchyard
- 31 Cumberworth Lane: a 17<sup>th</sup> or early 18<sup>th</sup> century house in the village centre
- 2 Balk Lane: a former laithe house of the 17<sup>th</sup> century origin with later alterations in the heart of the village

The principal contribution their setting makes to the significance of the listed structures is their location in the village centre, the historic character of which still remains legible despite considerable modern expansion and infill, with the exception being 31 Carr Hill Road, which stands outside the historic nucleus. The surrounding modern development

makes no contribution other than to record the mid-later 20<sup>th</sup> century expansion of the village.

### *The conservation area*

The significance of the conservation area derives from its character and appearance as a small, clustered group comprising houses, village school and converted farm buildings centred on St Nicholas' Church. This significance is therefore embodied in its buildings, road pattern and spaces, and the public views in which they are experienced. Its immediate setting, particularly to the southeast, is defined by modern housing of the mid-later 20<sup>th</sup> century.

## 8: PLANNING POLICY CONTEXT

### *Statutory duty*

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. Section 72 (1) requires LPAs to pay special attention to the desirability of preserving or enhancing the character of a conservation area.

### *Relevant policies*

Chapter 16 of the National Planning Policy Framework provides the guidance on how the statutory duty is to be put into practice. Paragraph 210 states that in determining applications, local planning authorities should take account of:

- *The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and*
- *The desirability of new development making a positive contribution to local character and distinctiveness*

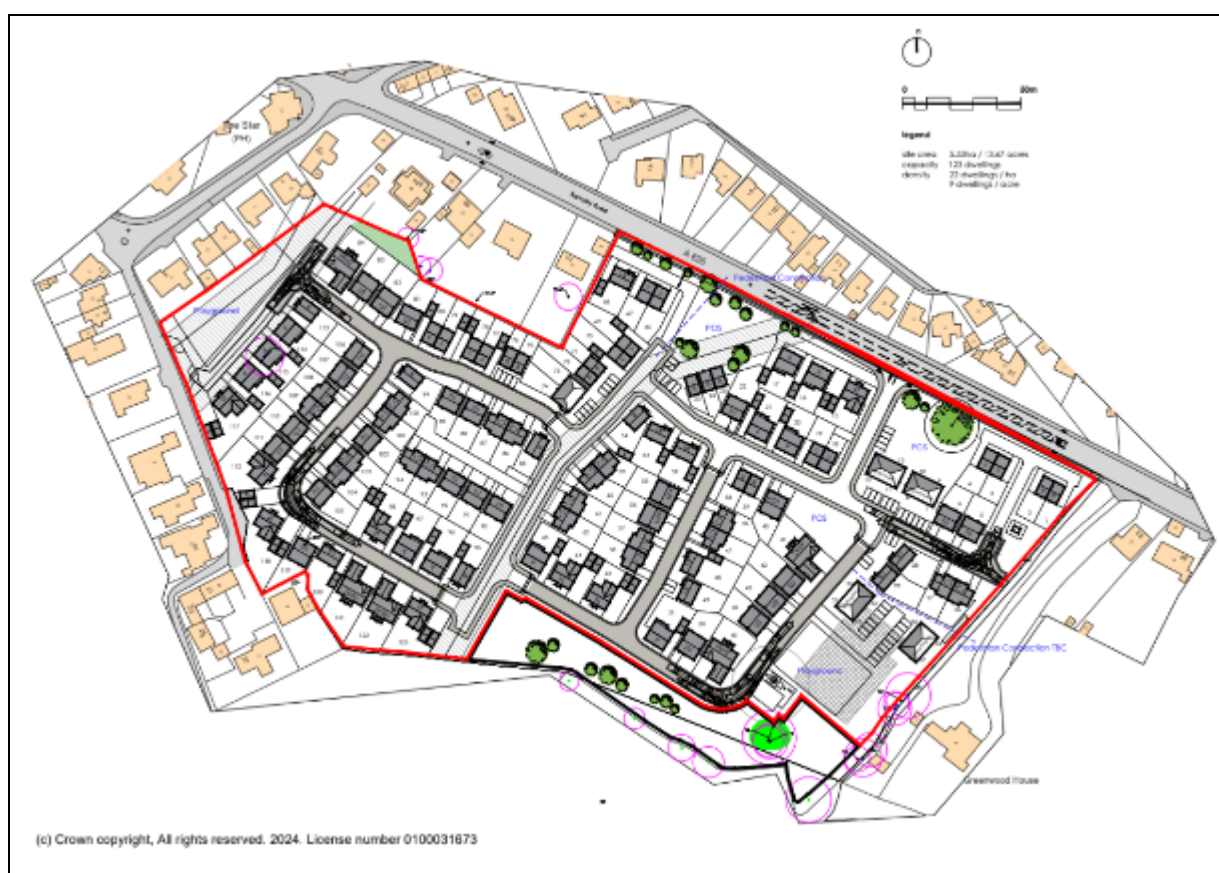
Regarding designated heritage assets, paragraph 212 states that ‘*great weight*’ should be given to their conservation and the more important the asset, the greater that weight should be, and that significance can be lost through development within its setting. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

In the local context, Policy LP35 of the Kirklees Local Plan, adopted February 27, 2019, requires development proposals affecting a designated heritage asset to preserve or enhance its significance.

## 9: IMPACT OF THE PROPOSAL

### *Summary of the scheme*

The proposal seeks consent for 123 dwellings to be built on the site, as shown in the site plan below.



*The development as proposed*

### *Its effect*

Owing to separation distance and screening, as discussed in this report, the proposal will have no harmful effect upon the setting of the listed structures, given that there is no intervisibility between them and the site.

As regards the conservation area, as the immediate setting of the conservation area is already defined by modern housing along Cumberworth Lane and beyond, the proposed development is not out of character with its surroundings. The site will only be visible from the southern edge of the conservation area at the Barnsley Road/Cumberworth Lane/Carr Hill Road junction, and in outward views to the southeast only in which the development will be partially screened by existing buildings in the foreground along Barnsley Road. From the core of the conservation area, around St Nicholas' Church, the development will be entirely hidden from view by intervening buildings. For these reasons it is considered that the setting of the conservation area will not be harmed.

### *Concluding statement*

The proposal will preserve the intrinsic significance of the listed structures and the conservation area, and will have no adverse effect upon the contribution that their setting makes to this significance. The proposal is therefore in full accordance with national guidance and the local development plan, and so merits approval without delay.