

**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:	<b>2026/65/90989/W</b>
Site Address:	4, Waterfall Cottages, Marsden, Huddersfield, HD7 6NQ
Description:	Listed Building Consent for Installation of electric vehicle charging point (within a Conservation Area)
Recommending Officer:	Joshua Merriman

**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: 04-Jun-2026**

## **Officer Report – 2026/90989**

### **Site Description**

The application site refers to 4, Waterfall Cottages, Marsden, Huddersfield, HD7 6NQ, a two-storey property located within a terrace of Grade II Listed Buildings. The dwelling is faced in hammer-dressed stone, with a pitched stone slate roof, and timber windows and doors. The application property lies in a uniform street scene, surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the property benefits from a small area of front amenity space as well as a hard-standing shared parking courtyard to the rear which also contains garages.

The property has the following listed description:

*“1848 (datestone). Terrace. Hammer dressed coursed stone. Pitched stone slate roof. Gabled copings on moulded footstones. Stone brackets. Six ashlar stacks with moulded dressings. Two storeys. South elevation: Central section breaks forward and has gabled roof with roll-top gable finial. Datestone reads: 1848. Ground floor of central section has 2 doorways with quoins and shallow false arch and hood mould. First floor has 2-light stone mullioned window. To each side of central section are 3 dwellings each with doorway with stone surrounds and tie-stones, and shallow false arch, and one chamfered and recessed stone mullioned window to ground floor, and one similar 3-light stone mullioned window to first floor. One of ground floor windows has been altered to 2-lights. North elevation: Each dwelling has later doorway and one 3-light chamfered and recessed stone mullioned window to ground floor. First floor has one chamfered 2- light stone mullioned window (one with mullion removed) and one later single light. East and west gables each have projecting chimney stacks with raking offsets.”*

### **Proposal**

The application seeks Listed Building Consent for installation of an electric vehicle charging point (within a Conservation Area).

The site is allocated Green Belt within the Kirklees Local Plan (adopted 2019). The site is also located within the Strategic Green Infrastructure Network, Marsden Conservation Area, a bat alert layer, twice buffer, and is a designated Grade II Listed Building.

### **Relevant Planning History**

The most relevant planning history relates to the following planning applications

93/02750 - Conservation area consent for demolition of boundary walls – Withdrawn.

### **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 conservation area on the Council's website, by site notice and by press advertisement.

The expiry date of the publicity period was the 30/05/2026.

### **Consultation Responses**

KC Conservation & Design – No objections (verbal).

### **Kirklees Local Plan Policy**

LP2 Place Shaping  
LP24 Design  
LP35 Historic Environment

### **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  
Chapter16 Conserving and enhancing the historic environment

### **Assessment**

4 Waterfall Cottages is an example of terraced property constructed in 1848 faced in hammer-dressed stone, with a pitched stone slate roof. To the South elevation, the property shows a doorway with stone surrounds and tie stones, a shallow false arch, one chamfered and recessed stone mullioned window to the ground floor, and a 3-light stone mullioned window to the first floor. To the North elevation, the dwelling displays a doorway, one 3-light chamfered and recessed stone mullioned window to the ground floor and one chamfered 2-light stone mullioned window to the first floor.

The proposed changes to the property would not materially impact the dwelling and would see the introduction of extra cabling fixated onto the North elevation of the dwelling, as well as an EV charger box.

Following an informal consultation with KC Conservation & Design, there are no objections to the installation of the associated cabling and charging box. The potential to run the cabling inside the dwelling and prevent any visual impact on the exterior was explored, however, this would lead to significant changes to the interior of a Grade II Listed Building, therefore, the use of the building's exterior was concluded to be the most appropriate approach and is concluded as the most acceptable in this case. The cabling used will be a similar colour, siting, and thickness to that existing on the exterior of the terraced row.

Considering the above, it is concluded that the proposed development to 4 Waterfall Cottages 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 proposal is for Installation of electric vehicle charging point (within a Conservation Area). KC Conservation & Design have also been consulted informally and have raised no objections.

The use of cabling and an Ev charging box to the exterior of the dwelling is not considered to lead to less than substantial harm. However, it is considered the benefits of introducing infrastructure to assist in the use of low emission vehicles outweigh the slight harm that is identified.

It is therefore concluded that the proposed development is acceptable having regard to policies LP1, LP2, LP24 and 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).

**Recommendation:  
PERMISSION**

**CONDITIONAL FULL**

**Decision Authorisation: Delegated Powers**

**Application Number:** 2026/90989

**Officer Recommendation:** Conditional Full Permission

### **Conditions**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

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 accord with Policies LP02, LP24 & LP35 of the Kirklees Local Plan and Policies within Chapters 2, 12 and 16 of the National Planning Policy Framework.

**NOTE:** Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of The Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

### **Plans and specifications schedule:-**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	-	-	10/04/2026
Photos General	Existing Front	-	10/04/2026
Photos General	Proposed Front	-	10/04/2026
Application Forms	-	-	10/04/2026
Heritage Statement	-	-	10/04/2026
Ohme-Home-Pro-Product-Manual-v1.6-1	-	-	10/04/2026
Ohme-ePod-Product-Manual-v1.0-1	-	-	10/04/2026

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 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.