

**Consultation Response from KC,  
Conservation & Design**
**2026/91494 Land off, Penistone Road, Birdsedge, Huddersfield, HD8 8XP**
**Outline application for erection of residential development, including associated infrastructure works. All matters reserved except means of access into (but not within) the site from Penistone Road.**
**Date Responded: 13 August 2026**
**Responding Officer: Amanda Chester**
**Responding Ref:**

This outline application is in relation to the erection of a residential development on land off Penistone Road, Birdsedge, Huddersfield. Birdsedge is a small settlement, the development is proposed immediately to the north-east of the settlement core on agricultural land.

Conservation and Design object to the proposed development which would be likely to have a negative impact on the setting of the nearby listed building, heritage assets, historic landscape and Upper Cumberworth Conservation Area by virtue of the siting and scale of the development.

**Baseline**

A heritage impact assessment has been produced in support of the application (CLB Heritage, March 2026).

The Grade II listed Birds Edge Mill (list entry ID 1184959) is located approximately 25m to the north-west of the application area. The mill was constructed in the early 19th century during the industrial revolution and mechanisation of cloth manufacture. The heritage impact assessment identifies the heritage significance of the listed building to derive from its –

- Archaeological interest in the survival of its built fabric.
- Historic interest, as one part of a much wider cloth making economy in West Yorkshire and the building's associations with its various operators.
- Architectural interest, in the use of locally sourced dressed stone, the varying ridge height and the elongated form in which it evolved and aesthetic interest in the wider landscape.
- Group value with the adjacent Mill Cottages contributing to understanding of place.

The assessment also identifies that the agricultural landscape surrounding the mill makes a positive contribution to the setting of the mill and retains openness which defines the role of agriculture alongside that of weaving in small villages locally.

Upper Cumberworth and High Flatts Conservation Areas lie within 1km of the application area. The proposed development is unlikely to harm the significance of the High Flatts Conservation Area. The heritage impact assessment notes that no key views from the conservation area towards Birdsedge are identified within the Upper Cumberworth Conservation Area Appraisal. However, the view from Birdsedge towards Upper Cumberworth is noted within the appraisal – 'From the elevated situation of Birdsedge and High Flatts to the south, the clustered nature of the stone slated roofs and church tower are an attractive historical and geographical point of reference in the distance.'

The heritage impact assessment also identifies 1 and 2 The Bridge, Mill House, Cottages south of A629, Four Row, Birdsedge School and Birdsedge Farm as non-designated heritage assets. The assessment identifies their special interest as deriving from 'their age and local vernacular character which again displays the evolution of the farming and weaving development within this small village along with the provision of educational facilities, the school being constructed 1911.' The assessment does not identify the contribution that the setting of these assets makes to their significance which is key to understanding the impact of the proposed development as all harms would be through changes to setting. Neighbour representations have highlighted additional information related to the significance

of Birdsedge Farm, which is not included in the heritage impact assessment, namely that the farmhouse includes a date stone engraved '1638 WM'. This suggests that the farm has 17<sup>th</sup> century origins, although it is unclear to what extent historic fabric survives from that period. The presence of the date stone increases the significance of the non-designated and therefore the weight which should be given to the conservation of the asset, in the balanced judgement required by Paragraph 216 of the NPPF.

The heritage impact assessment does not touch on the historic landscape character of the application area. The Kirklees Historic Landscape Characterisation project identified the application area as probable assarted woodland. Assarts are areas of former woodland cleared to create enclosure of agricultural land. Assarts can be of great antiquity dating to the founding of settlements from the medieval period (or even earlier). They tend to be nucleated and globular in appearance, their development being piecemeal. Despite the loss of two historic field boundaries within the application area in the 1990s or 2000s, this landscape retains heritage significance derived from its ability to illustrate the earliest development of the settlement of Birdsedge.

### Assessment of harm

The heritage impact assessment acknowledges that the proposed development will result in less than substantial harm to the significance of Birds Edge Mill through changes to its setting.

Despite the heritage impact assessment concluding that the potential impact on Upper Cumberworth Conservation Area would be neutral. The views from Birdsedge towards Upper Cumberworth Conservation Area, which are highlighted in the conservation area appraisal, would likely be at least partially obstructed by the proposed development. This would include views of the tower of the Grade II listed Church of St Nicholas, Upper Cumberworth (list entry ID 1135330) which is identifiable from Penistone Road adjacent to the application area. This would have a negative effect on how Upper Cumberworth Conservation Area is appreciated from the wider landscape and sense of place, causing less than substantial harm to the designated heritage asset.

Section 66 of the Planning (Listed Buildings & Conservation Areas) Act (1990) states that for development which affects a listed building or its setting, 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. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of conservation areas. Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990) are mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

The report includes an impact assessment in Table 3 which identifies a minor potential impact to the non-designated Birdsedge School, and a moderate potential impact to the Grade II listed Birdsedge Mill, and the non-designated Four Row and Birdsedge Farm. However, the report does not define what minor or moderate impact amounts to in this context or how it relates to the policy tests of harm. The assessment also fails to outline how the significance of the named assets will be harmed and what elements of that significance will be affected.

The scale of harm to Birdsedge Farm will be particularly acute. As a former farmhouse and farm buildings the open landscape of agricultural fields which surround the non-designated heritage asset to the west, north and east make a significant contribution to how the heritage significance of the asset is understood and appreciated. The 17<sup>th</sup> century datestone suggests that the farm predates the enclosure of moorland to the south of Penistone Road in the early 19<sup>th</sup> century and is more likely associated with the assarts which make up the application area.

Neighbour representations have highlighted concerns regarding the harm the proposed development would cause to the heritage significance of surrounding heritage assets and the historic character of the settlement as a whole. The introduction of a dense nucleated residential development would be at odds with the historic dispersed linear character of the settlement and remove an area historic landscape of medieval or earlier origin.

Policy LP35 of the Kirklees Local Plan states that proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. This echoes the requirements set out in Chapter 16 of the NPPF.

### Conclusion

In conclusion the less than substantial harm to designated heritage assets, including Birds Edge Mill and Upper Cumberworth Conservation Area should be weighed against the public benefits of the proposal, with great weight given to the conservation of the assets (NPPF, Paragraph 215 and Paragraph 212). The identified harm to non-designated heritage assets, including Birdsedge Farm, Birdsedge School, and Four Row should be taken into account when determining the application, having regard to the scale of any harm and the heritage significance of the assets (NPPF, Paragraph 216).

Conservation and Design object to the proposed development which would be likely to have a negative impact on the setting of the nearby listed building, heritage assets, historic landscape and Upper Cumberworth Conservation Area by virtue of the siting and scale of the development. The existing site is in a prominent location at an exposed elevation, within a linear settlement and currently lacks mature landscaping or any substantial boundary treatment.