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:	**2026/65/91782/E**
Site Address:	152A, Penistone Road, Shelley, Huddersfield, HD8 8JQ
Description:	Listed Building Consent for alterations to convert middle ground floor to self contained residential unit, including replacement windows and door and associated works
Recommending Officer:	Joshua Merriman

DECISION – GRANT LISTED BUILDING CONSENT

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 14-Sep-2026

Officer Report – 2026/91782

Site Description
The application site refers to 152A, Penistone Road, Shelley, Huddersfield, HD8 8JQ, a four-storey property faced in stone, with a pitched, tiled gable roof, and timber windows and doors. The application property lies within a slightly varied street scene, surrounded by properties of a similar character and appearance, however, with differing sizes and scales. The application property benefits from a hard-standing parking area to the front, serving each of the contained properties separately, as well as amenity space to the rear.

The property has the following listed description:

"Pair of houses. Early C19. Hammer dressed stone (1st floor rear, rendered). Stone slate roof with gable copings on cut kneelers. Two and three storeys. Symmetrical facade. Each house has central door with single light to each side and one 7-light window to 1st floor. To rear each house has two 2-light windows at 1st floor level. Ground floor and basement level mainly altered."

Proposal

The application requests Listed Building Consent for alterations to convert middle ground floor to self-contained residential unit, including replacement windows and door and associated works.

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

Relevant Planning History

The most relevant planning history relates to the following planning applications

2023/92411 - Formation of exterior stone steps, dry-stone walls and wooden fence (Listed Building) – Conditional Full Permission.

2023/92412 - Listed Building Consent for formation of exterior stone steps, dry-stone walls and wooden fence – Consent Granted.

2025/92289 - 'Change of use from beauty salon (use class E) to residential (use class C3) and associated alterations (Listed Building)' – Conditional Full Permission.

2025/92290 - 'Change of use from beauty salon (use class E) to residential (use class C3) and associated alterations (Listed Building)' – Consent Granted.

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, on the Council's website, by site notice and by press advertisement.

The expiry date of the publicity period was the 28/08/2026.

Consultation Responses

KC Conservation & Design – No objections.

Kirklees Local Plan Policy

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 is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 2026, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Chapter14 Achieving well designed places
Chapter20 Conserving and enhancing the historic environment

Assessment

152A Penistone Road is an example of an early 19th Century four-storey detached property faced in hammer dressed stone, with a stone slate roof, and timber windows and doors. The application property shows a central door to the ground floor with a single light window at each side, as well as a 7-light window to the first floor, and two 2-light windows at 1st floor level. The property also contains gable copings on cut kneelers and a symmetrical façade.

The proposed changes to the property include the replacement of some existing windows and doors, with most of the works being internal, altering the existing commercial use to a residential use, and constructing internal walls top aid the properties layout.

Following an informal consultation with KC Conservation & Design, there are no objections to the proposal.

Considering the above, it is concluded that the proposed development to 152A Penistone Road is acceptable.

Conclusion
Policy HE4(2) of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.

Paragraph HE5(1) of the NPPF states that:

"Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary."

Paragraph HE6(1) of the NPPF states that:

"When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance."

HE6(4) confirms where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant

or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

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 alterations to convert middle ground floor to self-contained residential unit, including replacement windows and door and associated works. KC Conservation & Design have been consulted informally and raised no objections.

A change of use of the unit from commercial to residential is not considered to significantly impact the property as minimal changes will take place, with no original fireplaces or staircases being impacted. All materials used for replacement construction and new elements will all either match or appear sympathetic to the existing building.

It is therefore concluded that the proposed development will not cause less than substantial harm to the listed building, complying with policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 4, 14 and 20 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Recommendation **CONSENT GRANTED**

Decision Authorisation: Delegated Powers

Application Number: 2026/91782
Officer Recommendation: Consent Granted

Conditions

1. The development shall be begun within three years of the date in which this 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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 4, 5, 14, and 15 of the National Planning Policy Framework.

3. All non-opening replacement windows in the development should be recessed by 100-150mm, with replacement opening windows being side opening with butt hinges, and flush, not stormproof.
   Reason: In the interests of visual amenity and to accord with Policies LP1, LP2, LP24, and LP35 of the Kirklees Local Plan, and Policies within Chapters 4, 14, and 20 of the National Planning Policy Framework.

4. All replacement doors in the development should be constructed using vertically boarded timber and be recessed by 100-150mm.
   Reason: In the interests of visual amenity and to accord with Policies LP1, LP2, LP24, and LP35 of the Kirklees Local Plan, and Policies within Chapters 4, 14, and 20 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:-

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	2614-0101-P02	-	26/06/2026
Proposed Plans and Elevations	2614-0301-P02	-	26/06/2026
Parking Plan	-	-	07/09/2026
Application Forms	-	-	26/06/2026
Heritage Statement	-	-	26/06/2026
Climate Change Statement	-	-	26/06/2026

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.

Report Dated: 08/09/2026