

Heritage Impact Assessment

Site Location:

Land adjacent to East Bierley
Recreation Ground

Site reference number:

H531

On behalf of

Kirklees Council

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1.0 INTRODUCTION

Scope of the Study

- 1.1 This study has been carried out on behalf of Kirklees Council by Farrell and Clark Architects LLP. At the time of writing, the Council have identified sites in the Kirklees area for inclusion in their 2015 Kirklees Local Plan which has recently been approved. Following consultation with the relevant statutory bodies the Council have identified a selection of allocated sites which may have a potential impact on the Historic Environment. A number of these sites have been rejected as they were deemed to cause significant harm to a heritage asset which could not be mitigated. The remaining sites require independent assessment of the potential impact on the Historic Environment.
- 1.2 Farrell and Clark Architects have been appointed to assess this impact and, where possible, to advise on any mitigation which may be required. Kirklees Conservation Officer, Nigel Hunston, Historic England and West Yorkshire Archaeology Advisory Service (WYAAS), have been consulted on the proposed allocations.
- 1.3 This report has been informed by a review of historic mapping and secondary source material in addition to undertaking a site visit. The conclusions made as part of this report relate solely to the impact of the development on the Historic Environment.

Relevant Policy - National Planning Policy Framework (NPPF):

- 1.4 This statement has taken into account Chapter 126 of the NPPF which provides guidance for local planning authorities on the strategy for site selection/allocation and states:

“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.”*

- 1.5 This statement has been prepared in accordance with the requirements under paragraph 129 which states:

“... Local planning authorities should identify and assess the particular significance of

1.0 INTRODUCTION cont.

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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

1.6 In addition to the above the NPPF states that :

"...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..."

1.7 In the case of sites which have the potential to contain archaeological finds, the NPPF advises that the developers of the site submit an appropriate desk based assessment and where necessary a field evaluation.

1.8 The NPPF indicates that when assessing impact, great weight should be given to the asset's conservation and that this should be proportionate to the importance of the asset. Significance can be harmed not just by a material change to the asset but also to it's setting which can be of great value to the significance. If the proposal is deemed to cause harm to the asset, a robust justification will need to be presented to and assessed by the local planning authority.

1.9 If the development will lead to substantial harm, paragraph 133 indicates that the development should be refused consent by the local planning authority, unless it can be proved that the loss or damage to the asset can be outweighed by substantial benefits to the public OR if the proposal can demonstrate all of the following:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

1.10 If the development leads to less than substantial harm, paragraph 134 indicates that this harm still needs to be assessed against the public benefit of the scheme and whether or not the viability of the site is being optimised.

2.0 METHODOLOGY

General approach

2.1 This report has been prepared in accordance with “The Setting of heritage assets” published by Historic England and seeks to assess the impact on a heritage asset using four steps:

- Step 1:** Identify the heritage assets and their settings affected by the allocation.
- Step 2:** Assess the contribution of the setting to the heritage asset.
- Step 3:** Assess the effect of the proposed allocation on the significance of the asset.
- Step 4:** Assess the options for mitigation in order to maximise the enhancement and minimise harm.

Identifying the heritage asset

2.2 As part of the consultation process Historic England, WYAAS and the Conservation team at Kirklees Council Identified the allocated sites which had the potential to affect the Historic Environment. This report has assessed the potential impact of the development of the allocated site on the heritage asset(s) identified.

Assessing the contribution of the setting

2.3 Once the asset has been identified as having the potential to be affected by the development, the significance of the asset is assessed in order to determine the contribution of the setting to the significance. The significance of the heritage asset has been assessed in accordance with “Conservation Principles Policies and Guidance for the sustainable management for the historic environment”. This document advises that in order to understand the significance of the Asset, it is necessary to first understand the perceived “heritage value” of the Asset.

2.4 These heritage values can be arranged in four groups, which may be attached to places. These are:

- Evidential:** The potential of a place to yield evidence about past human activity.
- Historical:** The ways in which past people, events and aspects of life can be connected Through a place to the present – it tends to be illustrative or associative.
- Aesthetic:** The ways in which people draw sensory and intellectual stimulation from a place.
- Communal:** The meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

2.5 Once the heritage value has been ascertained, the significance of that heritage value to the asset can be determined in order to assess the contribution the setting has to the significance. In the case of large numbers of listed buildings the significance of the setting will be presented in table form. If the site is particularly large it may not be possible to assign a single level of significance to the whole site and as such the varying levels of significance will be shown on a map.

2.0 METHODOLOGY (cont.)

- 2.6 The general level(s) of significance of the contribution made by the overall setting to the asset will be discussed and assessed in terms of a positive or negative contribution to the asset.

Assessing the potential impact of developing the proposed allocated site

- 2.6 The purpose of this Heritage Impact Assessment is to provide guidance with regards to the potential impact of developing the allocated site. It is not possible to assess the impact of the various aspects of the design such as the form and appearance of the development as this has not yet been determined but it is possible to provide guidance on the likelihood that the development will harm the heritage asset. This will in turn will assist Kirklees Council to ascertain the level of justification required should an applicant wish to submit a planning application on the site.
- 2.7 In order to assess the level of harm of the development or elements of the development, the level of significance of the contribution made by the allocated site will be assessed and defined as follows:

- Negligible:** The allocated site provides little or no contribution to the heritage asset.
- Slight:** The allocated site provides some contribution to the heritage asset but not to the extent that any alteration will cause harm.
- Moderate:** The allocated site is important to the significance of the asset and requires assessment with the assumption that any harm will be less than substantial and can be mitigated.
- High:** The allocated site is very important to the significance of the asset and careful consideration is required to assess if the harm is substantial or less than substantial and whether the harm can be mitigated .
- Considerable:** The allocated site is essential to our understanding of the significance of the heritage asset with the assumption that any harm to that setting would be constitute substantial harm to the heritage asset and would require full justification.

- 2.8 For the larger sites it is possible that the contribution of the site will vary depending on the proximity of the site to the heritage asset. In this situation the contribution of the various areas of the site will be shown on a plan of the site.

Assessing the options for mitigation and/or enhancement

- 2.7 Options for enhancement and mitigation are considered in response to the particular needs of the heritage asset and as such vary from site to site. It is important that these are assessed at this stage so that any decisions made regarding the setting of the asset can be used to agree the scope and form of the development. The options outlined in this assessment are by no means finite and further discussions should be held with Kirklees Planning and Development team in order to ascertain the potential options for this particular site.

2.0 METHODOLOGY (cont.)

2.8 Options for enhancement include:

- Removing or re-modelling an intrusive building or feature
- Replacement of a detrimental feature by a new and more harmonious one
- Restoring or revealing a lost historic feature or view
- Introducing a wholly new feature that adds to the public appreciation of the asset
- Introducing new views (including glimpses or better framed views) that add to the public experience of the asset, or
- Improving public access to, or interpretation of, the asset including its setting.

2.9 Options for mitigation include:

- The creation of buffer zones within the area for development
- Limiting building heights within certain areas of the site
- The use of sensitive design including the use of vernacular materials

2.10 Screening is also an option which can be considered when assessing the options available for mitigating the negative impact of a development on a heritage asset. Screening should only be used in addition to other options for mitigation and should not be used as a substitute for good design or buffer zones. Screening requires careful consideration with regards to the impact of the screening on the heritage asset. This can potentially have a greater impact on the asset than the development itself, if used incorrectly or insensitively.

Glossary

2.11 The following terms have been used in this report with the definitions taken from the NPPF and from the Historic England publication “ The Setting of Heritage Assets”

Conservation area

‘An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’, designated under what is now s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Designated heritage asset:

A World heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Historic environment record

Information services that seek to provide access to comprehensive and

2.0 METHODOLOGY (cont.)

dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

Setting of a heritage asset

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy)

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.

Value

An aspect of worth or importance, here attached by people to qualities of places.

Harm

Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place.

3.0 SITE ASSESSMENT

Site description

- 3.1 The site is located to the south-east of the East Bierley Conservation Area and is within the Spen Valley area.
- 3.2 The site is a strip of land orientated north south and runs adjacent to a recreation area which is bounded to the west by Hunsworth Lane.
- 3.3 The land is currently open agricultural land which slopes gently from north to south.

Brief site history

- 3.4 There is a long history of settlements in the Spen valley area with evidence that there were settlements in the area as far back as the Mesolithic period. East Bierley appears on Jeffrey's Map of 1771 along with Bierley and West Bierley. West Bierley comprised of Bierley Hall, home to the Richardson Family from the 17th to the 19th century. The Hall was demolished in the mid 20th century but the formal gardens and fishpond still remain and are now known as Bierley Woods.

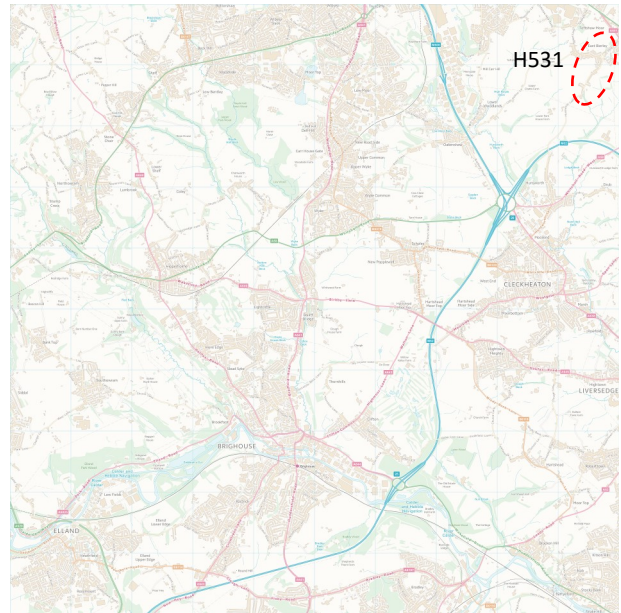


Figure 1: Location Plan

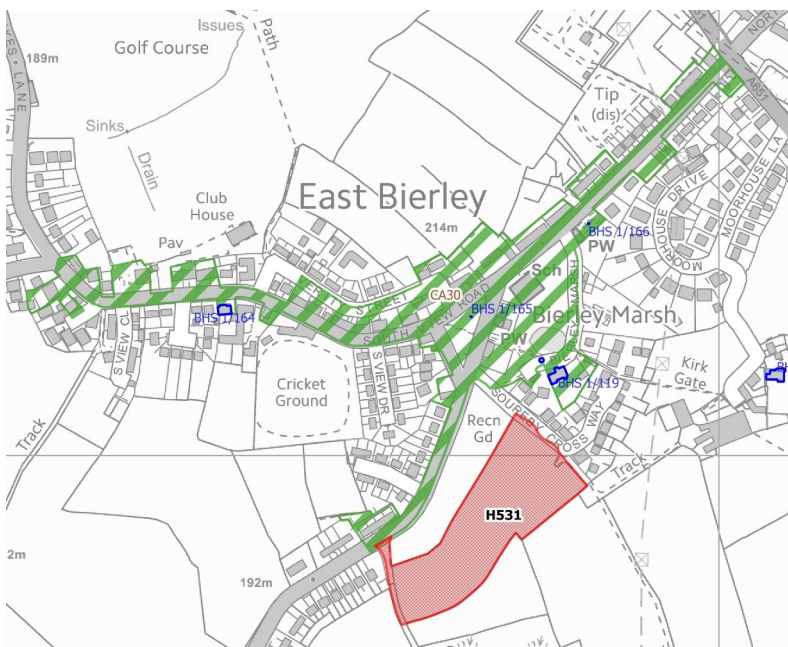


Figure 2: Site Plan

- 3.5 On Jeffrey's Map East Bierley comprised of a small Hamlet which roughly followed the line of South View Road. To the East of the Village there was an area of bog or marsh land which is still know locally as Bierley Marsh. This marsh separated the houses on South View Road from Cross House and Manor House Farm, both of which are 17th century dwellings and are included on the National Heritage List of England at Grade II. As far as we are aware, these two buildings are the oldest remaining dwellings in the Village and begin to give an indication of the origins of East Bierley.

3.0 SITE ASSESSMENT

Identification of Historical Assets

- 3.6 As part of the consultation process, East Bierley Conservation Area was identified as having the potential to be affected by the development and required assessment in order to ascertain the impact of developing the sites.
- 3.7 The Conservation Area Appraisal for East Bierley has been consulted as part of this assessment.

4.0 ASSESSMENT OF THE HERITAGE ASSET AND THE CONTRIBUTION OF THE SETTING

East Bierley Conservation Area

4.1 The Conservation Area is located to the west of the site and is separated along its length by the recreation ground which runs north to south adjacent to the road. The Conservation Area has been defined in the Conservation Area Appraisal as:

"... a rural village which is surrounded by picturesque countryside. The village contains a village green at its centre in which are sited ancient stocks. The green spaces in the village emphasise the rural location of the village and allow views South West over the surrounding countryside. The street layouts in the Conservation Area and the proposed extension are characterised by the stone built terraced properties with pitched stone slate roofs which are interspersed by stone detached dwellings. The scale and the difference in building heights also add to the character and create a varied streetscape."

4.2 The Conservation Area appears to have three distinct areas shown on the map below: South View Road (blue), The Village Green\Marsh area (red) and Hunsworth Lane (green).

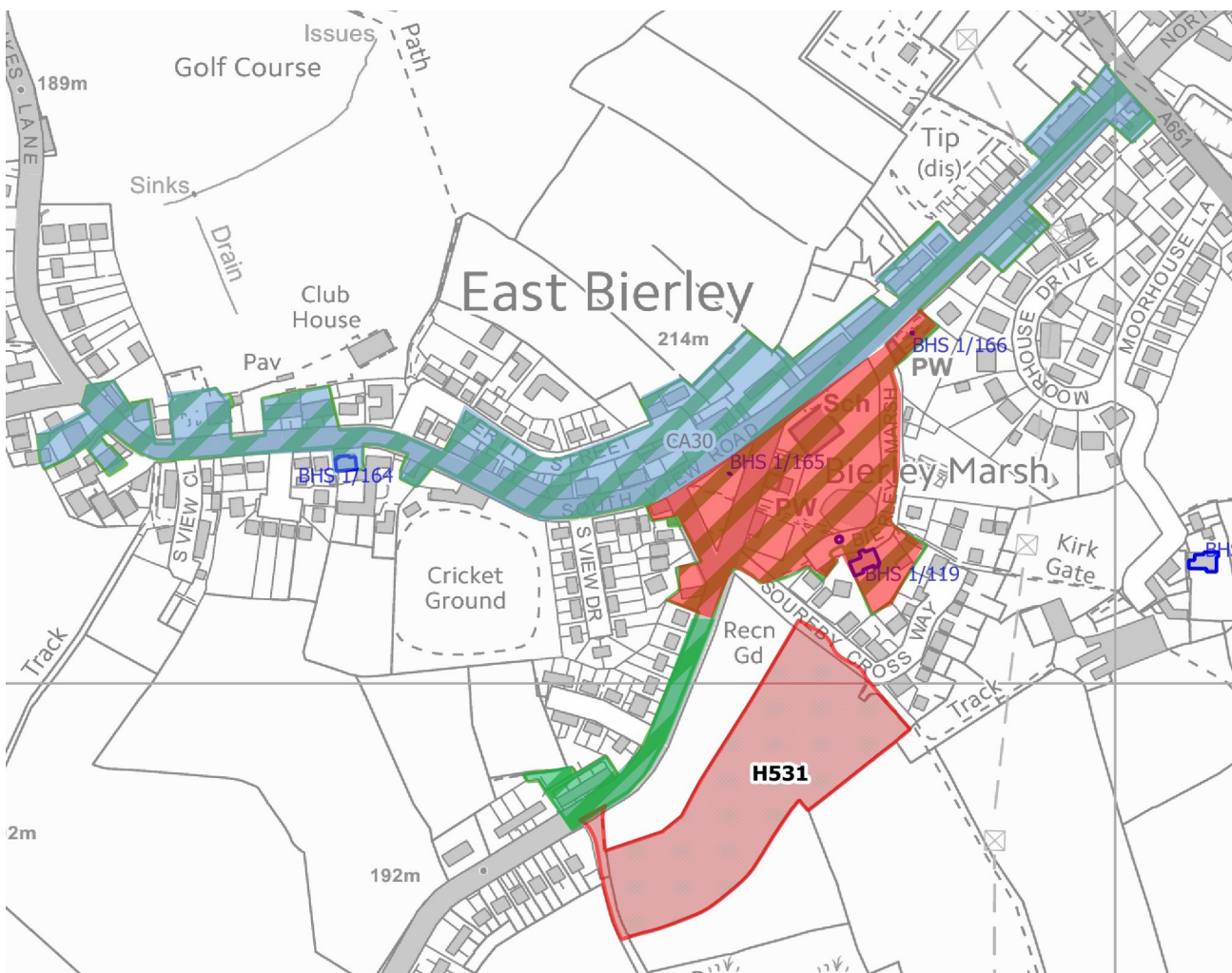


Figure 3: Conservation area assessment

4.0 ASSESSMENT OF THE HERITAGE ASSET AND THE CONTRIBUTION OF THE SETTING

4.3 South View Road comprises of a mixture of housing types ranging from detached 18th century farmhouses to 21st century housing developments. The areas that have been included in the conservation area are primarily 18th and 19th century detached structures interspersed with 19th and 20th century terraces, the majority of which are located along the northern carriageway of the road. This area is of high significance to the Conservation Area as it gives an indication of the historic village centre.

4.4 The Village Green and the Marsh are located at the junction of South View road and Hunsworth Lane. On the first edition OS Map this area was identified as a “Bog or Moss” or an area of “Rough or Health Pasture” with footpaths linking the large detached dwellings of Cross House and Moor House with the Main Village. Towards the end of the 19th century the school and the church were constructed in this area creating more of a focal point for the community. The southern extent of the marsh as shown on the first edition OS has been largely retained and is now known as the recreation area and runs parallel to Hunsworth Lane. One of the keys views which has been identified in the document is the view from Bierley Marsh facing South looking out over the recreation ground to the site beyond.



Figure 4 - View south towards the recreation area

4.5 The third area is somewhat remote from the village centre and comprises Hunsworth Lane which in turn leads to a set of late 19th century terrace houses. It is this section of the conservation area which is located closest to the site. In terms of significance, the road itself is of slight significance to the Conservation Area as a historic route into the village. The area of terraced housing is of



Figure 5 - Terraced housing on Hunsworth Lane



Figure 6 - View north along Hunsworth Lane with the recreation area to the right

4.0 ASSESSMENT OF THE HERITAGE ASSET AND THE CONTRIBUTION OF THE SETTING

moderate significance to the Conservation Area as it shows the development of the village. In addition, despite the terrace being relatively late in terms of construction, the land on which it is constructed is the site of an earlier residence that appears on the first edition OS and looks as though it may have been a farm or a smallholding.

4.6 With regards to the setting of the conservation area there has been a relatively large amount of development around the more historic core of the village. The open area to the south of South View Road which forms the Cricket Club is important in terms of the setting of the Conservation Area. This area not only has visual importance as it allows long range views, but also contributes to the communal value of the village. As stated in the Conservation Area appraisal, East Bierley is well known for its sporting connections and both the cricket and golf clubs are important part of village life for the community.

4.7 The recreational ground is also significant to the Conservation Area as it defines the southern extent of the historic bog/rough ground area that was originally part of the “Bierley Marsh”. This significance was somewhat reduced by the construction of Soureby Cross Way which created a physical separation between the areas. Despite this it does form a key view out from the village and as such is still of high significance to the conservation area. The land beyond the recreational ground adds to the rural setting of the village and is of moderate importance to the conservation area.

5.0 ASSESSMENT OF THE EFFECT OF THE PROPOSED DEVELOPMENT ON THE ASSET

5.1 Despite the high significance of the immediate setting to East Bierley Conservation Area, the proposed allocation retains the recreational ground and is a reasonable distance away from the boundary. The gradient of the land does rise up towards East Bierley and it will be possible to view the existing housing from the conservation area. As such, the allocated site has been identified as having moderate significance to the conservation area.

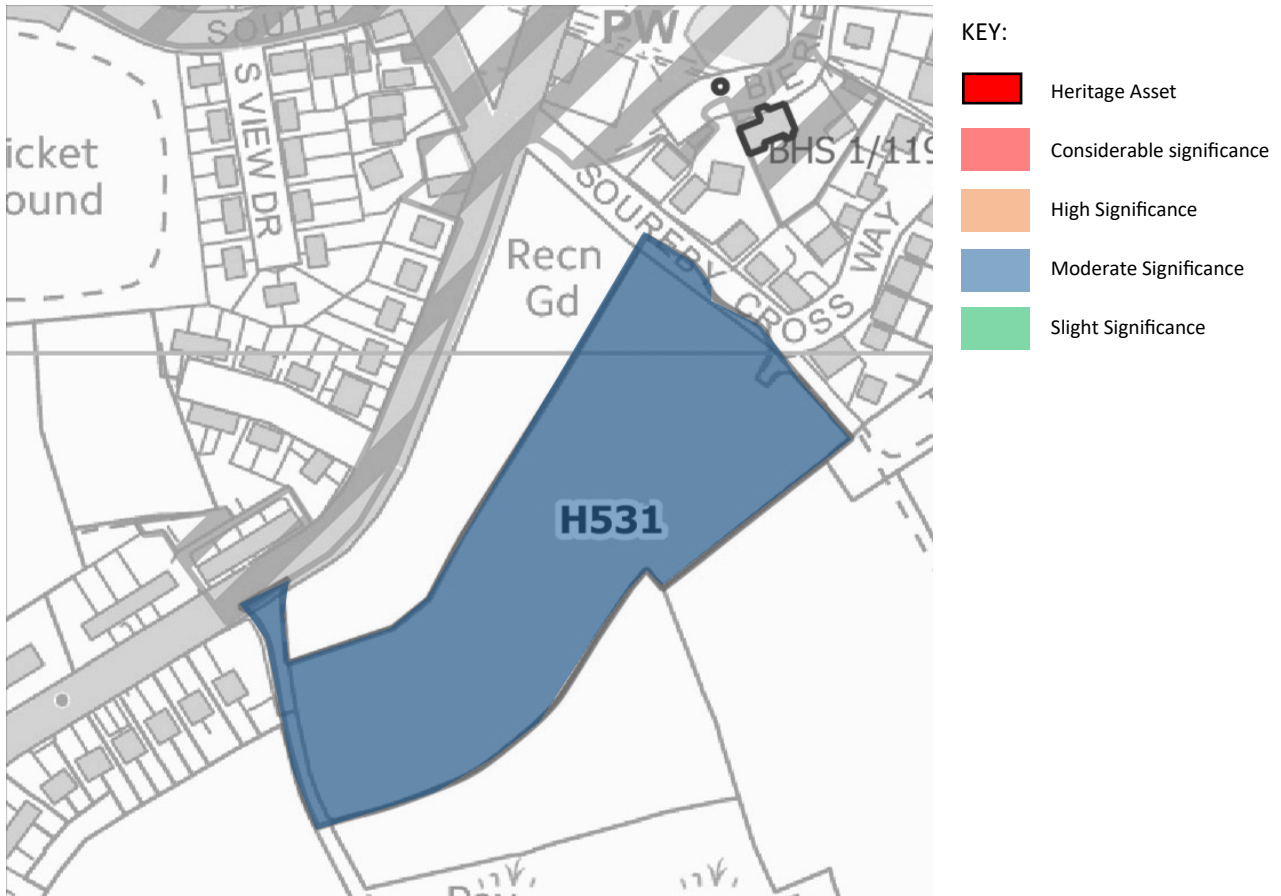


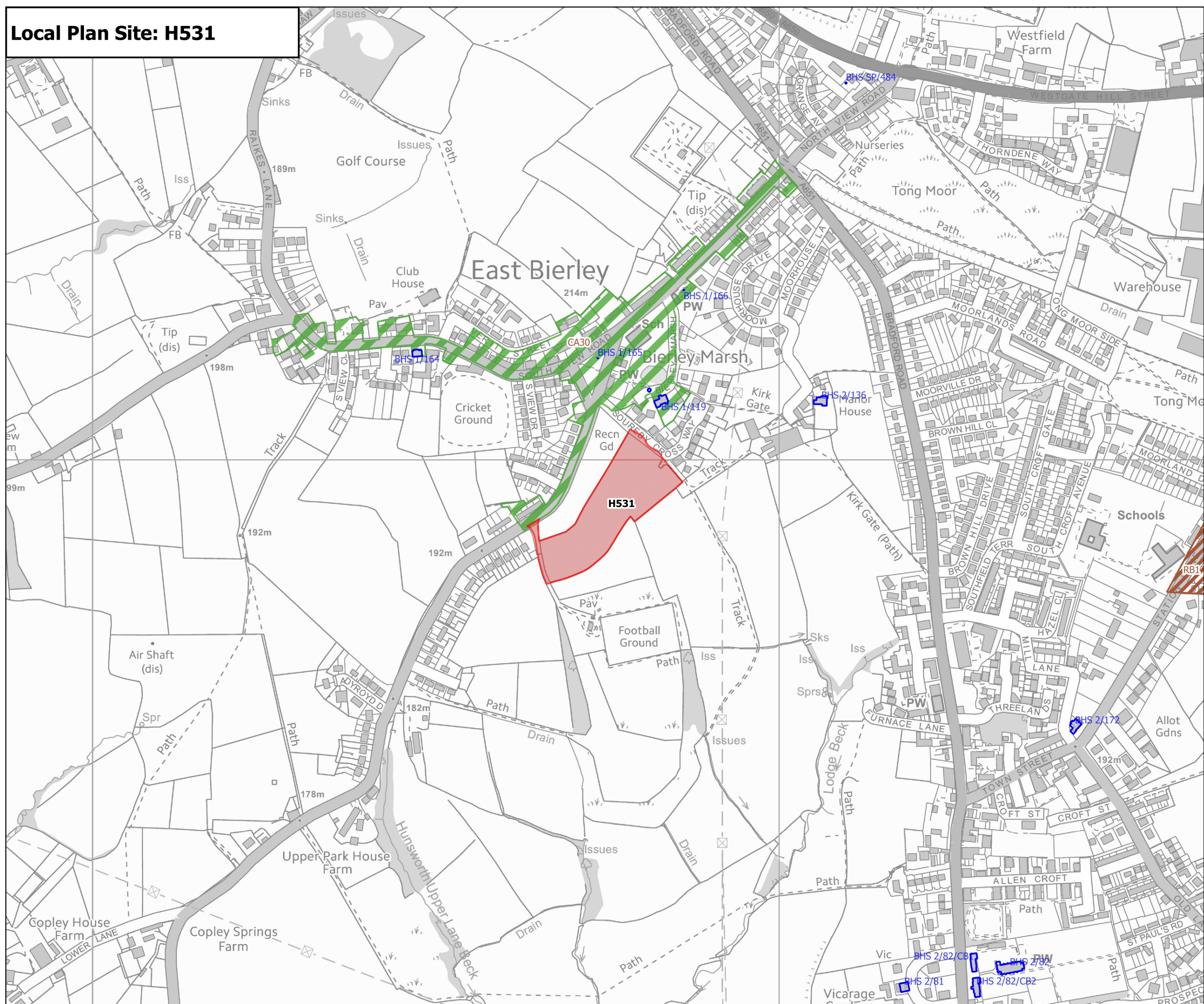
Figure 7 - Site Plan

6.00 OPTIONS FOR MITIGATION / ENHANCEMENT

- 6.1 The advice below has been given in order to provide guidance on how the harm to the heritage assets may be mitigated. Each one of these options needs to be explored further as part of the design process for the site but this list is not exhaustive and alternative options should also be considered. Any mitigation / enhancement options need to be discussed and agreed with Kirklees Planning and Development. All development in any area of the site which is deemed to have any significance to the asset, however slight, should be treated as being within the setting of a heritage asset and should be in accordance with policy PLP35 of the Kirklees Local Plan.
- 6.2 Any development in an area of moderate significance needs to be in keeping with the scale, height, massing and alignment of the historic buildings in the vicinity with particular attention paid to the immediate setting of the heritage asset. The design should seek to make use of traditional or sympathetic building materials and techniques and the proposed use of the buildings in should respect the traditional character of the setting of the adjacent heritage asset which is in this case is set out in the East Bierley Conservation Area Appraisal.

SITE PLANS / DRAWINGS

Local Plan Site: H531



- Legend**
- Local Plan Site
 - Archaeological Site
 - Registered Battlefield
 - Conservation Area
 - Listed Building
 - Registered Parks and Gardens
 - Scheduled Monuments



Planning Policy

Scale: 1:5000

Date: January 2017

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EAST BIERLEY

CONSERVATION AREA APPRAISAL



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CONSERVATION AREA APPRAISAL

1. INTRODUCTION

This report analyses the East Bierley Conservation Area.

Kirklees is rich in heritage, in recognition of this there are currently 60 conservation areas in the borough which help to preserve and enhance the quality of life. Conservation in Kirklees has acted as a catalyst for regeneration, helping to diversify the economic base and enhance the character and appearance of the areas, ensuring the heritage of Kirklees is both a historic and an economic asset.

East Bierley was originally designated as a conservation area in 1981 in recognition of its 'special architectural or historic interest. The character of which it is desirable to preserve and enhance,' now and for future generations.

A conservation area is an 'area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.' (Section 69 of the Town and Country Planning [Listed Buildings and Conservation Areas] Act 1990). Conservation areas are recognised for the contribution they make to cultural heritage and economic well being of the country and to the locality.

An area with conservation area status imposes a duty on Kirklees Council to preserve and enhance the quality and character of the conservation area. Designation as a conservation area strengthens existing development policy in the Kirklees Unitary Development Plan (UDP) to preserve and enhance the appearance and character of the conservation area.

'In considering further designations authorities should bear in mind that it is important that conservation areas are seen to justify their status and that the concept is not devalued by the designation of areas lacking any special interest.' (Para. 4.3. PPG15: Planning and the Historic Environment)

Kirklees Council when designating a new or revised conservation area has a statutory duty to undertake a Conservation Area Appraisal which this document comprises. English Heritage has produced guidance on preparing conservation area appraisals, which has formed the basis of this document, in conjunction with local criteria and policies contained in PPG15: Planning and the Historic Environment.

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CONSERVATION AREA APPRAISAL

When designating a conservation area, there is an expectation by Central Government that supplementary planning guidance will be developed for conservation areas to further preserve and enhance the quality of the environment. The planning system in England is currently undergoing reform where a Local Development Framework will replace the Unitary Development Plan for Kirklees. The LDF will include a core strategy to set out the key elements of the planning framework for the area. This may set criteria for identifying locations and priorities for area action plans to be prepared. Area action plans, covering conservation areas, should set out policies and proposals for action to preserve and enhance the area, including defining areas where specific conservation measures are proposed and areas which will be subject to specific controls over development. This conservation area appraisal should be used as a basis for an action plan in conjunction with the LDF.

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2. LOCATION, SETTING AND POPULATION

2.1 Location and Context

East Bierley is located 2 miles North East from Cleckheaton and is a short distance from the nearby town of Birkenshaw. It is situated in the North of Kirklees and is close to the city of Bradford.

2.2 General Character and Plan Form

East Bierley is a rural village which is surrounded by picturesque countryside. The village contains a village green at its centre in which are sited ancient stocks. The green spaces in the village emphasise the rural location of the village and allow views South West over the surrounding countryside.

The street layouts in the Conservation Area and the proposed extension are characterised by the stone built terraced properties with pitched stone slate roofs which are interspersed by stone detached dwellings. The scale and the difference in building heights also add to the character and create a varied streetscape.



2.3 Landscape Setting and Topography

The Conservation Area has a prominent location and is situated on a hillside with views over the Spenn Valley. The topography of the Conservation Area undulates by descending from South View Lane on to Hunsworth Lane, ascending up the green and descending again Westwards along South View Road.



Bierley Marsh



South View Road



Landscape surrounding East Bierley

EAST BIERLEY

CONSERVATION AREA APPRAISAL

3. HISTORICAL ANALYSIS

3.1 Origins, development and archaeology

The Spen District has been inhabited as early as the prehistoric times. This is shown through finds on sites throughout the district and the Bierley area. Some of the archaeological remains which have been found date from the Mesolithic period (8,500 - 4,000 BC) and from the Neolithic period (4,000 - 2,000 BC). The Romans were also active in the area due to the discovery of coin hoards which have been found in several places.

The area surrounding East Bierley was heavily wooded and remained this way well into the Middle Ages. These areas contained predominantly birch and oak trees which can be identified through the name of nearby towns and villages. Birkenshaw translates to birch groves and Oakenshaw translates to Oak groves. Town and village names which contain 'royd' and 'hurst' also indicates that it was once the site of a forest which has since been cleared for cultivation.

Local place names are linked with the Anglo Saxon period; however the Vikings also left their mark on the district. During this period the Spen Valley was divided between a number of nobles, and one Viking named Steinulfr ruled Bierley and was most likely the one to name it.

East Bierley and North Bierley was once the same district and were known as Bierley. The area was known as Birlle when the Domesday Book was created. The document listed the most prosperous settlements, Bierley was not one of the most expensive areas as it was only worth 10 shillings and this diminished due to the Norman Conquest.

In later times East Bierley was owned by the de Thornhills.

The 1405 Act of Parliament decreed 'that every town or seignory shall provide a pair of stocks'. If they failed to do this the town would be charged a penalty of 100 shillings. The ancient stocks in the village green are a good example of the punishment used in earlier times. They were positioned at this location, near the church, so that the offenders could be watched and were there as a warning to passers by.

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To the East of the stocks sits a cross base which has a socket located on the top of it which used to hold the shaft of a cross. It is known as the cup and saucer due to the small hollowed areas on the stone.

The battle of Adwalton Moor occurred a short distance from East Bierley on 30th June 1643. This was a Civil War battle which was won by the Royalist army. The Earl of Newcastle led the battle and helped guarantee the Royalist rule in Yorkshire. However, the battle of Marsden Moor in 1644 changed this rule and the Roundhead army retreated through Gomersal and past East Bierley.

The East Bierley Boggard is a story which was recorded in the 1904 book by James Parker which documented the local history. The article tells of the spirit of a previous resident of Manor Farm who haunts the property. Mrs Kay was a lady of substantial means who lived in East Bierley in 1831. The owner at the time reported hearing noises from door bolts sliding, rustling wind and footsteps running and stamping on the chamber steps.

During the First World War East Bierley was used as a first aid base. Arrangements were made in 1916 by the Spenborough Council for two cars to be positioned in strategic locations in the village in case an emergency occurred. The cars contained first aid equipment in the event of an attack or if anyone was injured.

East Bierley is well known for its sporting connections such as cricket and golf. The Cricket Club is located on South View Road and is part of the Bradford League. The Golf Course is located to the rear of South View Road and is a 4693 yard, 9 hole course which has been in situ since 1928 and is a focal point of the village.



Cross base



Manor Farm, South View Road

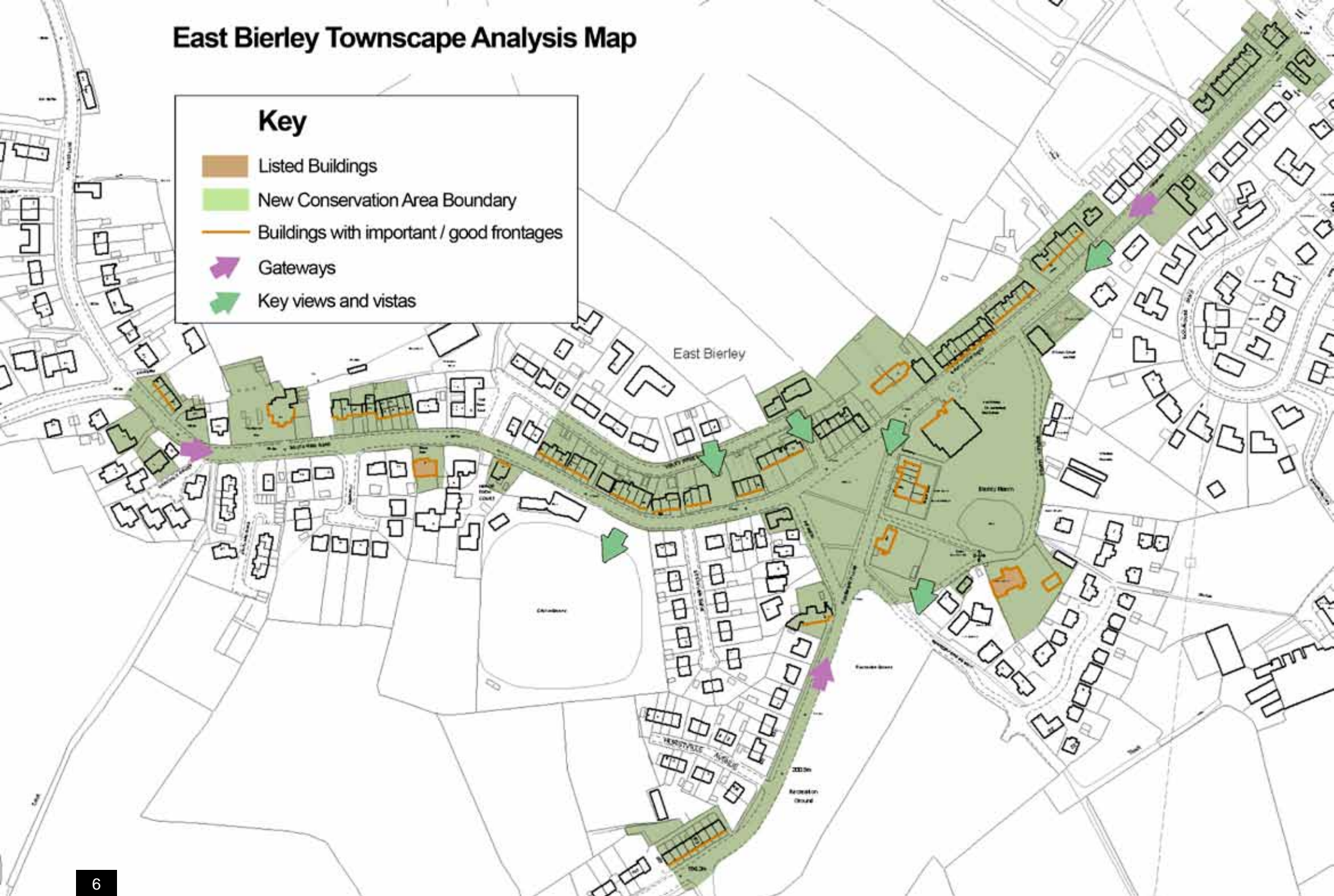


War Memorial

East Bierley Townscape Analysis Map

Key

- Listed Buildings
- New Conservation Area Boundary
- Buildings with important / good frontages
- Gateways
- Key views and vistas



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4. CHARACTER ANALYSIS

4.1 Character

East Bierley is characterised by the historic buildings which line the streets and the open space which surrounds them. The old stocks which are located in the village green add to the character of East Bierley and add charm to the village.

The Green and Bierley Marsh create a pleasant contrast to the rest of the Conservation Area. This is due to the wide open space which evolves into the built up area of the residential properties which surrounds it.

Beside the duck pond the old cross base adds mystery to the character of East Bierley due to the lack of knowledge regarding its origin.

The principles of character for this area, which directly impact on its appearance, primarily include the landscape of the immediate area, and the historical terraces which are interspersed and face onto 18th and 19th Century detached properties.

4.2 Listed Buildings

Manor Farm House

Located at 47 South View Road, East Bierley. Manor Farm House is a Grade II listed property and was listed in 1984. It was built in the late 18th Century or the early 19th Century. It is built of hammer dressed stone with quoins. The roof is constructed of stone slate. The building is two stories high with a facade of 4 bays consisting of 2-light and 3-light windows to left. The doorway has a single light above and there are 3-light windows to right. The out shut to rear is of a similar date.

Stocks

The Stocks are located on the Green between Hunsworth Lane and South View Road. It was listed in 1984 and is of a Grade II standard. It originates from the 18th Century. It has two stone posts with grooves for rails. The oak rails are recent replacements.



Bierley Marsh and pond



Stocks on The Green



Manor Farm, South View Road

EAST BIERLEY

CONSERVATION AREA APPRAISAL

War Memorial

The War Memorial is located on South View Road and was also listed in 1984 as a Grade II listed site. It was constructed circa 1920 and is made of stone. The square plinth carries a square pedestal with attached unfluted Doric columns and full entablature. Above is a well sculpted female figure carrying wreath and palm. The pedestal is inscribed:

“TO THE MEN OF HUNSWORTH WHO SERVED IN THE GREAT WAR 1914-1919”

Below this and on two other sides of the memorial is the list of names.

Cross House

Located on Hunsworth Lane, East Bierley, Cross House is a detached house which was listed in 1967 as a Grade II Listed property. It was constructed between the 17th Century and early 18th Century but has been altered. It is built of hammer dressed stone with a part stone slate roof and part blue slate with chamfered gable copings on moulded kneelers. It is two stories high with two gables to front and there was probably a third gable located to right but this part is now hipped. There are three gables to rear the left one being a 19th Century rebuild, with reset date stone of 1662.

The facade has been greatly altered but various original double chamfered windows remain, including one 5-light and one 4-light window at first floor level, the former with hood mould. The doorway has a deep-chamfered lintel and there is a 20th Century bay window.

Cross Base

The Cross base is located at Bierley Marsh beside the pond, it was listed in 1984 at a Grade II listing. The date of construction is uncertain but it probably originates from medieval times. It is a roughly hewn square block on a square base, with a suggestion of a socket in the top for shaft. It has been much worn by weather and has no identifiable features.



War Memorial, South View Road



Cross House, Hunsworth Lane

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CONSERVATION AREA APPRAISAL

4.3 Unlisted buildings of merit

Many of the buildings in the Conservation Area have historical and architectural merit, these buildings help create the character of East Bierley and provide a high quality setting for the listed buildings in the village.

The former farmhouse along South View Road is a very important historical building within the Conservation Area. It is a well built property which gives an interesting visual alternative to the traditional stone properties and terraces which dominate the Conservation Area.

The terraces along South View Road create the identity of the historic village and have been well built. The majority are groups of a small number of terraces which are constructed of dressed natural stone. Doors have hood moulds and the windows have stone lintels and cills and many of the terraces exhibit stone corbels which hold the guttering.

The New Inn is also a good example of an unlisted building of merit. It is a large stone built detached property with three large chimneys. It has decorative kneelers and stone corbels and a roof coping constructed of red tiles.

The low terraced cottages opposite the Green also add a great deal to the character of the Conservation Area. This terrace has an individual and unique design and is different from the rest of the terraced properties in the Conservation Area. They are constructed in a rural style and are characterised by their low height, horizontal emphasis and bay windows. They also have larger gardens compared to the other terraces further down the street.



Farmhouse, South View Road



Terraces, South View Road



Low Cottage Terrace, South View Road

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CONSERVATION AREA APPRAISAL

4.4 Key views and vistas

As a result of an elevated location there are a number of fine views out of the village to the South. The views and vistas within the village reflect the inherent variety within the village due to the varying ages, purposes, and architectural styles of the individual buildings. This also emphasise the unity of the materials of the buildings within the conservation area.

The Green is a key landmark in the Conservation Area and can be viewed from numerous vantage points and from any of the entrance routes through the village. One of the key views in the village can be taken from the Green which looks out towards the surrounding countryside. Another key view is from the pond on Bierley Marsh. The valley below is a prominent sight as well as the nearby villages.

The Stocks are located on the Green and are another key focal point of the village. The setting of the Stocks and other listed structures such as the Cross Base and the War Memorial are very important for the Conservation Area.



View from Cricket Club, South View Road



View over Recreation Ground



The Green

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CONSERVATION AREA APPRAISAL

5. BOUNDARY DEFINITION

5.1 Gateways

Two roads define the structure of the core of the Conservation Area. South View Road travels from West to East through the Conservation Area and leads to Bradford. Hunsworth Lane enters the Conservation Area from the South West and meets up with South View Road in the centre of the Conservation Area.

5.2 Included Areas

The buildings which are included in the conservation area surround the listed buildings in East Bierley, and therefore the setting of the listed buildings can be protected more thoroughly due to the conservation area designation. The extension proposes to include historical buildings West and East along South View Road which add a great deal to the character of the area due to their location and they provide an entrance into the Conservation Area.

The boundary includes historical and architecturally interesting buildings along South View Road in both directions, and a row of historical terraces on Hunsworth Lane known as the '8 houses'. On South View Road the boundary extends Eastwards up to Bradford Road to include a number of historical properties such as the former liberal club and the Coop building and attached terraces. The boundary stretches Westwards past the New Inn to include a historical row of terraced cottages and a couple of detached dwellings which have important historical backgrounds.

5.3 Excluded Areas

The excluded areas consist mainly of new build properties, these have been built on mass in the 20th Century and do not consist of the same historical or architectural quality as the areas which have been included in the proposal possess.

Properties on Verity Street and on the south side of South View Road consist of bungalows and houses built in the mid to late 20th Century. The houses on the south side of South View Road (Manor Farm Court) are newly built properties which are well built stone houses but have not been included due to their age.



South View Road entrance point



Included terraces on South View Road



Included The New Inn on South View Road

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CONSERVATION AREA APPRAISAL

6. URBAN GRAIN

The majority of buildings in East Bierley are of a high architectural quality. The buildings in the Conservation Area and in the proposed extension are built of regular coursed ashlar stone, and most of these buildings have quoins, and stone corbels with pitched roofs. Buildings range from large detached properties to terraces and converted farm dwellings.

Development of East Bierley has spread outwards. These areas include groups of housing built at different times throughout the 20th Century and in different styles. The settlement pattern here differs from the layout of the streets and buildings within the Conservation Area and therefore has a different character.

The historic street pattern throughout the village is based on the historical elements of the village. Streets have been planned around the Green which has been a central focal point of the village for centuries. Even though the roads have a planned feel to them, the layout still has a feeling of rurality. There are many small lanes throughout the village which contribute towards the feeling of rural seclusion even though the area is relatively built up.

The Green and Bierley Marsh break up the domination of buildings in the Conservation Area and provide a quality open space for the village. Their setting complement the formality and architectural integrity of the surrounding buildings, they also provide gaps in the urban grain to allow for views of the area.

It is to the West of the green spaces that the urban grain increases in density with the development of 19th Century terraces. The design of these terraces is simple and of a restrained style but have architectural integrity and uniformity.

The properties on the South side of South View Road comprise of secluded houses with high stone walls and mature vegetation. It also includes the War Memorial and St. Luke's Church and Hall which are also detached items surrounded by green space. The North side of South View Road is where the majority of the terraced properties are located. These terraces provide a strong silhouette and are a dominant feature on South View Road. The walls on this side have been built lower and allow views of the surrounding countryside; this creates the sense of the countryside in the middle of the village.



The Green, focal point of East Bierley



Bierley Marsh



Terrace, North side of South View Road

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CONSERVATION AREA APPRAISAL

The high walls on South View Road illustrate the visual and physical seclusion of the detached dwellings behind them and give definition to the street layout. The walls also promote privacy for the buildings behind and provide a clear distinction between the large private spaces behind the walls and the narrower public spaces of the road.

The terraced properties create an interesting streetscape due to their differing roofline. This is due to the changes in gradient.

6.1 Traditional Building Materials

Building materials are predominantly local natural stone. There are a few properties in East Bierley which do not follow the natural stone trend, these materials range from artificial stone to brick constructions. The size and style of the stone also differs. On the low cottage terraces the stone is dressed and cut to a smaller size whereas the large detached dwellings use large dressed stone.

Roof materials range from stone tiles to grey slates and red tiles.

Boundary Walls

Walls in East Bierley are very important as they add a great deal to the character of the Conservation Area. Most of the walls included in the Conservation Area are below 1 metre in height and are constructed of coursed natural stone.

The walls in front of the terraced properties along South View Road are predominantly below 1 metre in height but are constructed from a variety of materials and in a variety of styles. Some are dry stone walls with vertical coping stones, others are brick and some are coursed stone walls with flat stones placed on top as the coping stone. Most of the gate posts in front of each property are blocks of rounded and ornamental stone which have been crafted into shapes from single blocks of stone.



Secluded detached properties, South View Road



Terraces, South View Road



Terrace, South View Road

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CONSERVATION AREA APPRAISAL

Floorscape

The street surfaces in East Bierley are mainly constructed of 'tarmac' and the pavements have concrete kerbs. The majority of the floorscape is of a good standard although there is a lack of stone kerbs and flags for the pavements and stone setts and cobbles on the streets.

The lane around Bierley Marsh is 'tarmac' but has soft verges, the state of repair of this lane is poor due to some parts cracking and breaking up.

The pathway over the Green is also in a poor state of repair. Part of this path is concrete where the bench is situated and is currently broken and is potentially a trip hazard.

Windows

Windows contribute significantly to the character and appearance of historic buildings and conservation areas. It is important that the materials, construction, components and details of windows are in keeping with the period and style of the building. There are a number of buildings throughout the Conservation Area and in the proposed extension which have UPVC windows.

Windows in the Conservation Area and the proposed extension have stone cills and lintels. The majority of these are natural stone but some have been painted a range of colours. Paint is not a healthy addition to stonework as it can cause damage.

There are a few examples of mullioned windows where a stone mullion divides the window into smaller lights. Windows range from sashes using two panes of glass, modern top hung windows and multiply glazed windows with up to 16 panes in each window.

The terrace of low cottages on South View Road opposite the Green has rounded protruding windows which add a great deal of character to the Conservation Area due to their unique style and design.

There are several examples of protruding windows on the terraces at the East end of South View Road in the Conservation Area boundary which have been added to the row at a later date from when the building was originally constructed. Due to this addition not being uniform along the row of terraces the character is not consistent and therefore not enhancing the Conservation Area.



Floor surface surrounding Bierley Marsh



South View Road



Low terrace of cottages, South View Road

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CONSERVATION AREA APPRAISAL

7. CURRENT BUILDING TYPES

A very high proportion of the buildings in the Conservation Area and within the proposed extended boundary are residential properties. The properties range from single detached and semi detached and terraced properties. There are a few civic buildings in the village such as St. Luke's Church, St. Luke's Church Hall, the primary school, the Cricket Club and the Golf Club house.

There are also a few small shops on the corner of The Green and South View Lane.



Terrace, South View Road



Residential dwelling, Hunsworth Lane

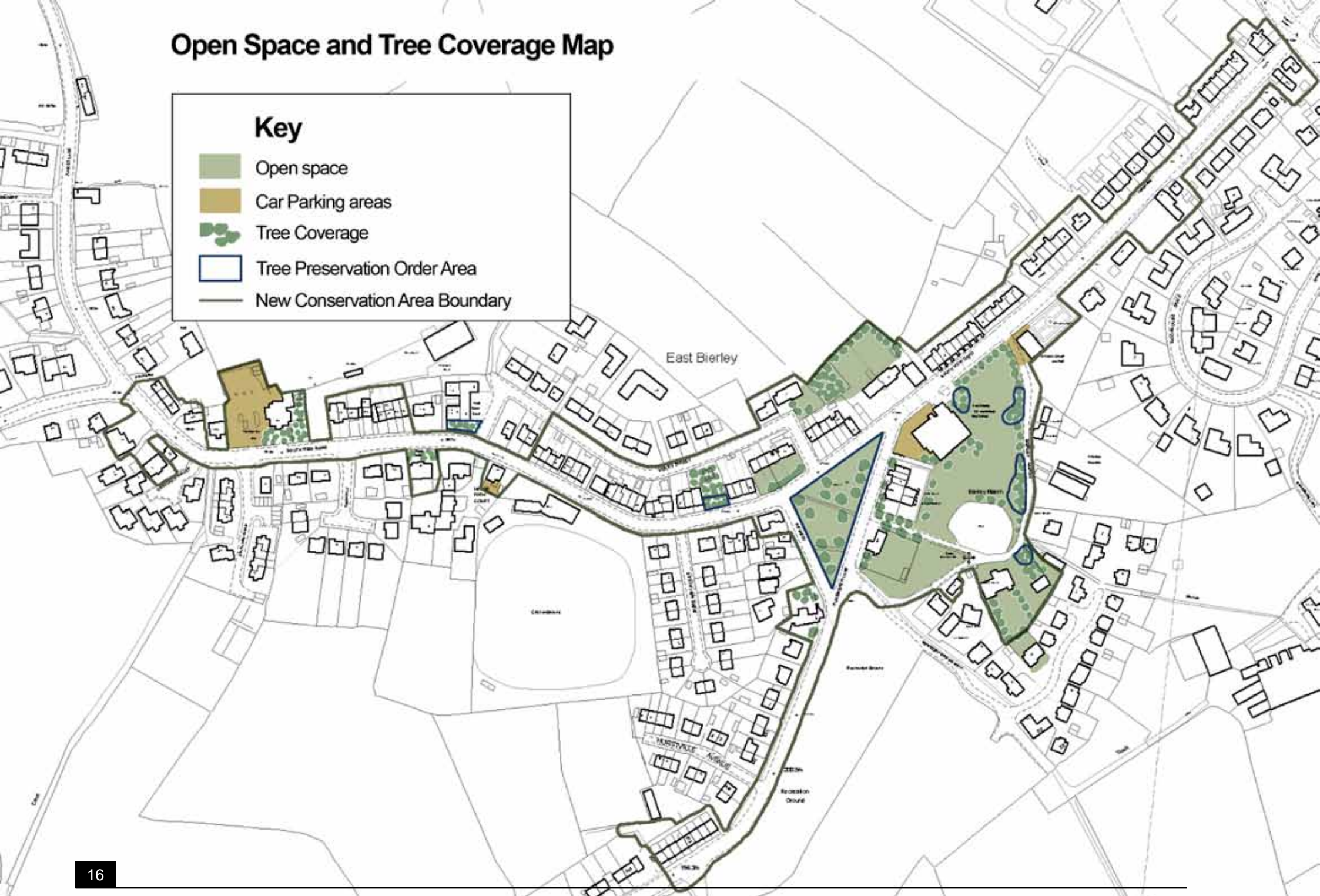


School, South View Road

Open Space and Tree Coverage Map

Key

- Open space
- Car Parking areas
- Tree Coverage
- Tree Preservation Order Area
- New Conservation Area Boundary



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CONSERVATION AREA APPRAISAL

8. OPEN SPACE

There is a large amount of open space in and surrounding the East Bierley Conservation Area. This open space is an integral part of the character of the Conservation Area and should be preserved in order to maintain an important attribute of the village. The central part of the Conservation Area is soft landscaped open space, mainly The Green and Bierley Marsh and the recreation ground.

Bierley Marsh and the Green are the two major public open spaces in the Conservation Area boundary. Further open space in the village is provided by the recreation ground located to the South of the Conservation Area. The Green is located in the centre of the village between two major roads, Hunsworth Lane and South View Road. The Bierley Marsh is located on the South of South View Road. Both of these areas provide a unique view to the surrounding countryside. Both of these areas have many trees growing around their edge and sparsely spotted through their open space.

Open spaces and tree coverage in the Conservation Area are also provided by the extensive private spaces such as front and back gardens throughout East Bierley and the agricultural land which surrounds the village. Even though these areas are not public they nevertheless add an impressive quality and rural feel to the Conservation Area.

All trees growing within a Conservation Area boundary which are taller than 1.5 metres and have a stem diameter of more than 7.5cm are deemed to be protected. The planning authority must be given 6 weeks written notice of the intention to cut down, uproot, top or lop trees. These 6 weeks give the Council time to decide whether or not to create a Tree Preservation Order. If no decision is made within 6 weeks the applicant may proceed with the works. However failure to notify will result in penalties which are the same for the contravention of a Tree Preservation Order.

There are a number of Tree Preservation Orders throughout the East Bierley Conservation Area and in the proposed extension. Protection covers individual trees and specified groups of trees in the village.

All trees play an important role in creating the character of the Conservation Area. Attention should be given to existing trees and the introduction of new trees when considering development proposals in East Bierley.



Bierley Marsh



Large private gardens, Hunsworth Lane



The Green, open space and tree coverage

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9. NEGATIVE FACTORS

The use of tarmac can have a negative affect on the surrounding historic buildings and the character of the Conservation Area.

The use of UPVC for windows does not respect the style or design of windows on the historic buildings in the village. They are inappropriate for use on historic buildings and detract from the authentic character of the property. UPVC windows have chunky designs and sometimes have false glazing bars which are of an inappropriate design and can spoil the character of the building and the Conservation Area.

Paint which has been used on stone surrounds such as lintels and cills around windows can damage stonework which is not healthy for the stone.

Modern extensions which are added to buildings within the Conservation Area can have a negative affect on the character of the area if they are insensitively designed or if artificial materials are used instead of traditional materials such as stone, cast iron, wood and stone slates.

Verity Street shows the result of the extensions to the rear of South View Road properties. The rear of these terrace houses display the result of development pressures. The majority of properties have rear extensions which are varied in design, materials and detailing and as a consequence some are more appropriate than others. Generally the terraces have all been enlarged in footprint, the rear yard walls are similarly challenged as the demand for curtilage parking has resulted in the punching of wide openings for garages.

The extensions to the Primary School are also a negative factor of the village. The extensions are flat roofed and timber clad which are bland. The additions lack cohesion with the character of the Conservation Area and the setting of the nearby listed buildings and monuments. The extensions detract from the overall character of the Conservation Area and do not enhance its appearance.

The overall effect of these additions and alterations has changed the character of the area and should be controlled in the future.



Extensions and alterations, Verity street



Garages, Verity Street



Rear of school

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10. OPPORTUNITIES FOR ENHANCEMENT

The scale, design and materials of new developments should reinforce and protect the features in East Bierley and give it special character, such as using similar styles and designs of buildings, replicating window designs and materials which are used on existing historic buildings. Traditional materials should be used for repairs, alteration and new buildings due to modern equivalents such as artificial stone and plastic for windows fails to respect the character of the area.

The height and scale of development proposals should be considered in order to protect key views of the Conservation Area and they should harmonise sensitively with the key characteristics of the village. New development should also protect the setting of the historic environment so that it enhances or preserves the appearance or character of the Conservation Area. Therefore it is crucial that future developments in the village reflect the character of the Conservation Area and contributes to this in a positive fashion.

- Article 4 (2) Directions

An Article 4(2) Direction is designed to prevent the special character of the area being spoilt by an accumulation of relatively minor but potentially inappropriate alterations to buildings and their immediate surroundings. Such alterations would usually constitute “permitted development” and would not require express planning permission.

Article 4 controls are in effect on both the house you occupy and its curtilage. The ‘curtilage’ includes the garden or other surrounding land which is part of the property. The aim of the controls is to protect the dwelling houses from development likely to detract from the appearance of the conservation area in which your home is situated. In most cases planning permission will be required for changes to the front of your property because that will front on to the highway and be caught by the Direction. However, in some circumstances, permission will be required for alterations to side elevations and flank walls, for example where part of those alterations fronts on to a Relevant Location.



Requiring enhancement: Extensions and alterations on Verity Street

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Examples of development requiring planning permission will include:

- replacement windows and doors
- removal or concealment of architectural detail
- the enlargement or creation of new exterior openings
- demolition of chimney stacks
- alterations to roof shape and change of roofing and rainwater material
- the rendering, cladding, or application of paint to brick and stone
- the erection of satellite dishes and obtrusive aerials
- the demolition or erection of boundary walls, railings, fences and gates
- the creation of hard standings
- the addition of extensions, porches or outbuildings
- curtilage walls, fences and
- the painting of the exterior of buildings.

Grants

Grants are available for help with repairs on Listed Buildings and significant buildings in Conservation Areas. Works include repairing roofs constructed from traditional materials.

Historic Building Grants may be available towards the repair or restoration of historic buildings within Conservation Areas or Listed Buildings. These grants are means tested and are for structural works. The owner must also have been in residence for over two years.

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11. PUBLIC INVOLVEMENT

For Conservation Areas to be successful, public support and an understanding of Conservation areas is essential. Kirklees Council undertook a program of public consultation on the draft proposed revised Conservation area proposals. The purpose of this work was to benefit from local knowledge and experience, ensure that the document which was produced is as accurate and comprehensive as possible, increase the understanding of what conservation area designation means and encourage local involvement in conservation and to ensure that everyone has a say on the management of their local area.

The Conservation Area Appraisal was subject to public consultation in February 2007.

A leaflet outlining the conservation area proposals, maps of the proposed conservation area boundary and a questionnaire about the proposals was sent out to all householders in the proposed area and beyond. Further information was provided stating the detailed proposals could be viewed at the exhibition and also by requests by phone and email. The local councillors were also invited to the exhibition.

The exhibition presenting the Appraisal document and proposal to extend the conservation area was located at St Luke's Church Hall on Tuesday 6th February 2007. The exhibition was manned so that residents could discuss issues regarding the Appraisal and the proposal to extend the conservation area.

The exhibition resulted in many suggestions to extend the boundary further, a large map was available for resident to draw their preferred boundary and to add information to the Appraisal document. Other comments were received through the returned questionnaires, by phone calls and by emails. The Conservation and Design Team welcomed all feedback and took on board all of the comments and altered the boundary accordingly. The new proposed boundary was then sent out with a covering letter to inform householders in the conservation area about the revised boundary. Phone calls and emails were received in support of the changes.

From the postal responses 80% agreed with the proposed revised boundary of the conservation area, 65% thought that historical buildings in the conservation area should be preserved, 70% thought that the use of traditional materials on historical buildings should be preserved, 55% thought that the landscape, open space and tree coverage should be enhanced in the conservation area. 55% of respondents thought

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that having an Article 4 (2) Direction in some areas of East Bierley will help to protect the special character of the conservation area. The most mentioned areas suggested for Article 4 (2) Directions were South View Road, The Green and Bierley Marsh. 70% of residents thought that the loss of architectural features on historical buildings would be harmful to the conservation area, and 60% thought that using artificial materials on roofs of historic buildings would damage the character of the conservation area.

It is important that property owners respect the character of the Conservation Area and contribute to it by carrying out sensitive alterations or additions. Original architectural features of a building should be repaired rather than be removed and replaced and changes should be sympathetic to the design of the building.

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CONSERVATION AREA APPRAISAL

APPENDIX 1: RELEVANT POLICIES FROM KIRKLEES UDP (1999)

THE DEVELOPMENT FRAMEWORK

THE BUILT ENVIRONMENT

Strategy

- BE1 ALL DEVELOPMENT SHOULD BE OF GOOD QUALITY DESIGN SUCH THAT IT CONTRIBUTES TO A BUILT ENVIRONMENT WHICH:
- i CREATES OR RETAINS A SENSE OF LOCAL IDENTITY;
 - ii IS VISUALLY ATTRACTIVE;
 - iii PROMOTES SAFETY, INCLUDING CRIME PREVENTION AND REDUCTION OF HAZARDS TO HIGHWAY USERS;
 - iv PROMOTES A HEALTHY ENVIRONMENT, INCLUDING SPACE AND LANDSCAPING ABOUT BUILDINGS AND AVOIDANCE OF EXPOSURE TO EXCESSIVE NOISE OR POLLUTION;
 - v IS ENERGY EFFICIENT IN TERMS OF BUILDING DESIGN AND ORIENTATION AND CONDUCTIVE TO ENERGY EFFICIENT MODES OF TRAVEL, IN PARTICULAR WALKING, CYCLING AND USE OF PUBLIC TRANSPORT.

QUALITY OF DESIGN

- BE2 NEW DEVELOPMENT SHOULD BE DESIGNED SO THAT:
- i IT IS IN KEEPING WITH ANY SURROUNDING DEVELOPMENT IN RESPECT OF DESIGN, MATERIALS, SCALE, DENSITY, LAYOUT, BUILDING HEIGHT OR MASS;
 - ii THE TOPOGRAPHY OF THE SITE (PARTICULARLY CHANGES IN LEVEL) IS TAKEN INTO ACCOUNT;
 - iii SATISFACTORY ACCESS TO EXISTING HIGHWAYS CAN BE ACHIEVED; AND
 - iv EXISTING AND PROPOSED LANDSCAPE FEATURES (INCLUDING TREES) ARE INCORPORATED AS AN INTEGRAL PART OF THE PROPOSAL.

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HERITAGE

Listed Buildings

- BE3 ANY APPLICATION FOR LISTED BUILDING CONSENT FOR THE ALTERATION, EXTENSION OR CHANGE OF USE OF A LISTED BUILDING, AND ANY APPLICATION FOR PLANNING PERMISSION WHICH WOULD AFFECT ITS SETTING SHOULD PAY SPECIAL ATTENTION TO THE DESIRABILITY OF PRESERVING THE LISTED BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST WHICH IT POSSESSES.
- BE4 DEMOLITION OF LISTED BUILDINGS WILL NOT NORMALLY BE CONSIDERED ACCEPTABLE UNLESS:
- i IT CAN BE DEMONSTRATED THAT THE BUILDING HAS NO BENEFICIAL USE AND NO POTENTIAL VIABLE USE; AND
 - ii THE STRUCTURE OF THE BUILDING CANNOT BE MADE SOUND.

Buildings of Local Significance

Within the District there are buildings which, although not of sufficient architectural or historic interest to be included on the statutory list, are of local significance and need to be identified as such. Consideration will therefore be given to the inclusion of the best of the District's unlisted buildings on a 'local list', using the following criteria as a guide;

- 1) Examples of work by local architects or builders of esteem.
- 2) Buildings which are of local community interest.
- 3) Buildings, or groups of buildings, which contribute to the character or identity of a townscape or rural area, or which enhance a landscape.

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CONSERVATION AREA APPRAISAL

Conservation Areas

It is not necessary to preserve every detail of a conservation area, but there should be care in the control of new development to ensure that the appearance of the area is not affected in a way that would diminish its value. Thus not only new buildings, but also changes of use and demolition, must be carefully controlled to ensure that the works do not detract from the character of the area. The Council will continue to assess areas worthy of designation as conservation areas and revise existing boundaries and formulate and publish proposals for their preservation and enhancement.

For an area to be suitable for designation as a conservation area it should display all the characteristics:

- i) be of high architectural or historic merit;
- ii) have a distinctive overall character;
- iii) be representative of the historical, social and economic development of Kirklees; and
- iv) have a largely unspoilt character.

BE5 PROPOSALS FOR NEW DEVELOPMENT WITHIN CONSERVATION AREAS, INCLUDING EXTENSIONS OR CHANGES OF USE TO EXISTING BUILDINGS, SHOULD RESPECT THE ARCHITECTURAL QUALITIES OF SURROUNDING BUILDINGS AND THEIR MATERIALS OF CONSTRUCTION, AND CONTRIBUTE TO THE PRESERVATION OR ENHANCEMENT OF THE CHARACTER OR APPEARANCE OF THE AREA.

BE6 DEVELOPMENT ON INFILL SITES WILL NOT NORMALLY BE PERMITTED WHEN IT WOULD ADVERSELY AFFECT THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA.

BE7 WHERE IT IS CONSIDERED THAT A BUILDING MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA, PROPOSALS INVOLVING ITS DEMOLITION OR PARTIAL DEMOLITION WILL NOT NORMALLY BE ACCEPTABLE UNLESS:

- i THE BUILDING CANNOT BE BENEFICIALLY USED IN THE FUTURE OR IS STRUCTURALLY UNSOUND; AND
- ii ALL POSSIBLE EFFORTS HAVE BEEN MADE TO RETAIN THE BUILDING IN USE.

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IF APPROPRIATE, IT WILL BE A REQUIREMENT OF ANY PLANNING PERMISSION THAT AN ACCEPTABLE REPLACEMENT BUILDING IS IMMEDIATELY ERECTED ON THE SITE.

BE8 DEVELOPMENT PROPOSALS WITHIN CONSERVATION AREAS WHICH INCLUDE THE PROVISION OR REPLACEMENT OF ROAD OR FOOTPATH SURFACES, OR NEW STREET FURNITURE, SHOULD BE SYMPATHETIC TO THEIR SETTING AND CONTRIBUTE TO THE PRESERVATION OF THE CHARACTER OR APPEARANCE OF THE AREA.

Permitted Development Rights and Deemed Consent Rights in Conservation Areas

Powers are available to the Council to restrict permitted development rights and deemed consent for advertisements. Where it appears that the character of a conservation area may be harmed by inappropriate minor developments the Council will consider requesting the Secretary of State for the Environment to consider making the appropriate directions or designations to restrict development rights and advertisement display. The Council will, where appropriate, request the Secretary of State for the Environment to make the appropriate directions under article 4 of the Town and Country Planning (General Permitted Development) Order 1995 or designations under part iv of the Town and Country Planning (Control of Advertisements) Regulations 1992 to restrict permitted development or deemed consent rights where it appears that the exercise of such rights could be detrimental to the character or appearance of a conservation area.

BE11 NEW DEVELOPMENT SHOULD BE CONSTRUCTED IN NATURAL STONE OF A SIMILAR COLOUR AND TEXTURE TO THAT PREVAILING IN THE AREA WHERE THE PROPOSAL IS LOCATED:

- i IN AREAS WITHIN WHICH STONE HAS BEEN THE PREDOMINANT MATERIAL OF CONSTRUCTION;
- ii WITHIN CONSERVATION AREAS; AND
- iii WITHIN TOWNS AND LOCAL CENTRES

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PLANNING POLICY STATEMENT 5: PLANNING FOR THE HISTORIC ENVIRONMENT

This document can be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact: Conservation & Design Team, Planning Services, Kirklees Metropolitan Council, PO Box B93, Civic Centre III, Off Market Street, Huddersfield HD1 2JR

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CONSERVATION AREA APPRAISAL

EAST BIERLEY MANAGEMENT PLAN

The historic character, appearance and special interest of the East Bierley conservation area has been analysed and assessed in the Appraisal document. This management plan will suggest methods and applicable policies to preserve the character, appearance and what is valuable in the conservation area, assist in managing change and the sympathetic evolution of the conservation area and make proposals for its enhancement.

Relevant UDP Policies

BE1, BE2, BE5

Minor Alterations

Any work that materially affects the external appearance of a building requires planning permission, subject to “permitted development” rights. Under normal planning control certain works are classed as “permitted development” and do not require planning permission. This includes small alterations and extensions to dwelling houses, the erection of buildings, enclosures or pools required for a purpose incidental to the enjoyment of a dwelling house, the provision of hard surfaces, and the erection of and alterations to boundaries.

Some developments (which are usually “permitted development”) in conservation areas are not classified as “permitted development”. This includes various types of cladding, the insertion of dormer windows, raising the ridge or expanding the size of a roof and the erection of satellite dishes on the walls, roofs and chimneys which front a highway. Also within a conservation area the size of extensions that may be erected without specific planning permission is more restricted. If the extension and any previous extension exceeds in total 50 cubic metres or 10% of the house volume it will require planning permission.

Minor alterations which do not require planning permission can still have an impact on the character of the conservation area. Replacing timber windows and doors with the plastic alternative and knocking down walls to form parking areas have a clear detrimental effect on the character and appearance of the area.

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Extensions

Extensions can be detrimental to the appearance of buildings either because of their location, size or design. Front extensions and extensions on principal elevations are avoided. Extensions should be subordinate to the building, should use similar or complimentary materials and should reflect or compliment its style and appearance.

The use of traditional materials, replacement of original styles of windows and doors are encouraged in submissions for planning permission.

Original Architectural Features

Reinstatement of features is very important for the conservation area. Some buildings within the Conservation Area have lost their original doors, windows, boundary walls, roof materials and other features. As a result their character is being eroded, therefore when proposals for alterations and extensions are submitted there will be an opportunity to encourage the reinstatement of lost features to reflect their original pattern, style and material.

Public Realm

A vast amount of the historic floorscape has been lost over the years. It is important that when any road works occur that stone flags, setts or kerbs are retained and replaced instead of replacing with modern materials such as tarmac, concrete flags and kerbs. Speed control measures should also respect the historic character of the conservation area and attempt to blend in with the materials used in the East Bierley public realm.

Street signage should also be minimal so that they do not detract from the character of the conservation area. Street furniture ranging from street lamps, bollards, bins, and benches should be carefully placed so that they do not clutter the streets and harm the appearance of the East Bierley Conservation Area.

EAST BIERLEY

CONSERVATION AREA APPRAISAL

Open Space and Tree Coverage

Section 211 of the Town and Country Planning Act 1990, requires that anyone proposing to cut down, lop, or top a tree in a conservation area must give six weeks notice to the local planning authority. The purpose of this requirement is to give the authority an opportunity to make a tree preservation order.

Trees make an important contribution to the character and appearance of the conservation area and its setting. There are already some tree preservation orders on individual trees and groups of trees in the East Bierley Conservation Area.

The open space in the conservation area consists of small and large private gardens, The Green and Bierley Marsh. Too much infill development and extensive housing developments in East Bierley will have a serious effect on the character of the conservation area. Loss of boundary walls, high loss of trees and open space or if there is an increase in building density it may be harmful to the character and be detrimental to the conservation area.

Article 4 Directions

Local Planning Authorities may remove “permitted development” rights by way of an Article 4 Direction. An Article 4(2) Direction is designed to prevent the special character of the area being spoilt by an accumulation of relatively minor but potentially inappropriate alterations to buildings and their immediate surroundings. Such alterations would usually constitute “permitted development” and would not require express planning permission.

The aim of the controls is to protect the dwelling houses from development likely to detract from the appearance of the conservation area in which your home is situated.

There is scope in East Bierley Conservation Area for the creation of Article 4 Directions, particularly around The Green, and on parts of South View Road. The removal of “permitted development” rights may include controls on changing windows and doors from wood to UPVC, changing the roof materials from natural traditional materials to artificial alternatives, alterations to boundary walls, gate piers, fences and gates, cladding or painting the exterior of the property.

However, the proposal of Article 4 Directions in East Bierley will require a further public consultation.

HISTORIC MAPS



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