

UPPER CUMBERWORTH

CONSERVATION AREA APPRAISAL



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1. INTRODUCTION

This report is an appraisal of the Upper Cumberworth conservation area. The conservation area in Upper Cumberworth contains a small group of clustered houses and converted farm buildings centred on St Nicholas' church. The school and Balk Farm also play an important role in creating and maintaining this characterful, stone built settlement

1.1 Conservation Areas

Kirklees is rich in heritage. In recognition of this there are currently 60 conservation areas within the borough which help preserve and enhance the quality of life for its residents and visitors. 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, cultural and economic asset.

A conservation area is an 'area of special architectural or historic interest, the character or appearance of which it is desirable to preserve and enhance.' (Section 69 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990). Conservation areas are recognised for the contribution they make to the cultural heritage and economic well being of the country and to Kirklees. Designation as a conservation area strengthens development policy to ensure the quality and fabric of the area is preserved and enhanced.

Conservation area status imposes a duty upon Kirklees Council to preserve and enhance the quality and character within. Designation as a conservation area supports existing development policy in the Kirklees Unitary Development Plan (UDP) to ensure that the quality, fabric and character is preserved and enhanced. The relevant policies in the UDP which are supported by conservation area designation are noted in appendix 2.

When designating a conservation area there is an expectation by Central Government that supplementary guidance will be developed for each, to further preserve and enhance the quality of the environment, and support the existing UDP. The planning system in England is currently undergoing reform. In the future a Local Development Framework (LDF) will replace the UDP for Kirklees.

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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.

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2. LOCATION, SETTING AND POPULATION

Upper Cumberworth village is located approximately 10km south east of the town of Huddersfield. It is surrounded by small villages of a similar character within the rural south of the Kirklees district including Lower Cumberworth (1km), Birdsedge (1km) and Shepley (2km). Denby Dale (2km) and Skelmanthorpe (2.5km) both have good transport links to the village of Upper Cumberworth, and serve important shopping and amenity functions for the surrounding settlements.



The conservation area within Upper Cumberworth is situated at an elevation of 250m above sea level. This compact cluster of buildings is relatively level, the exception being the church yard which gently slopes towards the south east. The elevation of the conservation area allows extensive views from the northern edge of the settlements into the valley below, and toward the landmarks of Castle Hill and Emley Moor Mast on the horizon.

The population of Upper and Lower Cumberworth was 1222 at the time of the 2001 census, a small increase from 1207 in 1991. The conservation area, within Upper Cumberworth is small and only contributes a small percentage of these overall population figures.



View towards Castle Hill



View towards Emley Moor

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3. HISTORICAL ANALYSIS

The earliest settlement around Cumberworth village has been discovered behind the Sovereign public house, approximately a mile from the current conservation area. This area known as 'Burnt Cumberworth' contained the remains of a floor and ridges thought to be of British Celtic origin. Local historian Chris Heath has identified that this site has been lost due to recent quarrying activities. Cumberworth is also referred to as a Romano-British settlement in the; History of the Denby Dale Parish (1995).

Some of the earliest documentary evidence of Upper and Lower Cumberworth is contained within the Domesday Survey of 1086. Written as 'Cumbroworde' this further alludes to an earlier origin as it can be translated to the Celtic meaning; 'Cumbra's enclosure'.

The next discernable reference to settlement within Cumberworth revolves around the church. It is not known exactly when Christianity arrived within the village, but it has been suggested that there was a chapel by the reign of Henry II (1154-1189).

Having a place of worship within the village appears to identify links with other early settlements close by. It is suggested William de Denby was the priest at Cumberworth during the 13th century and John Burdet became vicar of the church at Cumberworth in 1365. Both these family names are integral and influential in the growth of the near by Denby village.

Another more prominent member of the church who preached at Cumberworth was Bishop Tilson. In 1651 writing to a friend he states; 'You shall know I am not altogether idle for I pray after the directory of the Church of England and preach every Sunday at a place in the mountains called Cumberworth two miles beyond Emley...where the people are barbarous and uncouth.' (Addy, J. Ed. 1995, p. 30) Nothing now remains of this church, and the patronage of the village has hopefully improved, but this extract further emphasises the historical continuity of the Church within Upper Cumberworth. The present tower was erected in the early 18th century and the main body of the church was rebuilt in the 1870's.

The Methodists were also active within the Cumberworth area, and a church was erected in 1851 at Lower Cumberworth. In 1879 a Wesleyan Reform Church was also built within Upper Cumberworth. Founded by William and Smith Wilkinson, the building is located on the north side of Barnsley Road, and has been converted to a private residence.



St. Nicholas' Church



Former Wesleyan Reform Church

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The creation of turnpike roads through Cumberworth affected activities within the village improving access to the more historically isolated rural settlement. Along the Barnsley to Shepley Lane Head turnpike, tolls were collected at the Star Inn, Upper Cumberworth, until the road was dis-turnpiked in 1875. The Enclosure Award for Cumberworth in 1804 also influenced the built environment and morphology of the village, leading to the construction of many dry stone boundary walls which still characterise the rural edges of the village.

Within the Upper Cumberworth conservation area farming has had a significant influence upon the historic built environment. The converted Rectory Farm, along Rectory Farm Lane is 17th century in origin and is one of the important listed buildings. The cluster of buildings that once constituted Balk Farm have also now been converted to a number of residential properties. Despite these conversions and the change of use, the format and layout of the settlement is still distinct and representative of a historical farmstead.



The Star Inn



Along Balk Lane

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4. CHARACTER ANALYSIS

The Upper Cumberworth conservation area contains the school, church, a small agricultural group, now converted to residential properties, and several small rows of older terraces. The character created is that of a clustered historic village core containing buildings of local stone with stone slate roofs.

The rural setting of the conservation area also contributes significantly to the character and appearance, emphasising the agricultural origins of the properties along Rectory Farm Lane and Balk Lane. Along the northern boundary the outstretching agricultural fields into the valley and towards Emley Moor afford an appreciation of the undulating rural panorama, synonymous with this area of Kirklees on the eastern fringe of the Pennines.

Cumberworth Lane, the main road though the centre of the conservation area also contributes significantly to the character. On approach from the west, the straight carriageway allows an appreciation the listed school building, and church tower in the distance. Entering the heart of the conservation area, around the church, the road bends, bordered by the church yard wall and focuses upon the attractive façade and Georgian windows of No. 29 Cumberworth Lane along with the entrance to Rectory Farm Lane and Balk Lane.

The dirt, noise and danger created by the traffic upon Cumberworth Lane does however damage the appearance and environment within the conservation area, along with marginalising pedestrians.

The Church of St Nicholas, its associated grave yard and grounds occupy a significant proportion of the conservation area. The mature trees and vegetation creates a tranquillity allowing time and space to contemplate and appreciate the historic setting of the grade II listed church and its surroundings. The village stocks, formerly located to the south of Cumberworth Lane opposite the school also add to the image of historical continuity.



View of the Conservation Area from Barnsley Road



29, Cumberworth Lane viewed from the church yard



The village stocks

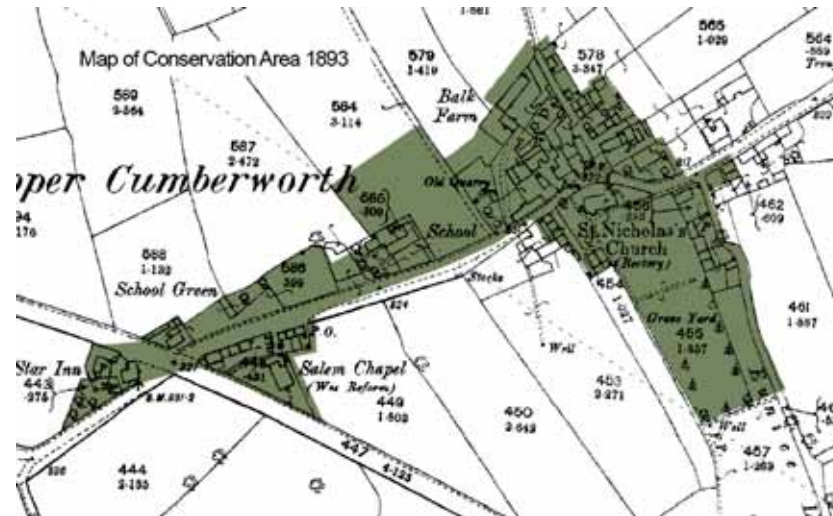
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The village of Upper Cumberworth has expanded significantly during the 20th century. The map of 1854 identifies that most of the settlement form and buildings are in place within the conservation area, emphasising the historic origins and continuity.

4.1 Key Listed Buildings

There are six listed structures within the Upper Cumberworth conservation area, here follows the description of some of them, full details being contained within appendix 1.



Cumberworth C of E First school

The Church of St Nicholas,

Cumberworth Lane is an important and attractive central focus of the conservation area. The tower was erected in the early 18th century, and the main body was constructed 1876 in its Gothic Revival style. The Welsh slate roof is an interesting feature, different in appearance to the predominating stone slate roofs of the surrounding buildings. The northern face of the building onto Cumberworth Lane dominates and shelters the conservation area with its high pitched roof and arched gothic windows.

Cumberworth C of E First School, Cumberworth Lane is the first building you come to and a prominent introduction to the western edge of the conservation area. Built in 1820, this former National School built of natural stone with a stone slated roof has attractive 3-light gothic arched windows facing the road. Despite some poor and unattractive flat roofed extensions, this building still makes a valuable contribution to the character of the conservation area.

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31, Cumberworth Lane. This house, although altered is an attractive feature within the conservation area. Dating from the 17th or early 18th century, the building despite being pebble dashed displays prominent quoins and a Tudor arched lintel, both important vernacular architectural features.

3, Rectory Farm Lane. This Laithe house is 17th century in origin with later additions. The property has an inscribed Tudor arched lintel and emphasises the agricultural processes at the heart of Upper Cumberworth during the 1600's. The adjacent barn, also listed, has undergone a relatively recent conversion to a private residence. Although some of the design features are not sympathetic, the historic format and origins still make the buildings important contributors to the character of the conservation area.



31, Cumberworth Lane



3, Rectory Farm Lane

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4.2 Key Unlisted Buildings/Buildings of Merit

Within the conservation area there are a number of key unlisted buildings which are important within the historic growth of the village, and contribute to creating and maintaining its character and appearance.

23, Cumberworth Lane. This large stone built property dominates the north side of Cumberworth Lane running along the pavement. The vernacular architectural features of quoins, kneelers and gable copings add to the quintessential historic character of this small rural conservation area.

29, Cumberworth Lane. The impressive south facing frontage of this building is an important focus within the centre of the conservation area and formerly served as an Inn. The stone construction has an attractive symmetrical façade of Georgian style sash windows, an important aspect of the conservation area which it should be a priority to retain. The stone slate roof, with gable copings and chimney stacks are also attractive contributory features.



23, Cumberworth Lane



29, Cumberworth Lane

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4.3 Key Views/Vistas

Because of the small and clustered nature of the Upper Cumberworth conservation area, the views within are insular and sheltered by modern development on either side along Cumberworth Lane. Approaching from both directions allows the pleasant outlook towards No's 29 and 31 Cumberworth Lane, along with the church across the road.

From the northern boundary, the panoramic views into the valley and open countryside towards Emley, Shelley and the Holme Valley are impressive. Looking toward the conservation area from the north is also an attractive vista, allowing appreciation of the stone built properties of an agricultural origin, bounded by dry stone walls and fields within the green belt.

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.



View from the church yard



View of church tower from High Flatts

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5. BOUNDARY DEFINITION

5.1 Gateways

The main gateway that bisects the conservation area is Cumberworth Lane:

1. From the junction with Barnsley Road (A635) the school, church and larger converted barns can be appreciated on approach, introducing the historic character of this small conservation area.

2. On approach from the east the church yard and tower once again dominate the view as the road curves into the heart of the conservation area.

3. Footpaths approaching from both the north and south climb through greenery towards the conservation area, fortifying the rural character of the settlement and leading to the historic core of the village rather than more recent development.

4. Barnsley Road, approaching from the south east allows views of the prominent buildings of the Post Office and Star Inn.



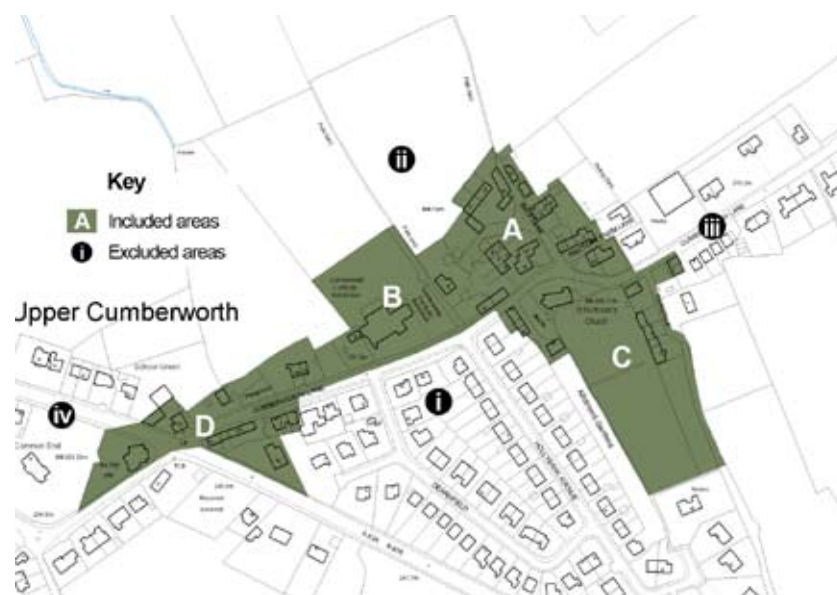
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5.2 Included Areas

The compact conservation area can be subdivided into three sections.

A. The group of older houses and converted barns around Balk Lane still maintain some of the character of the original rural farmstead. The footprint, design, scale and materials of many of the buildings have remained despite conversion. However, some of the dwellings and conversions have eroded the historic character with unsympathetic design features, and the tarmaced access road is a negative aspect.



B. Cumberworth C of E (A) First School plays an important visual role, introducing and linking the older centre of the conservation area to the more recent development and centre of the village around the Post Office and Star Inn. Unsympathetic extensions of poor design and materials have had an adverse effect upon both the Grade II listed school building and the character of the conservation area.

C. The Church of St Nicholas and church yard to the south provide an attractive historical, visual and ecological focus within the conservation area. The open space and mature trees contribute greatly to the character and atmosphere, acting as a buffer between more recent development and older stone built properties within the conservation area.



Balk Farm cluster



View from conservation area with school to the right



View towards the church, Cumberworth Lane

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5.3 Proposed Boundary Extension

- a) These proposed areas of extension incorporate the curtilages of relatively recently converted farm settlements on the edge of the conservation area. These areas have therefore altered from agricultural borders of the village into gardens for the new residential properties. Incorporation within the conservation area will allow planning controls to ensure that the rural character and appearance will not be compromised by inappropriate development.
- b) The listed school building and its immediate grounds are important contributors to the character and appearance of the conservation area. Recent extension to the rear of the building has protruded outside of the current boundary. Inclusion of this extension will allow a coherent planning approach to the entire building within the conservation area.
- c) The current conservation area boundary runs down the centre of Eunice Lane. By enclosing it entirely within the conservation area the surface materials, street furniture and boundary walls will come under planning policy that preserves and enhances the character and appearance.
- d) The extension to the west of the conservation area is the most substantial. The old school house is a stone built property associated with and adjacent to the Grade II listed school. To the west of this an area of common land formerly the village pond is also included. There are a number of attractive stone built terraces, extant on the map of 1893 along with the converted Wesleyan Reform Chapel built in 1879 which are also included. At the junction of Barnsley Road (A635) and Cumberworth Lane the Post Office and Star Inn are also included, both locally and historically distinctive facades when entering the village from this junction.



View along Eunice Lane

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5.4 Excluded Areas

- i) The houses built to the south west of the conservation area along Hollybank Avenue and Dearnfield, are constructed of different materials and more modern designs to the predominately stone built conservation area. Because of the different character and appearance they are therefore omitted.
- ii) The conservation area boundary to the north consists of agricultural land within the green belt. This open land is outside of the historic built environment and serves as an effective cut off point.
- iii) To the east of the conservation area there are some modern works and development along Cumberworth Lane, of design and materials not in keeping with the buildings within the conservation area.
- iv) To the west of the conservation area there are a number of more recent properties of different design and materials, not in keeping with the historic stone built character found within the conservation area.



Buildings of a different character

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6. URBAN GRAIN

The urban grain of the conservation area is that of an organic nucleated rural village centre of vernacular stone built dwellings, a church and school. The morphology and footprint of the built environment has remained largely unchanged during the 20th century although conversion from farm buildings to dwellings has occurred. The existence of dry stone walling along the road, paths and driveways is an important characteristic of the settlement.

The settlement pattern and urban grain along Cumberworth Lane to the west of the school is of a more linear development following the highway. At the junction with Barnsley Road (A635) the Post Office, Star Inn, 73 Cumberworth Lane and the former Methodist Church all play an important role in framing the junction and introducing the conservation area.

6.1 Building Materials

The prevalent material for buildings within the conservation area is local stone. Stone slates are also the predominant roofing material. These stone built stone slate roofed buildings are essential contributors to the character and appearance of Upper Cumberworth conservation area.

6.2 Boundary Walls

The majority of the boundary walls within the conservation area are dry stone walls. These are integral and attractive features, making an important contribution to the character and appearance of the conservation area.

6.3 Floorscape

The floorscape and material for Cumberworth Lane is tarmac. The pavement alongside is also tarmac with concrete kerb stones. This small stretch of highway through the conservation area may benefit from the use of natural stone kerbs, which would appear more in character with the surrounding buildings.

Along Balk Lane the tarmac road, bordered by kerb stones and artificial stone sets detract from the historic rural character of the area. Any further conversion or construction within the conservation area should carefully consider the impact of utilising non-traditional materials and design.



Along Balk Lane



Stone built properties



Unattractive floor materials along Balk Lane

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7. BUILDING TYPES

7.1 Dwellings

There are a number of different dwelling types within the conservation area. Stone built terraces, cottages and farm houses with vernacular architectural features represent the oldest housing stock, and contribute greatly to the historic character.

The conversion of barns and farm buildings has increased the number of dwellings within the conservation area significantly. Despite maintaining the layout and morphology of a farm settlement, the design and materials used for some of the conversions are unsympathetic and have had a negative impact upon the appearance of the conservation area.

7.2 Community Buildings

The school and church are both stone built land mark buildings within the conservation area. The school built in 1820 with its distinctive gothic arched windows is on the western boundary closest to the modern centre of the village. The church is within the heart of the conservation area. The tower can be seen from around Upper Cumberworth, and a number of surrounding villages.

The Star Inn and Post Office buildings are importantly placed and noticeable historic elements of the extended conservation area. The Star Inn is identified on the Ordnance Survey map of 1854, and was used to collect the turnpike tolls that ran through this part of the village prior to 1875.



Old Rectory farm



Barn conversion Balk Lane

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8. OPEN SPACE AND TREE COVER

The primary area of open space within the conservation area is the church yard. There is a small landscaped section of the school grounds, but this is relatively neutral in appearance. The church yard is a valuable open space allowing time to appreciate the conservation area to the south of Cumberworth Lane. The scattered vegetation and mature trees encourage bird life and provide a barrier to any traffic, offsetting detractive modern influences.

Tree cover within the church yard makes a valuable aesthetic contribution to the conservation area. Mature deciduous trees within the grounds of and bordering the Balk Farm conversions also play an important part in creating and maintaining the historic rural character.



Within the church yard



Visually important tree cover

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9. AREAS OF RISK

9.1 Buildings at Risk

The built environment within the Upper Cumberworth conservation area is generally in a good state of repair, primarily serving as private residences or their curtilage buildings. Whilst not under direct threat of disrepair, unlisted buildings may be at risk from unsympathetic changes of fixtures and fittings such as windows and doors. Any inappropriate piecemeal alterations in the future may well result in a detrimental impact upon the buildings and therefore a negative impact upon the character and appearance of the conservation area.

Within the conservation area extension to the west of the school, the old school house building is currently unoccupied and in some state of disrepair. This building maybe under threat from further disrepair or demolition.

9.2 Areas at Risk

Generally the conservation area remains collectively and carefully maintained, however development pressures may encourage inappropriate infill or extension which may well affect character and appearance of this historic rural village core.

To the north of Cumberworth Lane, between the old school house and post office, there exists a number of recreational areas and open spaces. Certain portions of these areas are currently unkempt or poorly maintained. Further disrepair and litter may affect some of these areas, reducing the overall appearance of the conservation area, although inclusion will hopefully encourage these areas to be maintained sympathetically.



UPVC double glazing



Poor barn conversion design



Characteristic stone slated roof

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10. NEGATIVE FACTORS

There are a number of negative factors within the Upper Cumberworth conservation area that have a detrimental impact upon the 'special interest', character and appearance.

The proportions and dimensions of the windows within a number of the converted farm buildings along Balk Lane are not sympathetic to the traditional vernacular style. Although these are unlikely to change, any future development or extension should consider local traditional design principals and materials.

The creation of roof lights within the stone slated roofs of a number of buildings has also adversely affected the roofscape of the conservation area. The roofscape viewed from within and outside the conservation area from distance plays an integral role in creating the 'special interest' and character. Roof lights should be created in appropriate numbers, using materials that are sympathetic to the character of the conservation area. The aspect of roof lights, and the impact they may have upon important views and vistas should also be considered.

The existence of U-PCV double glazed windows and doors can be identified as not reflecting the historic character and appearance of historic buildings within conservation areas. There are a number of examples of this within Upper Cumberworth conservation area.

Certain aspects of the floorscape, highway and street furniture within the conservation area detract from the appearance. The tarmac surface of Balk Lane is not sympathetic to the historic rural character. Along Cumberworth Lane, the concrete kerb is unattractive, stone kerbs would be more in keeping with the character of the area. Unattractive concrete street lamps are also unattractive and the area would benefit from a more appropriate design.



Unattractive pre-fab building

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11. ECONOMIC NEED

The small residential nature of the Upper Cumberworth conservation area does not generate any commercial economic activity. The church and school do attract people from outside the area, but are not commercial in nature. The designation of conservation area status does however oblige Kirklees Council to preserve and enhance the character and appearance, maintaining and improving the value of different properties.

Toward the western end of the conservation area the Post Office and Star Inn serve important economic and community functions within the village. Inclusion of these areas will hopefully act to preserve and enhance the general area and built environment, encouraging residents to use this area of the conservation area, and encourage other people to visit, making the economic activities within the village more sustainable.

12. POTENTIAL FOR CHANGE

An Article 4(2) Direction encourages the retention of high quality architectural features on buildings to preserve and enhance the conservation area of which they are part. 'Like for like' repairs and reinstatement of architectural features are encouraged, along with the removal of previously unsympathetic changes to buildings. Implementing an Article 4(2) Direction removes the Permitted Development Rights of a property owner, resulting in the need for a planning application to be submitted for minor alterations. This prevents the erosion of the 'special interest' and character of a conservation area.

An Article 4(2) Direction is currently being considered for the Upper Cumberworth conservation area.

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13. PUBLIC INVOLVEMENT

The public consultation process involved a mailing, sent to all Upper Cumberworth residents enclosing an information leaflet, questionnaire and boundary map which could be annotated and returned to the Conservation and Design Team. Further to this a manned exhibition was held, along with a public meeting to provide detailed information about the appraisal process, and glean the views of local residents about the Conservation Area.

Of the 19 questionnaires returned 79% (15) agreed with the proposed extension to the boundary. Of the 4 residents who disagreed, 3 proposed a further extension.

The exhibition was held within St Nicholas's Church on Monday 12th of February, with the public meeting at the same venue in the evening between 6pm and 8pm. During the meeting, a strong consensus emerged for a further extension of the Conservation Area boundary.

This extension included the incorporation of the old School House adjacent to the Grade II listed school. One resident, an amateur local historian suggested this building was constructed in 1837, 17 years after the school. To the west of the old School House, a piece of common land that formally contained the village pond was also suggested for inclusion, along with other historic stone buildings including the Star Inn, Post Office, and former Wesleyan Reform Chapel.

Following the consultation process, further historic and architectural analysis of the village was undertaken and a new boundary drawn. All residents within the existing boundary and newly proposed extension were sent a map of the revised boundary, and a request for their views to be submitted. As a result of the positive view of residents to the further extension, and no objections from further consultation, the larger proposed Conservation Area boundary is submitted.

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12. CONCLUSION

Designation as a conservation area imposes a duty of Kirklees Council to 'preserve' and 'enhance' the character and appearance within it.

The Upper Cumberworth conservation area encloses the historical core of the village, along with the important areas of 'special interest' and historic character of this rural settlement, which make it distinct from other areas. Conservation area status will hopefully maintain the valued historical and architectural character and appearance, whilst facilitating a sustainable future for the village as a whole.

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APPENDIX 1: LISTED STRUCTURES IN UPPER CUMBERWORTH

Listed buildings within Upper Cumberworth conservation area.

Cumberworth C of E First School, Cumberworth Lane, Upper Cumberworth

(Grade II) Former National School. Dated 1820. Altered. Hammer dressed stone with ashlar dressings. Hipped stone slated roof. Single storey. Originally a symmetrical facade. Four 3-light gothic arched windows with intersecting tracery. Central oval inscribed: NATIONAL SCHOOL 1820. Doorway, within recent brick porch, to left. Recent window, probably formerly a doorway, to right. Further to right, a late C19 gabled wing. Recent single storey brick extension to whole of rear.

Church of St Nicholas, Cumberworth Lane, Upper Cumberworth (Grade II)

(Grade II) Church. 1876. Gothic Revival. Lower stage of tower may be C18. Finely dressed stone with ashlar dressings. Welsh slate roof with gable copings. Two-stage square west tower, 4-bay nave with gabled south porch, 2-bay chancel with vestry on north side. Diagonal buttresses to west tower applied to the quoins of the earlier lower stage. On the south side of the tower is a small, blind, round arched window with inscribed lintel 1767. Below is a small ogee-headed window. At base of tower, on-south side, is a small, recent addition. The upper stage of the tower has large 2-light bell-chamber openings, louvred, and with reticulated tracery. Slated pyramidal roof, with moulded gutter on moulded brackets. Iron weather cock. 2-light nave windows, single light chancel windows and 3-light east window, all with traceried heads.

Interior: arched-braced king-post nave roof. Scissor-braced truss to chancel. Font, probably C17 with octagonal bowl and pedestal. The faces of the bowl have paired, traceried panels, and of the pedestal single traceried panels. Colourful stained glass to east window of 1879. Chancel windows on south side have good stained glass of 1938 and 1939 by William Morris and Co., Westminster, the latter signed.

Stocks, Near Church of St Nicholas, Cumberworth Lane, Upper Cumberworth (Grade II) Stocks. Probably C19. Two stone posts with pointed tops and tooled surface. Lower parts slotted for oak rails.

Cross Base, Near Church of St Nicholas, Cumberworth Lane, Upper Cumberworth (Grade II) Cross base, medieval with boundary marker C18 or C19. Square stone cross base with spurs and square stone shaft which is tooled on 3 sides, and has moulded base on 2 sides. Small, loose moulded cap.

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House, 31 Cumberworth Lane, Upper Cumberworth (Grade II) House. C17 or early C18. Altered. Pebble dashed walls. Quoins. Stone slate roof (bitumen covered). Two storeys. Entrance to left with moulded quoined surround and Tudor arched lintel. To right is one former 10-light mullioned and transomed double chamfered window, now with only the two central mullions remaining, and the centre transom. Hood mould over. To 1st floor, one 2-light and one 4-light window. Single storey later addition to right. Single storey outshut to rear with C19 or later windows.

House, 2 Balk Lane, Upper Cumberworth (Grade II) Laithe house. C17 origin with late C18 and late C19 alterations and additions. Deeply coursed hammer dressed stone. Stone slate roof with later stacks. The house, to right, has Tudor arched entrance with inscribed lintel thought to read: CRE 16 -- SH. One 4-light double chamfered window to right with 2 mullions removed. Hood mould. Late C18 openings include a 2-light window and a doorway to left, and a 3-light and a 4-light window to 1st floor. Further to left is a square headed cart entry to barn. The left end of the barn is late C19. Later outshut to rear of house.

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APPENDIX 2: RELEVANT POLICIES FROM KIRKLEES UDP (1999)

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 CONDUCIVE 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.

Conservation Areas

- 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:

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- 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. 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.

BUILDING MATERIALS

- 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 TOWN AND LOCAL CENTRES.
- OUTSIDE SUCH AREAS, PROPOSED MATERIALS OF CONSTRUCTION SHOULD REFLECT THE PREDOMINANT MATERIALS ADJACENT TO AND SURROUNDING THE SITE, PROVIDED THAT SUCH MATERIALS ARE NOT DETRIMENTAL TO VISUAL AMENITY.

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RESIDENTIAL AREAS

Space About Buildings

BE12 NEW DWELLINGS SHOULD BE DESIGNED TO PROVIDE PRIVACY AND OPEN SPACE FOR THEIR OCCUPANTS, AND PHYSICAL SEPARATION FROM ADJACENT PROPERTY AND LAND. THE MINIMUM ACCEPTABLE DISTANCES WILL NORMALLY BE:

- i. 21.0M BETWEEN A HABITABLE ROOM WINDOW OF A DWELLING AND A HABITABLE ROOM WINDOW OF A FACING DWELLING;
- ii. 12.0M BETWEEN A HABITABLE ROOM WINDOW OF A DWELLING AND A BLANK WALL OR A WALL CONTAINING THE WINDOW OF A NON HABITABLE ROOM;
- iii. 10.5M BETWEEN A HABITABLE ROOM WINDOW OF A DWELLING AND THE BOUNDARY OF ANY ADJACENT UNDEVELOPED LAND; AND
- iv. 1.5M BETWEEN ANY WALL OF A NEW DWELLING AND THE BOUNDARY OF ANY ADJACENT LAND (OTHER THAN A HIGHWAY).

DISTANCES LESS THAN THESE WILL BE ACCEPTABLE IF IT CAN BE SHOWN THAT, BY REASON OF PERMANENT SCREENING, CHANGES IN LEVEL, OR INNOVATIVE DESIGN, NO DETRIMENT WOULD BE CAUSED TO EXISTING OR FUTURE OCCUPIERS OF THE DWELLINGS OR ANY ADJACENT PREMISES OR POTENTIAL DEVELOPMENT LAND WHICH MAY BE AFFECTED.

Extensions to Dwellings

BE13 EXTENSIONS TO DWELLINGS SHOULD RESPECT THE DESIGN FEATURES OF THE EXISTING HOUSE AND ADJACENT BUILDINGS, INCLUDING:

- i. MATERIALS OF CONSTRUCTION;
- ii. WINDOW OPENINGS;
- iii. ROOF STYLES; AND
- iv. ARCHITECTURAL DETAILING.

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EXTENSIONS TO DWELLINGS IN CONSERVATION AREAS, OR DWELLINGS WHICH ARE LISTED AS BEING OF ARCHITECTURAL OR HISTORIC INTEREST SHOULD, WHERE THE PROPOSALS ALREADY COMPLY WITH POLICY BE3 OR BE5, BE DESIGNED SO THAT THE INTRINSIC VALUE OF THE HOST BUILDING AND ITS SURROUNDINGS IS RETAINED AND THE ORIGINAL BUILDING REMAINS THE DOMINANT ELEMENT.

BE14 UNLESS THE PROPOSAL WOULD HAVE A DETRIMENTAL EFFECT ON VISUAL AMENITY, ADJOINING DWELLINGS OR ANY OCCUPIER OF ADJACENT LAND, EXTENSIONS TO TERRACED, SEMI-DETACHED OR CLOSELY SPACED DETACHED DWELLINGS WILL NORMALLY BE PERMITTED WHERE THE PROPOSAL:

- i. IS TO THE FRONT OR MAIN ELEVATION OF THE PREMISES AND IS RELATIVELY SMALL IN SCALE;
- ii. IS TO THE REAR AND DOES NOT EXCEED 3.0M IN OVERALL PROJECTION; OR
- iii. DOES NOT RESULT IN AN UNDESIRABLE TERRACING EFFECT BEING ESTABLISHED IN RELATION TO ADJOINING DWELLINGS.

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MANAGEMENT PLAN

The historic character, appearance and 'special interest' of the Upper Cumberworth conservation area has been identified and documented through the appraisal process. This management plan will suggest methods and applicable policies to preserve what is valuable, and enhance any negative elements of the conservation area.

Built Environment

The core of the Upper Cumberworth conservation area around Balk Farm and the Church has a historic settlement pattern of stone buildings which has developed from the 17th century, to the present day. The stretch along Cumberworth Lane to the west includes stone buildings and open spaces, historically important to the development of the village.

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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Within Upper Cumberworth, the construction of porches and the fitting of UPVC double glazed windows have had an adverse affect upon the historic character and appearance of the conservation area.

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.

Infill

The compact cluster of older stone properties and converted barns around Balk Farm and Rectory Farm Lane have few large open area and therefore very little scope for infill development. The gardens and rural boundaries to this area should be protected, to ensure the predominantly historic agricultural layout of the area is maintained. A number of open areas to the north of Cumberworth Lane, including the grounds of the old school house, village common land and playground all play an important part in maintaining the rural openness and character of the village. Any development proposals in this area should be presumed against, as it would obstruct important views from the conservation area towards it rural surroundings.

Highways

Road, pavement and footpath design and materials, along with boundary walls and street furniture make important contributions to the character and appearance of the conservation area.

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.

The appraisal and consultation process within Upper Cumberworth identified a number of issues and actions required to preserve and enhance the conservation area.

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Along Cumberworth Lane, the removal of natural stone kerbs and replacement with concrete ones had angered local residents. Requests were also made during the consultation process for more traditional street lighting within the conservation area. Through consultation between Kirklees Highways Department and the Conservation and Design Team, historically sensitive highway surfaces and street furniture can hopefully be utilised. Greater public consultation regarding the nature of these works should also be considered in the future.

Another suggestion put forwards during the public consultation was to raise and re surface the stretch of highway along Cumberworth Lane around the church yard.

UDP Policies: BE5, BE6, BE7, BE8

Listed Buildings

There are six listed structures within the Upper Cumberworth conservation area that are covered by relevant planning policies to protect their character and appearance. Development within the conservation area, adjacent to, or within close proximity should also consider the setting of these structures.

UDP Policies: BE3, BE4

Trees

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

Trees make an important contribution to the character and appearance of the conservation area and to its setting. Most are covered by tree preservation orders but it is recommended that a further survey should be undertaken in the future to determine whether additional tree preservation orders are required.

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Open Spaces

The two major open spaces within the conservation area are the church yard and school grounds. The church yard is a valuable visual, historical and ecological area which should be protected and effectively maintained, protecting the mature vegetation and its visual contribution to the character and appearance of the conservation area.

Monitoring and Enforcement

To ensure that unauthorised works are not undertaken in the future it is suggested that a systematic timetable of review should be implemented for the conservation area. This review could be utilised to assess works to trees, listed buildings and the other aspects of the built and natural environment covered by conservation area and green belt policies.

This review could involve a photographic and written record, and could be undertaken when assessing planning applications as they arise, during the five yearly conservation area appraisal cycle, or using a separately implemented timetable. Following the identification of any unauthorised work, swift and appropriate action should be undertaken to ensure that work is retracted, or enforcement action is conducted.