



## **CONSULTATION RESPONSE TO PLANNING APPLICATION**

**To** Planning Services, Kirklees Metropolitan Council, PO Box B93, Civic Centre, Huddersfield HD1 2JR

**For the attention of**     **Nigel Hunston**

**Application No.**                      **2017/65/92261/E**

**Development**     **Listed Building Consent for conversion of existing chapel to form one dwelling**

**Site Address**     **Zion United Reformed Church, Barnsley Road, Flockton, Huddersfield, WF4 4DP**

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THANK YOU FOR YOUR CONSULTATION. AS KIRKLEES DISTRICT'S OFFICIALLY RETAINED PROFESSIONAL ADVISORS ON THE HISTORIC ENVIRONMENT, THE WEST YORKSHIRE ARCHAEOLOGY ADVISORY SERVICE WOULD MAKE THE FOLLOWING COMMENTS –

### **Statement of Significance**

The former Zion Chapel is listed grade II and a heritage asset (National Historic list for England No. 11353850) and is an exceptionally well preserved example of an early 19<sup>th</sup> century Congregationalist chapel. The building is set back from Barnsley Road and some distance to the west of the village of Flockton in an associated burial ground.

Although a “Presbyterian” society existed in Flockton during the late 17<sup>th</sup> century the former Zion Chapel originated to serve a later Congregational community and was built in 1802. The chapel, which has a simple classical inspired design, survives in good condition. A later single storey vestry has been added to its north western corner. Original features within the body of the chapel include box pews, galleries, organ gallery and two tier pulpit.

The proposed change of use is sympathetic to the overall significance and character of the building but will result in the alteration and loss of fabric including the box pews. For this reason the WYAAS recommend that should planning permission be granted an archaeological and architectural record should be made of the chapel in its current form.

### **Impact of Proposed Development**

The application seeks the change of use of the chapel to a dwelling. This will result in the loss of the current box pews and the removal and addition of other elements of fabric. This will result in some loss of evidence of the chapel's original form and development.

### **Recommended Course of Action**

Should the change of use and alterations be approved then an appropriate level of archaeological and architectural recording should be carried out prior to the conversion (a building record).



This work can be secured by a suitably worded condition being placed on any grant of planning consent awarded by Kirklees Council.

### **Relevant Policies**

Paragraph 132 of the National Planning Policy Framework states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation” and “Where a development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss,” (Paragraph 133). In this instance the WYAAS defer to Kirklees Conservation Department in the matter of determining the public benefit of the proposed alterations and change of use.

In relation to the recommended archaeological and architectural recording the National Planning Policy Framework paragraph 141 states that local authorities “should also require developers to record and advance understanding of significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”.

This is further supported by Kirklees UDP policy BE10 clause ii “PROPER PROVISION FOR EXCAVATION AND RECORDING NEEDS TO BE MADE BEFORE DEVELOPMENT PROCEEDS”.

### **Recommended Planning Condition**

The Former Zion Chapel should be subject to an appropriate level of archaeological and architectural recording prior to conversion. This work can be secured by the attachment of a suitable condition to any grant of planning permission awarded. In accordance with the Department of the Environment's Circular 11/95, we recommend that the condition be worded as follows:

*"No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of architectural and archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."*

Or, as an alternative to the above model condition which was first introduced in 1990, the following condition is suggested by Historic England in their Historic Environment Good Practice Advice, Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment, 2015 paragraph 37:

*"No demolition or development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological & architectural recording. This recording must be carried out by an appropriately qualified and*



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*experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."*

Or, as an alternative to the above model condition which was first introduced in 1990, the following condition is suggested by Historic England in their Historic Environment Good Practice Advice, Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment, 2015 paragraph 37:

*No demolition/development shall take place/commence until a written scheme of archaeological investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and*

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI*

### **Detail of Archaeological Investigation**

Details of the necessary archaeological work, in the form of a specification, will be provided to the developer on written request, by the WY Archaeology Advisory Service in our capacity as Kirklees Planning Department's advisors on archaeological matters. The WY Archaeology Advisory Service will also be responsible for monitoring the work of the archaeological contractor commissioned by the developer to undertake this work, on behalf of the Planning Authority.

The WY Archaeology Advisory Service can also provide a list of archaeological contractors who may be available to tender for the work. In order to aid the developer to meet the requirements of the above condition I would suggest that it might be helpful to add the following as a note to the planning permission:

"For further information please contact: David Hunter, West Yorkshire Archaeology Advisory Service: 01133939715."

We would strongly suggest that the developer be advised that a reasonable period of time for the execution of the necessary archaeological work **must** be allowed for within the overall site timetable. Any commencement of work on site prior to the approval and implementation of an archaeological specification, and/or any failure to schedule work properly that results in inadequate archaeological recording, should be deemed by the Planning Department to be a breach of the planning condition.

**Copy of decision notice required?**      Yes

**Date of Response**                      9/8/17

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