



Historic England

YORKSHIRE OFFICE

Mr Victor Grayson
Kirklees Council
Planning, Investment and Regeneration Service
PO Box B93, Civic Centre, Off Market Street
Huddersfield
West Yorkshire
HD1 2JR

Direct Dial: 01904 601982

Our ref: P00977476

31 October 2018

Dear Mr Grayson

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**ST MARYS R C CHURCH, UPTON STREET, CARLINGHOW, BATLEY, WF17 8PH
Application No. 2018/60/92555/E**

Thank you for your letter of 11 October 2018 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The site is in the centre of the Cross Bank Conservation Area. The conservation area is representative of a nineteenth-century industrial settlement incorporating textile mills, workers' housing, places of worship, schools and a cemetery. The majority of the workers' housing and the Methodist Chapel have been demolished.

The proposed demolitions would be harmful to the significance of the listed building and the character and appearance conservation area. The loss of the school and nunnery building would contribute to the gradual erosion of the historic built form and remove physical markers of the previous communities that lived, worked and worshipped in this area.

The outline nature of the application means it is not possible to fully assess the impact of the proposals on the conservation area, nor consider whether the replacement development would offer any benefits to outweigh the harm the proposals would cause.

Paragraph 194 of the *National Planning Policy Framework* indicates that any harm to designated heritage assets should have a "clear and convincing justification", whilst paragraph 190 requires local planning authorities to consider the impact on heritage assets to "avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal".



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Given that the proposals affect a listed building and a conservation area, the statutory requirements of sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are enacted. Special regard should be had to the desirability of preserving the heritage assets.

The applicants have provided detail of the marketing undertaken for the site. We recommend your authority robustly assesses this, bearing in mind the special regard which is required to be had to conserving the heritage assets. We acknowledge the market conditions in the local area, but it is not clear whether compromise solutions have been considered which would retain more of the buildings with an element of new build. As such we would question whether a "clear and convincing justification" for the harm has been demonstrated at this stage and recommend this option be explored.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 190-196 and 200 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Emma Sharpe

Inspector of Historic Buildings and Areas

E-mail: emma.sharpe@HistoricEngland.org.uk



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