

Consultation Response from KC Conservation and Design		
2019/91239 The Shears, 201, Halifax Road, Hightown, Liversedge, WF15 6NR		
Demolition of existing public house and erection of four dwellings		
Date Responded:31/05/2019	Responding Officer: NH	Responding Ref:
<p>The Shears is a two storey public house dating back to the late 18th century but much altered since construction yet keeping the same footprint to a degree. The building has no national significance and I doubt it could be considered for listing in terms of its architectural merit. The building is much altered with different fenestration and the internals bear no relation to the original form. However, there is historic interest, with its close association with the Luddite Movement. I do not intend to go into the history of the Luddites as it is well documented elsewhere but the Shears played an important role as a meeting house. Whilst I do not believe it is of listable quality, I do believe that the building is worthy as being a “non-designated heritage asset” due to this close association.</p> <p>A non-designated heritage asset (NDHA) is defined as a heritage asset under the NPPF and is a building or monument identified as having a degree of significance meriting consideration in planning decisions because of heritage interest. It is also of interest that the “Historic Environment” is described as “All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity,...” Therefore it can be considered to be part of the historic environment due to the history of the Luddites and has a degree of significance to warrant the description of a NDHA.</p> <p>There is no specific legislation to protect NDHAs but reference should be made to Local Plan policy. PLP35 of the newly adopted Kirklees Local Plan. Part 2 of said policy states:-</p> <p>“Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. In the case of developments affecting archaeological sites of less than national importance where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development.”</p> <p>The above is very much in line with para 197 of the NPPF but that requires a balanced judgement with the scale of the harm and the significance of the building. The building has significance as stated above and the harm is of a high level due to the proposed demolition therefore there is no balance to be had. In my view this is contrary to PLP35 and the paragraph of the NPPF. Due to the lack of benefit to the scheme it fails to comply and as such I cannot give a favourable recommendation. I would ask if the building could be converted and retained as part of the development rather than a piece of the social history of Kirklees being lost.</p>		