

Subject: RE: 2020/90996 - land at St Luke's, Bierley Marsh, East Bierley, BD4 6P
Date: 28 May 2020 10:44:47

Our ref: WMO/137706 (www.warmemorialsonline.org.uk/memorial/137706) or [WM11868](#)

Thank you for responding directly to the points raised in my comments and for updating the heritage statement, it is appreciated. I am satisfied that the development is not on dedicated land and that the impact is limited to the setting of the war memorial.

As we are a very small charity, currently working with the equivalent of 2.2 staff covering the estimated 100,000 war memorials in the United Kingdom, we are not able to visit every site including the one at East Bierley. Therefore I cannot comment on the level of harm in this particular application and revert this issue to the local planning authority for assessment.

If you require any further information, please do not hesitate to contact me.

With best wishes,

Ffion

Miss Ffion Jones

Conservation Officer

Whilst I normally work in the office, due to Covid-19 I am currently working remotely. My telephone hours are 10am - 4pm and I work Monday - Friday.

Please note whilst it is possible to do so we will make fortnightly trips into the office in order to scan post to enable staff to then work on it remotely. At this stage we would encourage anyone who is submitting hard copy material by post to scan and email us a copy as well as posting the hard copy. This will enable us to respond more quickly. If you are submitting a grant application or documentation that requires a hard copy signature you will be required to submit the originals at some point but if you are currently unable to leave the house please let us know and we can discuss alternative arrangements.

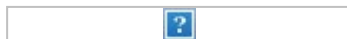
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From: Nigel Jacques <njjacques@nj-architects.co.uk>

Sent: 22 May 2020 16:28

To: Louise.bearcroft@kirklees.gov.uk

Cc: Planning ContactCentre <Planning.ContactCentre@kirklees.gov.uk>; WMT Conservation <Conservation@warmemorials.org>

Subject: 2020/90996 - land at St Luke's, Bierley Marsh, East Bierley, BD4 6P

Hi Louise,

We write further to the Comments by the War Memorials Trust - with an objection to our application.

The response has been uploaded within the Consultation Responses section and therefore we have also copied this email and attachment directly to

Ffion Jones, the Conservation Officer from the Trust.

The Trust have an important national role and their opinion is valued. We therefore felt that it was essential that we both respond, and as appropriate amend and supplement the information, in direct response to the items raised.

The proposed development in this instance have no direct impact upon the Memorial and its grounds, but do impact the setting, which we have discussed in more detail within the amended Heritage Statement attached.

1. The Trusts Objection states they **"would oppose residential development on land which is a dedicated war memorial"**- as the land proposed for the development is not on any land which forms the memorial and its grounds, we assume the statement does not apply.

2. The Comments go on to state that this objection would be **"if it does not respect a covenant"** of which we understand there are covenants in existence, from land purchase documentation obtained from a check of the Land Registry. We have not managed to secure any documentation directly from Kirklees Council, the landowners, during these challenging times. However as any such covenants have to relate to the land within the red line ownership, and cannot impact adversely land outside an ownership, we understand any covenants relating to the Memorial and its grounds, can have no impact upon the adjacent development site.

3. **"if development would adversely impact the setting of a war memorial, including it as a space for contemplation"** We have explained within the amended documentation how the development has been designed to limit any adverse impact or harm. As the site was recognised by the Local Authority as acceptable for residential development "in principal" following a pre-application made by the previous landowner, it was our role in bringing proposals forward, to study the site and reduce or eliminate any harm that such a development could have. We believe we have succeeded in this as explained within the Report.

4. **"ideally, any development should ensure the war memorial retains its prominence on the street and ensures the area for reflection and contemplation is retained"** - The development proposal we believe achieves this requirement.

Therefore it was the impact upon setting we chose to explain within the original Design and Heritage Statements and have now enhanced with additional information, in response to and recognition of, the Trusts comments and requirements.

We have amended the Heritage Statement as attached and included additional information specific to the Memorial to respond to the issues raised.

This has addressed the comments as follows:

- We have stated the Harm as minimal

- We have documented the historic plans
- We have researched the limited information available on ownership and covenants
- We have explained in more detail the impact on the setting

We attach the amended Report for your review, and copy it to the Trust.

Please advise if further clarification is required.

Kind Rgds

Nigel

Nigel Jacques

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