

Consultation Response from KC, Conservation and Design
2021/91871 Land adj, High Street and Challenge Way, Hanging Heaton, Batley
Erection of residential development including access and associated infrastructure
Date Responded: 16/06/21 | Responding Officer: Craig McHugh | Responding Ref: BHS 5/33

The proposed development affects the setting of the following designated heritage assets:

St Paul's Church, listed grade II, List Entry Number 1134649 and its associated Vicarage to the east and the former National School (Hanging Heaton CE VC Junior and Infant School) to the north which are curtilage listed buildings.

Boundary Stone Opposite St Paul's Vicarage, listed grade II, List Entry Number 1135378. The stone marks the boundary between Batley and Dewsbury, which ran through the development site along the line of the dilapidated stone wall and vegetation marked on the Site Plan as Existing. This boundary should be considered part of the setting the boundary, irrespective of any visual connections it may or may not have.

Policy LP35 of the Local Plan requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset. Paragraph 190 of the NPPF requires that we avoid or minimise any avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal and paragraph 200 advises that we should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

As advised at pre-application stage we should consider the impact of the proposed development on views to and from the St Paul's Church, the Vicarage and School including from the Public Right of Way BAT/45/30 towards these buildings. The submitted Heritage Impact Assessment does not consider views from the Right of Way. The proposed 1.8 metre high timber fences and stone boundary walls (of unspecified height) along the path would likely impede views from the south west end of the path where it meets High Street. This impact should either be considered further in a revised Heritage Impact Statement or the proposals should be amended to maintain the existing boundary heights in this part of the development site.

As advised at the pre-application stage, consideration should be given to revising the layout of the development to retain and restore the field boundary associated with the listed boundary stone (running from south west to north east through the site) this would be considered a heritage benefit when weighing any harm from the proposals under paragraph 196 of the NPPF

As advised at the pre-application stage the listed boundary stone should be marked on all relevant plans submitted for planning and on any construction issue drawings. A method statement will be required setting out measures to protect it during the construction phase of the development, particularly during works to the boundaries of the development on High Street. The boundary stone is only shown on some planning drawings. This small object is very vulnerable to damage during construction works, whether that work requires planning permission or are works to maintain and repair the existing wall. To protect it a condition should be applied.

Conclusion

Subject to minor amendments to the layout of the proposed development and a condition to protect the grade II listed boundary stone, Conservation and Design have no concerns about the proposed

development on heritage grounds. The level of harm would be less than substantial harm at the lower end of the scale and should be weighed against the public benefits of the proposals.

Recommendations

- The layout and boundary treatments of the development where the Right of Way BAT/45/30 meets High Street should be revised to maintain views from the Right of Way towards St Paul's Church and the historic buildings within its curtilage
- The layout of the development should be revised to repair or restore the field boundary historically associated with the grade II listed boundary stone
- A condition is required as follows to protect the grade II listed boundary stone:

Before work begins to either repair or alter the stone boundary wall adjacent to High Street or groundworks begin for plots bounded by High Street, whichever comes first, measures shall be approved in writing with the Local Planning Authority and implemented to protect from damage the listed building known as Boundary Stone Opposite St Paul's Vicarage. Such measures shall remain in place for the duration of the development hereby permitted.