

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT

Reference No:	2024/65/90420/W
Site Address:	Brockholes Village Hall, Brockholes Lane, Brockholes, Holmfirth, HD9 7EB
Description:	Listed Building Consent for installation of solar panels
Recommending Officer:	Sue Brooks

DECISION – CONSENT GRANTED

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Helen Bower

AUTHORISED OFFICER

Date: 25-Apr-2024

Officer Report

Site Description

Brockholes Village Hall is a former Church of England School dating to 1837 and constructed in dressed stone with ashlar dressings, two tall stone chimney stacks and a pitched stone slate roof. The front elevation faces south-west. Adjacent to the main building and set back slightly is a small extension, also constructed in stone and with an artificial stone slate roof and constructed in around 2000, with a link building at the rear connecting it to the main hall. This small building is the subject of the application.

The building is in a prominent location within the village of Brockholes, facing the Victoria Recreation Ground.

Description of Proposal

The proposal is for the installation of an array of 8-10 solar PV panels on the front roof pitch of the extension to the listed building.

History of negotiations / amendments received

The applicant was asked to provide sufficient justification for the proposal, along with the energy audit and manufacturers details of the proposed array. These were submitted.

Relevant Planning History

2000/90548 – Planning Permission for erection of extension (listed building) – Conditional Full Permission.

2000/90549 - Listed Building Consent for erection of extension – Consent Granted

Access Considerations

None.

Climate Change Emergency

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target,

however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is for the introduction of an array of solar photovoltaic panels on the south-west facing roof pitch of the extension. This will provide a renewable energy source for the building and will reduce carbon emissions. Therefore, it is felt the proposal complies with the climate emergency requirements.

Consultation Responses

Holme Valley Parish Council: Support.

Officer report has been compiled by the Senior Conservation and Design Officer.

Representations

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 21/03/2024

Publicity expiry date: 29/03/2024

Policies

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) applies. This requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses'.

Kirklees Local Plan

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

- LP 1-Achieving Sustainable Development
- LP 2 – Place Shaping
- LP 24 – Design
- LP 35 – Historic Environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20 December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

- Chapter 2 Achieving sustainable development
- Chapter 12 Achieving well-designed places
- Chapter 16 Conserving and enhancing the historic environment

Assessment

The proposal is for the installation of an array of 8-10 solar PV panels on the front roof pitch of the extension at the south-eastern end of the listed building.

The extension appears to be a separate building when viewed from outside the site as the link is set towards the rear. As it was constructed in 2000 it has no significance, but it has been designed in natural stone with an artificial stone slate roof to complement the character of the hall and preserve its setting.

The Design, Access and Heritage Statement states that the building is a well-used community resource which suffers from significant heat loss. An energy audit has been produced which gives recommendations for reducing carbon emissions and operating costs and includes replacement boilers, passive measures and the installation of solar panels. Grant funding has been offered for these works.

The introduction of a solar array on the prominent south-west facing roof slope of the extension will cause less than substantial harm to the setting of the listed building. Although the extension is subservient to the main building and set back from the principal elevation of the hall, the array will obscure the slates below and will be highly visible in context with the historic hall, given the prominent location of the site in the centre of the village and opposite a large park. This is contrary to the statement with the significance section of the Design, Access and Heritage Statement and is based on observations during a site visit.

The harm has been mitigated against to some extent by siting the array on the modern extension where historic fabric is not obscured rather than on the main listed building. Siting it on the rear roof pitch would be ineffective as this is a north-east facing pitch set against a steep hillside. The curtilage is bounded by a stone wall at the front and there is limited space and therefore a

ground mounted array would not be an option. Considering the alternatives, the front roof pitch of the extension is the only viable option. The proposed solar panels are black in colour and details of the specification have been submitted with the application. If the array becomes redundant it can be removed without damaging historic fabric.

The Brockholes Village Trust, who own the building, provide facilities for the local community. Energy costs have increased significantly over the years and the proposed energy improvements will reduce these costs and help to ensure that the building remains in a sustainable and viable use as a community hall. These public benefits and the mitigation above are considered to outweigh the harm.

Consultation responses

Holme Valley Parish Council: Support. It must be noted that they have supported the investigations carried out to mitigate climate change.

Conclusion

Paragraph 205 of the NPPF 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 the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 208 goes on to state that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The proposal leads to less than substantial harm to the significance of the listed building by an installation of an array on the extension within the curtilage and directly adjacent to the listed hall. The public benefits of reducing energy costs and helping to maintain the current viable use as a community hall are considered to outweigh this harm, and the array is fully reversible in the event that it becomes redundant.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the

desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

As the array is located on the extension and the specified panels are black, it is felt that the architectural and historic interest of the listed building is preserved as far as possible. The harm has been outweighed by the public benefits of the proposal.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the harm and is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2024/90420

Officer Recommendation: Grant Consent

Conditions and Reasons:

1. The development shall be begun within three years of the date in which this consent is granted.

Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

3. The array shall consist of 8no roof mounted Solarwatt classic AM 2.0 black panels. The panels and frames shall be installed carefully to avoid damage to the roof slates or building fabric, and once the array becomes redundant it shall be removed carefully to avoid damage.

Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Design, Access and Heritage Statement			16 April 2024
Proposed elevations			14 February 2024
Solar panel specification			16 April 2024
Location Plan			14 February 2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning

Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Negotiations have taken place over the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted information which accurately mirrors those negotiations and is felt to be acceptable.

Report Dated:

23 April 2024