

**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:         | <b>2024/65/91905/E</b>  |
| Site Address:         | Dewsbury Elim Pentecostal Church, Daisy Hill, Dewsbury, WF13 1LY              |
| Description:          | Listed Building Consent for internal alterations (within a Conservation Area) |
| Recommending Officer: | Sue Brooks  |

**DECISION – GRANT LISTED BUILDING CONSENT**

**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.**

Emma Thompson

***AUTHORISED OFFICER***

**Date: 21-Aug-2024**

## **Officer Report**

### **Site Description**

Elim Pentecostal Church, formerly the Central Methodist Church, is a Grade II listed building constructed in 1839 and situated on the corner of Wellington Street and Daisy Hill in Dewsbury, with the south façade facing Daisy Hill. The north elevation faces the former Registrars' office, and the east elevation faces the former Magistrate's Court.

The south façade is two-storeys high with 5-bays and is constructed of rusticated ashlar to the ground floor atop a rock faced plinth, with ashlar stone at high level. The elevation is topped with a frieze, moulded eaves cornice and blocking course, the centre of which is raised and has the word WESLEYAN in raised capitals. There are five round arched 1st floor windows with marginal glazing along with three similar ground floor window openings. The central ground floor window consists of stained glass and has a memorial apron to the First World War. There are two symmetrically placed double, panelled doors with semi-circular fanlights and a small flight of stone steps leading to each. The side elevations are constructed from hammer dressed stone. The west elevation consists of a 6-bay façade with arched first floor windows and square headed ground floor windows.

Internally, the main hall has been altered, with the removal of the 19th Century pews on the ground floor to provide a more flexible seating arrangement, and the space within the elliptical gallery infilled with a ceiling. The gallery, which is supported by slender cast iron columns, still contains the original pews and is now used as a storage area. The original organ has also been removed. To the rear of the hall is the former Sunday School, and on the ground floor are secondary rooms and circulation areas, and include offices and WC's.

### **Description of Proposal**

The application is for alterations to part of the ground floor layout to increase WC provision, including an accessible toilet.

### **History of negotiations / amendments received**

None.

### **Relevant Planning History**

2017/92795 - Listed Building Consent for internal alterations (within a Conservation Area) – Consent Granted

2011/91537 - Listed Building Consent for alterations to doors and ceiling – 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 internal alterations to the building. This work is not considered to have any impact on carbon emissions and therefore it is felt that climate emergency requirements are not relevant in this instance.

## **Consultation Responses**

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

## **Representations**

As the proposed works are to the interior of the listed building, a site notice and a press are not required and therefore no publicity was carried out.

## **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 27<sup>th</sup> 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 and beautiful places

Chapter 16 Conserving and enhancing the historic environment

### **Assessment**

The application is for alterations to the ground floor layout to improve WC provision, including the introduction of an accessible toilet. It is an amendment of the approved Listed Building Consent 2017/92795 for alterations to improve the WC provision which included the replacement of the upstairs accessible toilet which was carried out. The current application proposes fewer changes to the internal walls.

The Heritage Impact Statement states that, over the past few years, the congregation at Elim Church has grown in number and the present toilet facilities can no longer support the increased number of building users overall. As such, the current toilet design and layout must be reconsidered to account for this increase. The current toilet provision is two small rooms on the ground floor and a new accessible toilet on the first floor which was installed as part of the previous application.

Under this application, it is proposed to remodel the ground floor WC facilities by utilising the current toilet area for Ladies, create a disabled toilet within the existing hallway, and convert another room into the Gents toilets. Existing fittings will be removed from these spaces, with minor harm to the significance of the building, and these fittings will be re-used within the building where possible. Minor alterations are proposed to the layout, with new doorways created and the existing blocked up where necessary. The insertion of new drainage facilities and extractor vents are required, and these are minor interventions through the rear wall of the building.

The proposed alterations are minor and in an area of the building with low to medium significance. The interventions are mostly reversible, and the plan form of the building can still be understood.

### *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 proposed alterations that affect the significance of the listed building are to its interior, in an area which has low to medium significance. The proposal is considered to lead to less than substantial harm. However, this harm is slight as the plan form remains largely unaltered and the proposed interventions could be reversed if necessary. The public benefits of providing adequate WC facilities for building users, including an accessible ground floor WC, are considered to outweigh the slight harm.

*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 proposed works are minimal and justified, it is felt that the architectural and historic interest of the listed building is preserved.

*Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.*

As the proposed works are to the interior of the building, this proposal preserves the character and appearance of the conservation area.

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 slight harm and is therefore recommended for approval.

**Recommendation            Grant Consent**

**Decision Authorisation - Delegated Powers**

**Application Number – 2024/91905**

**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.

Plans and specifications schedule: -

| Plan Type                                | Reference                    | Version | Date Received |
|--|------------------------------|---------|---------------|
| Heritage Impact Statement                | BC.HUD.2017.0<br>0667.000/06 |         | 8 July 2024   |
| Existing floor/ demolition plan          | E0-WC-02                     |         | 8 July 2024   |
| Proposed floor plan ambulant disabled WC | E0-WC-04                     |         | 8 July 2024   |
| Proposed floor plan                      | E0-WC-03                     |         | 8 July 2024   |
| Proposed finishes plan                   | E0-WC-05                     |         | 8 July 2024   |
| Proposed indicative M&E plan             | E0-WC-06                     |         | 8 July 2024   |
| Proposed door schedule                   | E0-WC-07                     |         | 8 July 2024   |
| Location Plan                            | EX-WC-01                     |         | 10 July 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. The submitted plans are felt to be acceptable.

**Report Dated:**

20 August 2024