

**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:	2025/65/90975/E
Site Address:	The Stables, Calder Road, Lower Hopton, Mirfield, WF14 8NP
Description:	Listed Building Consent for Installation of electric vehicle charging point to front
Recommending Officer:	Edward Cheseldine

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: 30-May-2025

Officer Report

2025/90975 - The Stables, Calder Road, Lower Hopton, Mirfield, WF14 8NP

Site Description

The site is part of the former Hopton Congregational Church which is a grade II* listed building. The building has been subdivided into residential dwellings. The building is a two-storey structure with a T shape footprint. It contains entrances on the north-west elevation leading to a hard standing area used for car parking.

List Description:

II Congregational Church, now United Reform, dated 1829, built of finely dressed stone under a slate roof, set in a large graveyard.*

Aligned with the pulpit to the south-west and main entrance to the north-east, on land sloping down to the north-east towards the River Calder. There are attached school buildings to the rear in the same materials, forming a T shape. There are ridge stacks at the rear of the church building and the northern end of the rear cross wing.

Description Proposal

The applicant is seeking Listed Building Consent for Installation of electric vehicle charging point to the front of dwelling.

History of negotiations / amendments received

None necessary.

Relevant Planning History

None relevant.

Access Considerations

None required.

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 electric vehicle charging points to be installed on the site of a listed building. Electric vehicle charging points are vital pieces of infrastructure to achieve future net zero carbon targets. The proposed equipment is therefore compliant with climate emergency requirements.

Consultation Response

KC Conservation & Design – No objection, subject to conditions.

Representations

The application was advertised by a site notice and press notice.

Press notice expiry: 26-May-2025

Site notice expiry: 30-May-2025

As a result of the publicity, there were no public representations.

Policies & Legislations

The building is Grade II* listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) 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 December 2024, 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

Minor alterations are proposed on the external wall of the north-west elevation which includes the attachment 1no. ev charger. The alterations will add a mechanical device onto the exterior wall of the 19th century church.

A condition will be attached to include fixings through the mortar joints to prevent damage to the stonework. A black finish so that the charging points blend into the background. It will be a fully reversible installation in the event that the chargers become redundant as fixings and holes can be infilled with the mortar. This should preserve the building whilst protecting the aesthetic of the building from being visually dominated by the introduction of machinery on the elevation.

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).

Conclusion

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal will cause minor damage to the special architecture of the former church, albeit the installation methods will mean any alterations will not cause irreversible damage and can be repaired if necessary, preserving the architectural and historic interest of the listed building.

As the proposed works are minimal, reversible and justified the proposal is considered to preserve the character and significance of the conservation area.

Paragraph 212 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 214 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 installation of no.1 ev charger will result in less than substantial harm to the significance of the heritage asset. The harm of introducing modern machinery onto the listed building will impact the visual character of the former church, however the alterations are justified by the public benefit the electric vehicle charging points will bring to help achieve net carbon zero.

It is hereby concluded that the proposed development accords with the requirements of policies LP1, LP2, 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) and the principle of development is acceptable.

This application has been assessed against relevant policies in the development plan and other material considerations. The public benefits of installing electric vehicle charging points outweighs the slight harm caused by the minor alterations. It is therefore recommended for approval.

Recommendation Grant Consent

Decision Authorisation - Delegated Powers

Application Number: - 2025/90975

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

2. Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 & LP35 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The electric vehicle charging points shall remain until the use of the devices becomes redundant, at which point the electric vehicle charging points should be removed, disconnect, with the mortar joints restored to match the lime mortar of the north-west facing wall.

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.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	-	-	07 April 2025
Conservation/Heritage Assessment	-	-	07 April 2025
Gen 01 - EV charging unit	EVQSD-V01-R2	-	07 April 2025

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 has, where possible, made a

pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

No amendments were sought.

