

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

Reference No:	<b>2025/62/91378/E</b>
Site Address:	Rectory Park, Church Lane, Thornhill, Dewsbury
Description:	Erection of memorial mining wheel with plaque (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

**DECISION – Conditional Full Permission**

**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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date:** 31 July 2025

## **Officer Report**

**Reference No.** 2025/62/91378/E

**Site Address:** Rectory Park, Church Lane, Thornhill, Dewsbury

**Proposal:** Erection of memorial mining wheel with plaque (within a Conservation Area).

## **Site Description**

The application relates to Rectory Park located off Church Lane in Thornhill, Dewsbury. The site is located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The surrounding area comprises residential properties of varying materials and architectural styles. The site is not located near any listed buildings or public right of ways. However, the site is located within the Thornhill Conservation Area.

## **Description of Proposal**

The applicant is seeking planning permission for erection of a memorial mining wheel with a plaque to commemorate those who lost their lives due to mining accidents in Thornhill. The submitted plans confirm that the mining wheel would measure approximately 3.65m in width, approx. 1.82m in depth and approx. 2.05m overall in height. The memorial would have a brick plinth with a red wheel and gold plaque.

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

Amendments were received during the course of the application. The applicant's agent submitted a revised site plan to reflect the new position of the memorial to the back of the red line boundary. Officers did not consider it necessary to readvertise the application given that only minor amendments were made.

## **Relevant Planning History**

**2024/90978:** Erection of mining memorial wheel (within a Conservation Area). [Planning application details | Kirklees Council](#) – Conditional Full Permission

**2020/94191:** Installation of mining memorial wheel (within a Conservation Area) – Conditional Full Permission

## **Representations**

The application was publicised by site notice and press advertisement, which expired on 8<sup>th</sup> July 2025. Six representations were received following the statutory publicity. The comments made have been summarised below:

### **Objection (1 Representation)**

- I've attended several public meetings about the memorial mining wheel and I'm very much in favour of it being erected in Thornhill.
- The last meeting I attended was a site meeting, at which several locations were chosen, with pictures taken of a plastic tube the same size as the proposed wheel. We all left that meeting after Jackie Ramsey informed the us ,that a vote would take place with the community. The public would have the final say. It was up to the community where the wheel was erected.
- Unfortunately, this changed behind closed doors. I questioned this decision and Jackie told me she doesn't have time to involve the community, she wants it fitted this year. How can this change? How can 3 or 4 people, a few not even from Thornhill, decide what the people of Thornhill want?
- This committee is very badly run and have recently given away thousands of pounds to the previous Chairman. Then they say they want to draw a line under it and move on.
- This wheel needs to be erected where the people of Thornhill want it. Things need to be transparent. Most people want it in a more visible location, not behind a wall in the park .

#### Supporting Comments (5 Representations)

- I am very much in support of this memorial. For many years the community of Thornhill have wanted a focal point that recognises the men and boys that died at the Combs Pit, Thornhill.
- This site was chosen after a site visit, to the park, by committee members from the revitalised Thornhill Community Mining Memorial Group and representatives of the Friends of Rectory Park.
- I believe that the heritage story of the Combs Pit enhances the heritage of Thornhill and it fits that it is in a park with such a rich heritage story in its own right.
- The wheel itself will look striking and the site was chosen so there is nearby seating - at the picnic benches and a path that will enable it to be accessible from the car park.
- I envisage community members who worked in the pit or who have family members who worked there, along with community members who are interested in local history will visit to reflect. In addition, I hope local schools use the memorial as an opportunity to teach youngsters about the local history and the mining industry.
- The proposed memorial is an important development in the community. Thornhill is a proud former mining community and experienced many tragic losses in the mining disaster and other accidents.
- A memorial wheel has been erected in many mining communities and it would be entirely appropriate to see that happen in Thornhill.

- The Rectory Park is the perfect venue as it is near the main road but visitors will not be on the road side.
- There is parking readily available. It will be a safe site for local school children to visit as part of their history lessons. It will be accessible for those with limited mobility.
- It will be a focus of pride for the families and friends who lost loved ones.
- It will augment the small memorial in Thornhill Parish Church churchyard.
- As a community leader, I would be delighted to see this application granted so that Thornhill can commemorate those who died and celebrate the rich heritage that is part of the fabric of this proud community
- For a long time, the community of Thornhill have wanted to mark the loss of miners who were killed in the pit disaster that happened in 1893. The lives of 139 men and boys were lost.
- The site most people favoured at the site meeting was in the Rectory park near the play area and picnic tables. I think this is a great place to site this mining wheel memorial because people do not have far to walk from the car park, children can come and look at the memorial from the play area and anyone who comes into the park via the church lane entrance will be able to see the memorial.
- One of the hopes of the mining memorial wheel group is that local schools will come to look at the wheel and learn more about their local history and especially about the pit disaster.
- In my view, the area is safe so children from schools could spend time hearing about the disaster without being at risk from traffic.
- I love Thornhill and for a long time there has been much discussion of having a mining wheel memorial to remember the pit disaster and this is a great opportunity to remember the people who lost their lives in 1893 at Combs pit.

#### **Parish/Town Council Comments**

Not Applicable.

#### **Local Ward Members**

Not Applicable.

#### **Consultation Responses**

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Ecology – No comments

KC Conservation and Design – No objection

#### **Planning Policy Background**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 7** - Efficient and Effective Use of Land and Building
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 25** - Advertisements and Shop Fronts
- **LP 30** - Biodiversity & Geodiversity
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** – Extension, Alteration or replacement of Existing Buildings

**National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 13** - Protecting Green Belt land
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment
- **Chapter 16** - Conserving and Enhancing the Historic Environment

**Other Guidance Documents:**

- Kirklees Highways Design Guide (2019)
- Biodiversity Net Gain Technical Advice Note (2021)

## **Assessment**

### **1. Principle of development**

#### **Impact on Greenbelt**

The application site is located on land allocated as Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP Policy LP57 and Chapter 13 of the NPPF.

Development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Chapter 13 of the NPPF). In this instance, the proposal relates to a monument to commemorate those who lost their lives due to mining accidents in Thornhill. The monument would be a community asset given its association with the industrial identity of Thornhill. The monument would be sited within Rectory Park, which is an open space. With regard to design, the commemorative wheel appears lightweight due to its spokes and as such, would not affect the openness of the Green Belt. Furthermore, the monument will not change the purposes of the land surrounding it. For these reasons, it is considered that the proposed development would preserve openness and would constitute appropriate development in the Green Belt in accordance with Policy LP57 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

On this basis, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety and other matters that may arise.

### **1. Impact on Visual Amenity and Historic Environment**

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135(c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policy LP35 of the Kirklees

Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

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 215 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 application is accompanied by a Heritage Statement and seeks to install a memorial mining wheel with a plaque to commemorate those who lost their lives due to mining accidents in Thornhill. The monument is reflective of the historic and present mining legacy of the area. The submitted plans confirm that the mining wheel would measure approximately 3.65m in width, approx. 1.82m in depth and approx. 2.05m overall in height. The memorial would have a brick plinth with a red wheel and gold plaque. Although the memorial would be visible from public vantage points, the proposal would enhance the appearance of the open space and would enhance the setting of the Thornhill Conservation Area. Therefore, it is considered that the proposed development would be acceptable in terms of visual amenity.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host building or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the

significance of the Thornhill Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of Section 66 the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

### **1. Impact on Residential Amenity**

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The proposed memorial mining wheel with plaque would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site. Therefore, having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

### **2. Impact on Highway Safety**

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not materially intensify the use or affect the existing highway access and parking arrangements on site. Therefore, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

### **3. Other Matters**

#### Climate Change

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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

#### Biodiversity

The development is subject to the de minimis exemption and would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

#### Bat Alert

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Council's mapping system, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

There are no other matters relevant to the determination of this application.

### **4. Representations**

Four representations have been received following the statutory publicity. The comments made be summarised and addressed below:

#### Objection (1 Representation)

- I've attended several public meetings about the memorial mining wheel and I'm very much in favour of it being erected in Thornhill.
  
- The last meeting I attended was a site meeting, at which several locations were chosen, with pictures taken of a plastic tube the same

size as the proposed wheel. We all left that meeting after Jackie Ramsey informed the us ,that a vote would take place with the community. The public would have the final say. It was up to the community where the wheel was erected.

**Response:** *This matter would not constitute a material planning consideration.*

- Unfortunately, this changed behind closed doors. I questioned this decision and Jackie told me she doesn't have time to involve the community, she wants it fitted this year. How can this change? How can 3 or 4 people, a few not even from Thornhill, decide what the people of Thornhill want?

**Response:** *This matter would not constitute a material planning consideration.*

- This committee is very badly run and have recently given away thousands of pounds to the previous Chairman. Then they say they want to draw a line under it and move on.

**Response:** *This matter would not constitute a material planning consideration.*

- This wheel needs to be erected where the people of Thornhill want it. Things need to be transparent. Most people want it in a more visible location, not behind a wall in the park .

**Response:** *The proposals potential impact on the appearance and character of the street scene has been assessed within the 'visual amenity' section of the report.*

The comments received in support are noted.

## **5. Negotiations**

No amendments were sought or received during the course of the application.

## **6. Conclusion**

This application for the erection of memorial mining wheel with plaque at Rectory Park has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This

application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

**Recommendation:            Approve**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2025/91378

**Officer Recommendation:** Approve

**Conditions and Reasons**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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:** 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 Policies LP1, LP2, LP7, LP21, LP22, LP24, LP25, LP30, LP35, LP52 and LP57 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

**Plans and specifications schedule:**

<b>Plan Type</b>	<b>Reference</b>	<b>Revision</b>	<b>Date Received</b>
Location Plan	MW-25-003	-	19/05/2025
Site Block Plan	MW-25-002	A	01/07/2025
Elevations/Plans	MW-25-002	-	19/05/2025
Heritage Statement	-	-	19/05/2025

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 have, 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. In this case, the design of the original scheme has been found acceptable. No further details were sought thereafter.

**Dated: 09/07/2025**

