

Holmfirth Conservation Group (HCG) is a community group set-up to undertake a conservation appraisal of Holmfirth, a conservation area without an appraisal which in 2009 was identified by English Heritage as a conservation area in 'At Risk and in decline'. No strategy has been put in place by Kirklees to reverse this trend.

HCG believes that the Kirklees Draft Local Plan does not set out 'a positive strategy for the conservation and enjoyment of the historic environment' as required by the National Planning Policy Framework (NPPF) – Historic Environment section 14 – 14.1 14.2

Within the Holme Valley only 2 of the 13 conservation areas have been appraised and in Kirklees as a whole only 21 of the 60 conservation areas have ever been appraised. Of the 4 conservation areas deemed at risk by English Heritage only 2 have ever been appraised.

Kirklees state in their Local Plan, section 14.20, 'The council will continue to produce appraisals and management plans...' and 'policies will be produced to guide the use and protection of heritage assets and local distinctiveness if appropriate.'

Kirklees has failed in its statutory duty, Planning (Listed Buildings and Conservation Areas) Act 1990. In the last 26 years it has only managed to appraise 1/3 of its conservation areas. We have been told by Kirklees, via email, with regard to our group undertaking a conservation area appraisal for Holmfirth that 'resources to take this further within the Council is limited. As such, we were urged to stress that the project cannot be guaranteed to be a priority'. Kirklees has also written to the Holme Valley Parish Council to state that it doesn't have the resources available to undertake conservation area appraisals. In these circumstances it is highly unlikely that Kirklees will meet either its heritage obligation as laid out in the NPPF or its commitments made in this Local Plan.

Policy PLR 3b states that Kirklees will 'ensure that proposals within Conservation Areas conserve those elements which have been identified as contributing to their significance in the relevant Conservation Area Appraisals; secure a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings....' Without conservation areas having been appraised this will not be feasible.

Historic England has expressed its wish to support local communities to undertake their own conservation appraisals but are unable to do so unless those groups have the support of their local planning authority. It is a shame that Kirklees appears unwilling to embrace the help being offered to allow it to fulfill its statutory duties.

In conclusion, it is with regret that we must ask for Kirklees' Local Plan to be rejected as it fails to meet the statutory requirements of the NPPF and in its current form its obligation to Heritage Assets is undeliverable.

#### Supporting Evidence – CAAs completed within Kirklees

Conservation Area	Comments	Date Adopted/Written
Batley Market Place	Not available on the website	
Golcar	Not dated, Written pre LDF.	
Marsden		2007
Helme		2007
Oldfield		2007
Edgerton		2007
Upper Hopton		2007
Upper Batley		2006
Wilshaw		2007
Dewsbury Town Centre	dated in section 7.2.2	2007
East Bierley		2007
High Flatts		2007
Upper Cumberworth	Not dated, pre LDF	
Upper Denby	Not dated, pre LDF	
Wellhouse		2007
Holme		2007
Station Road Batley		2006
Birstall		2007
Linthwaite		2006
Milnsbridge		2006
Cross Bank, Batley	Not available on the website	



**PDLP – Strategies and Policies**

**Comment by Holmfirth Conservation Group** (Mrs Anne Bacon – Chairperson)

**Comment ID** PDLP\_SP87

**First Response date:** 18/12/16

**Second Response date:** 30/08/17

I wish to update Holmfirth Conservation Group's (HCG) first response (18/12/2016) on the basis of a subsequent communication from Kirklees Council concerning HCG's production of a Conservation Area Appraisal (CAA) for the Holmfirth Conservation Area (HCA).

In order to support a change to the original submission (enclosed). I enclose a letter dated 03 May 2017 from, Paul Kemp, Service Director – Economy, Regeneration & Culture for Kirklees. In it he confirmed that the data and the subsequent CAA produced by HCG would be used to draw up and adopt a Conservation Area Management Plan for Holmfirth which would be formulated by Kirklees officers.

This letter opened the door to HCG to apply for funding from Historic England, who recognise the contribution community groups such as HCG can make to the process of appraising Conservation Areas (CAs). HCG has promised to share the resources it has used and the expertise it has gained in undertaking the survey and drafting the CAA, with other CAs nationally as it is acknowledged, by Historic England and others concerned with Conservation matters, that community involvement in the production of CAAs can help local authorities to carry out their statutory duties.

Whilst this letter from Kirklees provides the grounds to remove Holmfirth Conservation Area from the objection, it does not address the other unappraised Conservation Areas in Kirklees. To date there are 39 CAs in Kirklees without a Conservation Area Appraisal. Our substantive objection must, therefore, remain.

## Comment Receipt

<b>Event Name</b>	PDLP - Strategies and Policies
<b>Comment by</b>	Holmfirth Conservation Group (Mrs Anne Bacon)
<b>Comment ID</b>	PDLP_SP87
<b>Response Date</b>	18/12/16 13:56
<b>Consultation Point</b>	14.1 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Submitted
<b>Submission Type</b>	Web
<b>Version</b>	0.1
Do you consider the Local Plan is: (Please tick)	
<b>Legally Compliant</b>	No
<b>Sound</b>	No
<b>Complies with the Duty to Co-operate</b>	No

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

Holmfirth Conservation Group (HCG) is a community group set-up to undertake a conservation appraisal of Holmfirth, a conservation area without an appraisal which in 2009 was identified by English Heritage as a conservation area in 'At Risk and in decline'. No strategy has been put in place by Kirklees to reverse this trend.

HCG believes that the Kirklees Draft Local Plan does not set out 'a positive strategy for the conservation and enjoyment of the historic environment' as required by the National Planning Policy Framework (NPPF) – Historic Environment section 14 – 14.1 14.2

Within the Holme Valley only 2 of the 13 conservation areas have been appraised and in Kirklees as a whole only 21 of the 60 conservation areas have ever been appraised. Of the 4 conservation areas deemed at risk by English Heritage only 2 have ever been appraised.

Kirklees state in their Local Plan, section 14.20, 'The council will continue to produce appraisals and management plans...' and 'policies will be produced to guide the use and protection of heritage assets and local distinctiveness if appropriate.'

Kirklees has failed in its statutory duty, Planning (Listed Buildings and Conservation Areas) Act 1990. In the last 26 years it has only managed to appraise one third of its conservation areas. We have been told by Kirklees, via email, with regard to Holmfirth Conservation Group undertaking a conservation area appraisal for Holmfirth, that 'resources to take this further within the Council is limited. As such, we were urged to stress that the project cannot be guaranteed to be a priority'. Kirklees has also written to the Holme Valley Parish Council to state that it doesn't have the resources available to

undertake conservation area appraisals. In these circumstances it is highly unlikely that Kirklees will meet either its heritage obligation as laid out in the NPPF or its commitments made in this Local Plan.

Policy PLR 3b states that Kirklees will '*ensure that proposals within Conservation Areas conserve those elements which have been identified as contributing to their significance in the relevant Conservation Area Appraisals; secure a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings....*' Without conservation areas having been appraised this will not be feasible.

Historic England has expressed its wish to support local communities to undertake their own conservation appraisals but are unable to do so unless those groups have the support of their local planning authority. It is a shame that Kirklees appears unwilling to embrace the help being offered to allow it to fulfill its statutory duties.

In conclusion, it is with regret that we must ask for Kirklees' Local Plan to be rejected as it fails to meet the statutory requirements of the NPPF and in its current form its obligation to Heritage Assets is undeliverable.

### **Supporting Evidence – CAAs completed within Kirklees**

#### **Conservation Area**

#### **Comments**

#### **Date Adopted/Written**

Batley Market Place

Not available on the website

Golcar

Not dated, Written pre LDF.

Marsden

2007

Helme

2007

Oldfield

2007

Edgerton

2007

Upper Hopton

2007

Upper Batley

2006

Wilshaw

2007

Dewsbury Town Centre  
dated in section 7.2.2

2007

East Bierley

2007

High Flatts

2007

Upper Cumberworth  
Not dated, pre LDF

Upper Denby  
Not dated, pre LDF

Wellhouse

2007

Holme

2007

Station Road Batley

2006

Birstall

2007

Linthwaite

2006

Milnsbridge

2006

Cross Bank, Batley

Not available on the website

## HOLMFIRTH CONSERVATION GROUP 18.12.2016

**Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified above where this relates to soundness. (N.B. Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

There is no evidence of compliance with the stated policy.

No action for 10 years with regards to Conservation Area Appraisals within Kirklees by Kirklees

No action to safeguard the heritage of Conservation Area of Holmfirth through Appraisal (Holmfirth has never been appraised)

No action to reverse the trend of designation of Holmfirth as At Risk and in Decline 2009 English Heritage (Now Historic England)

Therefore the Local Plan Chapter 14 - Historic Environment - is unsound from start to finish in terms of compliance. In conclusion, it is with regret that we must ask for Kirklees' Local Plan Section 14 to be rejected as it fails to meet the statutory requirements of the NPPF and in its current form its obligation to Heritage Assets is undeliverable.

**If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?** Yes, I wish to participate in the oral examination

**If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.**

We wish to see compliance to the stated policy and NPPF