

MATTER 37 – BATLEY AND SPEN HOUSING ALLOCATIONS: GREEN BELT RELEASES

Site H2667 – land at former Gomersal Primary School, Oxford Road, Gomersal

Issue - Are the proposed Green Belt release housing allocations in the Batley and Spen Sub-Area justified, effective, developable/deliverable and consistent with national policy?

1 Introduction

- 1.1 The allocation of Site H2667 for residential development as currently proposed is not sound as it is neither justified, effective, nor is it consistent with either the emerging Policies in the Local Plan or with national policy guidance.
- 1.2 Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset's conservation. Paragraph 138 explains that the loss of a building which makes a positive contribution to the significance of a Conservation Area should be treated as resulting in harm to that area. This site lies within the Gomersal Conservation Area and includes a building which makes a positive contribution to its character. The loss of this building would have an adverse impact upon the character of this part of the Conservation Area.
- 1.3 Although a Heritage Impact Assessment has been produced to ascertain whether or not this site could be developed in a manner consistent with the conservation of Gomersal Conservation Area, it has under-valued the contribution which the school building makes to the character of this part of the Conservation Area and has not set out clearly or explicitly what measures would be necessary to reduce the potential harm which the loss of this building might cause to the significance of this area.
- 1.4 Consequently, the allocation of Site H2667 for residential development as proposed in the Submission Local Plan would be in conflict with the following aspects of the emerging Local Plan:-

- The Spatial Vision – in that it conflicts with the intention that development will take place in a sustainable way (balancing economic, social and environmental priorities), that the local character and distinctiveness of Kirklees and its places will be retained, or that the natural, built and historic environment will be maintained and enhanced through high quality, inclusive design
- Spatial Objective 8 - in that it will not protect or enhance the characteristics of the historic environment
- Policy PLP35 – in that it will not conserve elements which contribute to the significance of a designated heritage asset.

1.5 It would also be contrary to national policy guidance as set out in the NPPF insofar as it would not:-

- Help to deliver a “*positive strategy for the conservation and enjoyment of the historic environment*” as is required by NPPF Paragraph 126.
- Contribute to protecting or enhancing the historic environment. Therefore, it will not deliver sustainable development in terms of the conservation of the historic environment [NPPF Paragraph 7].
- Conserve heritage assets in a manner appropriate to their significance. Therefore it will runs contrary to one of the Government’s Core Planning Principles [NPPF Paragraph 17].
- Give great weight to the conservation of the area’s designated heritage assets [NPPF, Paragraph 132]
- Provide clear and convincing justification for the harm that it would cause to the historic environment [NPPF, Paragraph 134].

2 Response to the Inspector’s questions

Question ii) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE97) be specified in the Plan?

2.1 On the whole, we would broadly support the methodology that has been used for the Heritage Impact Assessment of this site. The Heritage Impact Assessment has set out a very good summary of the historical development of Gomersal and has provided an excellent evaluation of the majority of the elements which contribute to the significance of this part of the Conservation Area and the Listed

Buildings within it. However, we consider that it has undervalued the contribution which Gomersal First School, itself, makes to the character of this part of the Conservation Area and, as a result, that it has underplayed the harm that its loss might have upon its significance.

- 2.2 The southern boundary of the Gomersal Conservation Area appears to have been drawn to specifically to include the school buildings. Whilst, admittedly, having had some alterations since it was built, nevertheless, this early twentieth century school is an attractive building which makes a positive contribution to the character of the southern approach to the village and forms part of a group of public buildings at the southern end of the settlement. We would disagree with the statement on Paragraph 5.2 of the Heritage Impact Assessment that the building “*contributes little to the Conservation Area or the surrounding heritage assets*”. On the contrary, the loss of the school would result in considerable harm to the character of this part of Gomersal Conservation Area.

3 Conclusions

- 3.1 The development of the Site H2667 as currently proposed in would result in loss of a building which makes a positive contribution to the character of the Gomersal Conservation Area. In terms of NPPF Paragraph 134, this is likely to constitute less than substantial harm to the significance of this designated heritage asset. Whilst the degree of harm may be less than substantial, nevertheless, it would still be causing harm to a designated heritage asset. As such, therefore, it would not be delivering sustainable development in terms of protecting and enhancing the historic environment, it would conflict with one of the Government’s Core Planning Principles (that heritage assets should be conserved in a manner appropriate to their significance), nor would it be likely to provide the positive strategy for the conservation of the historic environment that is required for Local Plans.

4 Suggested Change

4.1 It is recommended that:-

- (a) Part 2 of the Local Plan for Site H2667 is amended to set out a requirement that the Gomersal School Building be retained and reused in any development proposals of this site