

STATEMENT OF COMMON GROUND BETWEEN KIRKLEES COUNCIL AND HISTORIC ENGLAND

SITE E1832c

This statement formalises the common ground established between Kirklees Council and Historic England on matters relating to the soundness of Site Allocation E1832c (Land north and west of the Three Nuns Pub and the former Cooper Bridge Waste Water Treatment Works, Leeds Road, Mirfield). This statement is further evidence of the extensive engagement and co-operation that has taken place between Kirklees Council and Historic England throughout the Local Plan preparation process.

BACKGROUND:

The development of E1832c has the potential to affect the significance of the Grade II Registered Historic Park and Garden at Kirklees Park and a number of designated heritage assets within it and in its vicinity. These include three Grade I and four Grade II* Listed Buildings.

On 17th November Historic England responded to the Kirklees Local Plan Inspector's Matters, Issues and Questions (specifically Matter 21) to formally raise their concerns with respect to the allocation of E1832c. Within their response Historic England stated that developing E1832c would cause considerable harm to the Registered Historic Park and Garden. Appendix 2 of Historic England's Matter 21 response also outlined their further comments regarding the landowner's Heritage Assessment Report and the supporting Visualisation Production Report.

Within their Matter 21 submission, Historic England acknowledged that the Heritage Assessment Report was comprehensive, and a good starting point to assess the likely effects that the proposed allocation might have upon the numerous heritage assets within the area. Historic England also accepted that they concurred with much of what the Report concluded regarding the potential impact which the eventual development of this area might have upon the majority of these assets.

Further to Historic England's Matter 21 comments being submitted, a **Heritage Overview Report** has been prepared to amalgamate the comprehensive heritage, landscape and visual assessment work that has been undertaken to support the allocation of E1832c.

This includes an updated **Heritage Assessment Report (dated January 2018)**. This has been revised in response to the concerns raised by Historic England with their Matter 21 statement; i.e. that the October 2017 Heritage Assessment Report did not provide sufficient evidence to demonstrate that the proposed development would not harm the setting of the following heritage assets:

- Kirklees Hall (Grade I Listed)
- Replica Roman watchtower (should it be restored)(Grade II Listed)
- Yew Tree and barn (Grade II Listed)
- Mock Hall (Grade II Listed)
- Kirklees Park (Registered Park and Garden)

In order to address these concerns the January 2018 Heritage Assessment Report includes further visualisations composed from the following locations:

- Viewpoint 14 – Private land to the rear of Mock Hall
- Viewpoint 15 – A644 Leeds road, entrance to service depot
- Viewpoint 16 - Land south of the Kirklees Park, looking east

- Viewpoint 17 - Top of the Roman watchtower
- Viewpoint 18 – Kirklees Hall, first floor

The results are included in Appendix E of the Landscape and Visual Analysis: Visualisation Production Report (Jan 2018).

The appendix of the Heritage Overview Report includes the following documents:

<u>E1832C: HERITAGE OVERVIEW REPORT APPENDICES</u>		
DOCUMENT TITLE	FORMAT	LOCATION/LENGTH
Landscape Constraints and Character analysis (Jan 2018) (prepared by TGP Landscape Architects)	Map based with photos	Appendix 1: 5 pages
Landscape Principles and the Masterplan (Jan 2018) (prepared by TGP Landscape Architects)	Map based	Appendix 2: 2 pages
Landscape and Visual Analysis: Visualisation Production Report (Jan 2018) (prepared by TGP Landscape Architects)	Report with map based illustrations and photomontages	Appendix 3: 30 pages
Heritage Assessment Report (Jan 2018) (prepared by FAS)	Report with map based illustrations	Appendix 4: 102 pages

It is within this context that Kirklees Council have engaged constructively with Historic England through the Duty to cooperate process to agree the details of completed HIA work, the position of both parties with respect to likely effects/outcomes, and to establish the following statements as common ground. For reasons of clarity, a Location Plan is included with Appendix 1 of this Statement. This delineates the Site Boundary, the Registered Park and Garden, Previous Viewpoint Locations, recent Viewpoint Locations (January 2018), Proposed Built Form and Proposed Woodland Mitigation.

OVERALL COMMON GROUND:

- The Heritage Overview Report properly assesses the nature, extent and significance of the heritage assets likely to be affected by the development of E1832c, in order to understand the potential impact and acceptability of development proposals and the degree to which development could harm that significance.

- **Development in accordance with Revision H of the masterplan is unlikely to impact upon the rural setting of those areas of parkland at its northern end, around Home Farm and Kirklees Hall.**
- **Development of E1832c would harm the landscape setting of the southern parts of the Registered Historic Park and Garden, the Grade II Listed Buildings at Mock Hall, and the Grade II Listed Roman Watchtower should it be restored.**

DETAILED COMMON GROUND:

The position of both parties with respect to the Heritage Overview Report and the likely effects/outcomes of developing E1832c is outlined in detail below:

1. HERITAGE OVERVIEW REPORT – COMMON GROUND:

- a) The Heritage Overview Report is clear with respect to how E1832c might affect the historic environment.
- b) The Heritage Overview Report sets out an objective assessment of the potential impact which the development of E1832c might have upon elements which contribute to the significance of the heritage assets in and around Kirklees Hall and Park.
- c) With the mitigation measures outlined set out in Revision H in place, the impact on the setting of the majority of designated heritage assets within the area would be reduced, however, it would still result in harm to the significance of several designated heritage assets .
- d) Overall the Heritage Overview Report provides a robust assessment and evidence base of the potential impact of developing E1832c.

2. MASTERPLAN – COMMON GROUND:

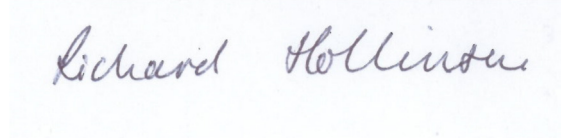
- a) Revision H of the masterplan (see Appendix 1) would be unlikely to be visible from or affect views towards the listed buildings at Home Farm.
- b) Development in accordance with Revision H of the masterplan is unlikely to be visible from the upper storeys of Kirklees Hall.
- c) The greatest impact remains on views from the southern part of Kirklees Park across the landscape to the east, and on views towards the park from the south.
- d) Revision H of the masterplan retains the swathe of rural land to the west and southwest of Hartshead (to Dockentail Wood).
- e) The current position of the Grade II Listed Dumb Steeple does not reflect historic context; ensuring an appropriate siting for the monument where it can be appreciated and understood, has the potential to provide a better setting for this structure.

Signed:

A handwritten signature in blue ink, appearing to be 'Ian Smith', on a light blue background.

**Ian Smith
Historic England**

Signed:

A handwritten signature in black ink, reading 'Richard Hollinson', on a light blue background.

**Richard Hollinson
Kirklees Council**

APPENDIX 1: E1832c Location Plan

