

PLANNING STATEMENT

Proposed erection of cafe/restaurant with bedrooms and interpretation facilities for visitors and formation of car parking and servicing facilities at Castle Hill Side, Lumb Lane, Castle Hill, Huddersfield HD4 6TA.

1.0 INTRODUCTION.

- 1.1 This Planning Statement is submitted as part of a full planning application for the erection of a public house/hotel with visitor facilities at Castle Hill, Huddersfield.
- 1.2 It should be read in conjunction with the Design and Access Statement and appropriate drawings prepared by One17 Chartered Architects, together with specialist reports.
- 1.3 This Statement has been prepared having full regard to national and Kirklees Council's planning policy and guidance.

2.0 SITE HISTORY.

- 2.1 The Background and History Document prepared by One17 Chartered Architects illustrates and briefly describes the history of the site and proposals for a replacement facility.
- 2.2 On 11 October 2012 the Council refused an application (2012/62/91867/W) for the erection of a public house/hotel with associated parking for the following reasons:-
 1. Harm to the openness of the Green Belt.
 2. Harm to the setting of Victoria Tower.
 3. Harm to the setting of Castle Hill.
 4. Prejudicial to highway safety.
 5. Detrimental to biodiversity.
- 2.3 A subsequent application (2012/62/93683/W), essentially for the same proposal but including details of proposed traffic control measures, was withdrawn prior to the Council making any decision.
- 2.4 On 12 October 2017 the Council's Huddersfield Planning Sub-Committee considered a Pre-Application Enquiry for the erection of café/restaurant and associated facilities at the site. It was resolved that the presentation be received and noted.
- 2.5 Members generally gave a very positive response to the presentation of the design principles outlined and particularly to the benefits to the wider community that would result.
- 2.6 The response from Members has given the applicants the confidence to move forward with discussions with stakeholders and prepare detailed drawings which now form part of this application.
- 2.7 Considerable discussion has taken place with Historic England in terms of seeking to ensure that the proposals properly respect Castle Hill as an Ancient Monument. As part of the process an application was submitted to Historic England for trial diggings to be undertaken to establish whether archaeological remains existed in the area of the proposed building. That application was granted and digging was undertaken in August 2018. No archaeological remains were found. Accordingly the application proposals are submitted in confidence that they will have no adverse impact on below ground archaeological remains.

3.0 THE APPLICATION PROPOSALS.

- 3.1 As detailed in the Design and Access Statement, this application seeks permission for a building that is radically different from that which previously existed on the site and for which subsequent applications have been made. A modern building is proposed, far more sensitive to and integrated with its setting. That setting is extremely sensitive – Castle Hill is visible from most of Huddersfield and the surrounding areas to the east, south and west. The hill is an Ancient Monument of regional significance with evidence that an Iron Age Fort once topped the hill. The adjacent Jubilee Tower is Grade II listed. The site is within the Green Belt and is a designated Local Nature Reserve.
- 3.2 The Design and Access Statement and drawings prepared by One17 Design set out the context for and design rationale for the building.
- 3.3 Apart from the radically different design, the proposals differ from those previously refused by the Council in that:-
 - The application site now includes the adjoining rather run-down Council-owned car park, which will be enhanced by proper surfacing and landscaping;
 - There will be an enclosed service yard which will result in service vehicles and waste disposal bins being largely hidden from public view and not 'trespassing' on the public space;
 - Immediately outside the building but protected by the overhanging roof will be an area where visitors will be able to sit and shelter in inclement weather, a facility that is not available at present;
 - Traffic control measures on the access road/Castle Hill Side now form part of the application;
- 3.4 A major component of the proposals is the provision of sorely needed visitor facilities:-
 - Castle Hill is the most visible, most important and most visited heritage asset and tourist attraction within Kirklees. People will always want to visit the site and they will judge Kirklees by their experience.
 - For over a hundred years before the Jubilee Tower was built there has been a pub, hostel, inn or hotel on the Hill, providing visitor facilities and often acting as the focus for important events. Today visitors find no public conveniences, nowhere to obtain refreshments, nowhere to shelter from the elements and no opportunity to learn more about the important archaeology and history of the site. Despite recent improvements it remains a poor advertisement for our area. Facilities are desperately needed.
- 3.5 A permanent 24 hour presence will provide much needed supervision of the area and hopefully act as a deterrent to the anti-social activities which currently take place.
- 3.6 Considerable full and part-time employment will be provided.
- 3.7 It is encouraging to note that at the Pre-Application Enquiry stage the Council's Business Team supported the proposals and expressed the view that from a tourism point of view this is a unique location and it is sensible to target both day and overnight visitors. The Report to Members included their comment that, *'Anything that adds value to accommodation provision is a benefit – visitors are looking for 'experiences' when on holiday, so the interpretation and unique site would add to the saleability of the accommodation'*

4.0 POLICY CONSIDERATIONS.

- 4.1 The provisions of the adopted development plan, the Kirklees Unitary Development Plan (UDP), are the starting point for consideration of the planning application. Thereafter all other material considerations must be considered, of particular importance being the National Planning Policy Framework (NPPF) and the Publication Draft Local Plan (PDLP) on which the Council has recently undertaken a Proposed Modification Consultation.
- 4.2 Castle Hill.
Policy R21 of the UDP deals specifically with Castle Hill. The preamble to the policy at 14.59 includes,
'Although Castle Hill attracts many thousands of visitors, information about the earthworks and Victoria tower which now surmounts them is not available on the site, and car parking facilities are inadequate ...If the recreational and educational potential of the site is to be fully realised and conserved a comprehensive programme ... of improvement works to the site and its surroundings and provision of interpretation facilities are required...'
- 4.3 Since the UDP was adopted, a handful of interpretation boards have been erected but undercover exhibition and interpretation facilities are sorely lacking.
- 4.4 The Council, with its severe funding constraints, is unlikely to make any meaningful contribution on its own. On the other hand, the facilities now on offer will considerably enhance the visitor experience in terms of enjoyment of Castle Hill itself, understanding its history and widening the facilities on offer.
- 4.5 Although Policy R21 was adopted when the earlier Castle Hill Hotel still stood, the policy's basic thrust of supporting development on the site continues to be highly relevant. The scheme now submitted accords with that policy objective.
- 4.6 Policy PLP35 of the PDLP deals with protecting the historic environment. Section 3 states that, *'Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure that they are appropriately conserved, ... also having regard to the wider benefits of development. Consideration should be given to:*
f. preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted'.
- 4.7 At paragraph 14.17 of the PDLP it is stated that, *'Development proposals will be expected to take into account the Council's Castle Hill Setting Study when considering potential impacts on this designated heritage asset'*.
- 4.8 Chapter 16 of the NPPF deals with conserving and enhancing the historic environment. It stresses that heritage assets *'... should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'*.
- 4.9 It is contended that the proposals will enable fuller enjoyment by members of the public of what Castle Hill has to offer.
- 4.10 A Heritage Statement is submitted as part of the planning application which assesses the proposals in the context of policy considerations.
- 4.11 Biodiversity. The whole of Castle Hill is a local Nature Reserve. Policies NE3 and NE4 of the UDP basically resist development unless there is an exceptional requirement for the development and measures will be taken to minimise any detriment, and maintain the site's role for nature conservation.
- 4.12 The proposals lie within a Local Nature Reserve, Local Wildlife Site and Local Geological Site. Policy PLP 30 states that the Council will seek to protect and enhance the biodiversity and geodiversity of Kirklees *'...in line with paragraph 170 of the NPPF'*.
- 4.13 An ecological report addressing biodiversity issues is submitted as part of the application.

5.0 KEY ISSUES.

- 5.1 Clearly there are key policy issues which are raised by the proposal which prompted the Council to refuse the previous planning application (2012/91867). It is however felt that the completely redesigned building is far more appropriate to and respectful of its setting and with enhanced visitor facilities tips the balance firmly in favour of granting planning permission. I now deal with the key issues which prompted refusal of the previous application.
- 5.2 Impact on the Green Belt. The proposal as set out in the NPPF is inappropriate development which by definition is harmful to the Green Belt and should not be approved except in very special circumstances. As noted at paragraph 144 of the NPPF, *'Very special circumstances will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations'*.
- 5.3 The benefits the scheme will bring are set out elsewhere in this Statement and in the Design and Access Statement prepared by One17 Chartered Architects. Many applied equally to the scheme previously refused. In that case however Officers considered as set out at page 14 of their report that the level of community facilities provided within the scheme was very limited and did not outweigh the harm to the openness of the Green Belt. It is considered that the enhanced community facilities to be provided in this latest scheme are such that the very special circumstances required to outweigh harm to the openness of the Green Belt now exist.
- 5.4 Setting of the Victoria Tower. The Council considered that the previous proposals would lead to substantial harm to the setting of the Grade 2 listed tower. Officers noted in their report on that application that the tower stands proud on the hillside without any building to visually compete in the landscape. Clearly any substantial building of a size that clearly must be commercially viable will to a certain extent compete with the tower in visual terms. The beauty of the scheme now put forward is that from distant viewpoints it will be virtually hidden. When seen, its rounded form will reflect the contours of the existing landscape, appearing to grow out of the ground. At close quarters from the main car park the building will direct one's view towards the tower, complimenting rather than competing with it.
- 5.5 Setting of the Ancient Monument. The Council considered that the previous proposals would lead to substantial harm to the setting of Castle Hill as a scheduled Ancient Monument. Following trial trenching it is expected that construction will not cause undue disturbance to any buried archaeological remains or to the extensive earthworks.
- 5.6 It is considered that, for the same reasons that the proposals will not have an undue impact on the setting of the Victoria Tower, the proposals will not have an undue adverse effect on the Ancient Monument. Given the planning benefits of the proposal it is considered that there will be no conflict with UDP Policy BE9.
- 5.7 Highway Issues. The proposals now put forward offer a solution to the issues of concern to the Council in connection with the previous application. No access improvements were put forward in that case. Now a traffic control proposal forms part of the application. Of particular note is that the proposal seeks to overcome any safety concerns through technology rather than physical changes to the access road.
- 5.8 Further it should be noted that the application site now includes the adjoining Council owned car park. Its appropriate surfacing and laying out will provide a significant visual improvement and increase in the number of vehicles actually accommodated. Staff cars will no doubt be parked in the dedicated service area.

Impact on the Biodiversity. Officers' concerns as set out in their report on the previous application relate to indirect impact through changing visitor patterns that could result in detrimental impacts on the site's wildlife and geology.

- 5.9 It is not considered that there will be any significant impact on the geology of the site. The development site itself is considered to have extremely limited ecological merit. Increased visitor usage and any resultant impact on wildlife is considered to be a price worth paying for the range of benefits that will accrue once the scheme is built.

6.0 STAKEHOLDER ISSUES.

- 6.1 It is noted that the Castle Hill Management Advisory Group (CMAG) draws together a range of special interest groups, amenity groups, subject specialists and organisations and local residents and ward members and was formed in 2006 on the recommendations of the Castle Hill Management Plan, the aim of which is to,
'.. ensure that Castle Hill remains a special place that is treasured and used by the local community and is welcoming to visitors; and that the archaeology, ecology, geology and landscape of the site is conserved and presented for the benefit of current and future generations'.
It is considered that the proposals now put forward respect and will go a long way to realising those ambitions.

7.0 CONCLUSION.

- 7.1 The proposal now put forward represents a bold departure in visual terms from the hotel that previously existed and subsequent proposals.
- 7.2 What is proposed is a building which in its own right will create a notable modern landmark but which will work with the immediate historic setting and landscape rather than fighting it. It will be subservient to and grow out of the overall site's contours rather than conflict with them. It will show due deference to the listed Victorian Tower leaving it to be seen in its own context as the main and the unrivalled visual punctuation on the top of Castle Hill as seen from close and distant viewpoints.
- 7.3 The proposal will bring many benefits in terms of a greatly enhanced experience for all visitors, greater supervision and security as well, of course, as employment of a considerable number of staff.
- 7.4 The proposals are considered to meet the fundamental policy objective as set out in the UDP of enhancing the visitor experience at Castle Hill, benefits which the Council, given its financial constraints, cannot fund.
- 7.5 In all these circumstances it is considered that concerns previously expressed by the Council in its most recent refusal notice have been overcome and permission should be granted.

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