



Historic England

Mr Victor Grayson
Kirklees Council
Planning, Investment and Regeneration Service
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Huddersfield
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Direct Dial: 01904 601988

Our ref: P00990015

15 October 2020

Dear Mr Grayson

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**VICTORIA TOWER, LUMB LANE, CASTLE HILL, ALMONDBURY,
HUDDERSFIELD, HD4 6TA
Application No. 2018/93591**

Thank you for your letter of 5 October 2020 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Summary

Historic England has previously provided advice to your authority on the related planning application (2018/93591) on 10th January 2020. At that time we objected on heritage grounds owing to a lack of critical information within the application.

We have considered the current application and welcome the positive changes to the building design, and the reduced level of harm to heritage assets. However, it remains our view that critical information relating to the identification and delivery of the public benefits from this proposal is missing from the application and therefore, regrettably, we maintain our objection on heritage grounds.

In order to resolve the omissions we recommend that:

- The Heritage Statement is updated in accordance with the current proposal
- The building materials are clearly identified and described on the drawings, and
- A detailed 'Heads of Terms' document is prepared to clearly define the benefits of the project and the methods of delivery.

Historic England Advice

Castle Hill is an important site locally, regionally and nationally. It is an iconic location, much loved and frequently visited.



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The hill is designated as a nationally important Scheduled Monument on account of its prehistoric origins and later modification with a motte and bailey castle and as the site of a medieval planned settlement. The Victoria Tower is listed grade II.

Historic England remains of the view that this important and sensitive site can benefit from the presence of a well-designed and executed building.

Any such building has to address public need, and deliver public benefits including site management, site interpretation and education, and visitor amenities.

Impact of the proposal.

Impact of the proposal includes the following considerations:

1) Archaeology

We agree that the suggested location is the best position for any new building. The earlier archaeological evaluation of the proposed development site has revealed that the site is largely archaeologically sterile and the presence of the existing service infrastructure means that any new provision to the new building can be provided with little or no negative impact on archaeological deposits.

There will be a need for archaeological supervision during the construction of the bund, building and passing places, and this will require an archaeological condition.

The original Heritage Statement and Setting documents are classified as 'Superseded'. It is not clear whether these documents are meant to be considered as 'live', and if so whether they are to be accepted at face value as they have not been updated in accordance with the latest version of the design scheme.

All of the archaeological elements of the project should be gathered into the revised Heritage Statement, and this should include the assessment of the past work, identification of source of soil for the bund (the soil should be archaeologically sterile), and an agreed Written Scheme of Investigation (WSI) for all works associated with the build.

2) Built Form

The design of the building has evolved considerably since 2018; it is thoughtful and well-considered, respecting its location, its relationship to the Victoria Tower and the wider landscape.





The choice of materials will be an important determinant of the quality of the design. We believe that in such a sensitive location the materials palette should be resolved and referenced on the application drawings.

3) Setting

The photo visualisations submitted are all useful additions, but although there is reference to the Atkins *Setting Study*, there is no assessment of setting or the contribution that setting makes to the significance of the designated heritage assets.

The Heritage Statement should be updated in accordance with the current proposal in order to properly comply with the National Planning Policy Framework (NPPF), para 189. On the basis of the information provided, we conclude that the proposed development will cause harm to the heritage assets on this prominent, open site, albeit to a greatly reduced degree.

Policy

Castle Hill is designated as a Scheduled Monument and the Victoria Tower is listed grade II. The status of the site, its significance and sensitivities requires the application to meet a high policy threshold and that any harm needs to be justified and balanced against public benefit in accordance with paragraph 196 of the NPPF. This is recognised by the applicants' Updated Planning Support Statement, para 2.01 and 3.04.

Position.

We recognise the improvements that have been made to the design of the building, and accept that this represents a reduced level of harm to the heritage assets. We support the principle that a good quality development could provide valuable amenities including shelter, access to refreshments, public conveniences, education and interpretation facilities and future positive management of the site and its operation. But we are concerned over the current lack of clarity regarding these potential benefits and how they can be secured.

The public benefits are fundamental to the proposals. A Section 106 Agreement might resolve much of the detail, but the core elements need to be clearly defined so that they can be properly considered in determining the application.

To address these concerns, we suggest the following next steps:

- The Heritage Statement is updated in accordance with the current proposal
- The building materials are clearly identified and described on the drawings, and
- A detailed Heads of Terms' document is prepared to clearly define the benefits of





the project and the methods of delivery

Recommendation

In the absence of an acceptable package of public benefits to outweigh the harm to heritage assets and the means to secure those benefits, Historic England objects to the application on heritage grounds.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 189, 190, 192, 193, 194 and 196.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely

Keith Emerick

Keith Emerick

Ancient Monuments Inspector

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