

Consultation Response from KC, Conservation and Design
2020/92307 Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS
Outline application for erection of residential development
Date Responded: 14/12/20
Responding Officer: Craig McHugh
Responding Ref: KB5/142
Summary

The proposed development affects the settings of the grade I listed Woodsome Hall and the grade II listed 1 Woodsome Road. Conservation and Design consider that the currently proposed development is premature and incomplete. The current application fails to adequately address the statutory requirements to assess the impact on the identified components of the historic environment or meet the requirements of the adopted Local Plan to prepare a joint Masterplan for the two allocated sites (HS2 and HS3). The current proposal fails to meet the fundamental statutory and local policy requirements and should thus not be progressed in this form. In particular Conservation and Design are concerned that the proposals could result in demonstrable adverse direct and indirect heritage impacts which have not been defined, evaluated or adequately mitigated. Therefore, Conservation and Design are unable to support the current form of the proposed application on heritage and design grounds, due to its apparent conflict with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP5 and LP35 of the Local Plan and paragraphs 189, 190, 193, 194, 196 and 200 of the NPPF.

The housing allocations HS2 and HS3 require that a joint masterplan be prepared in order to facilitate appropriate assessment of the development's impact. This is a necessary tool to balance and mitigate the potential impacts on the affected designated heritage assets. The currently presented staged approach to the development of the two Local Plan allocations does not allow for adequate evaluation of the resultant heritage impacts or enable the necessary balancing and mitigation of identified adverse impacts. The current proposal, therefore, does not afford the necessary "great weight" to the conservation of the components of the historic landscape or pay special regard to preserving the settings of the affected heritage assets.

Significance of the heritage assets affected

Paragraph 190 of the NPPF requires that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence.

The affected heritage assets are

- Woodsome Hall, listed grade I, List Entry Number 1313336
- 1 Woodsome Road, listed grade II, Lis Entry Number 1184154

And for the purposes of masterplanning housing allocations HS2 and HS3

- Castle Hill, scheduled ancient monument, List Entry Number 1009846
- Victoria Tower, listed grade II, List Entry Number 1210385
- Crow Trees, 12 Rowley Lane, listed grade II, List Entry Number 1135342

The settings of the following assets do not extend to include either the Housing Allocation HS2 or HS3

- Woodsome Road Bridge, listed grade II, List Entry Number 1135320

- Locker Room Building Immediately to the North of Woodsome Hall, listed grade II, List Entry Number 1313336
- Fuel Store 200 yards south east of Woodsome Hall, listed grade II, List Entry Number 1135321
- 37 Rowley Lane, listed grade II, List Entry Number 1183942
- 63 Rowley Lane, listed grade II, List Entry Number 1313347

For non-designated heritage sites of archaeological interest included in the West Yorkshire Historic Environment Record, I defer to the West Yorkshire Archaeological Advisory Service's advice.

For clarity, the relative contribution different elements of a heritage asset's setting make to its significance are here categorised as either *critical*, *contributes*, *part of*, *neutral* or *detrimental*.

Woodsome Hall, listed grade I

Woodsome has been the site of a high-status dwelling since the 13th century, a moated house is known to have existed on the site, but its location and extent are unknown.¹ Woodsome Hall is an extremely fine and well-preserved example of a gentlemen's residence of the early 16th to mid-17th centuries. The house was built in stages for the Kaye family and encased in stone in the 17th century. The principal rooms face east across the valley. The much-altered south service wing may retain fabric of an earlier south facing house². The Kayes occupied Woodsome from 1378 to 1726 when Sir Arthur Kaye died. His daughter married George Legge (Viscount Lewisham) eldest son of the Earl of Dartmouth. The hall was restored and altered in 1870-6 by the 5th Earl of Dartmouth. This family occupied the house until 1911. From 1922 the Hall became the home of the Woodsome Hall Golf Club.

The landscaping of the immediate setting of the Hall strongly reflects its current use as a golf course. The private papers of the Kaye family reveal the extensive works undertaken in the 16th century to transform the landscape around the house. Woodlands were cleared, stone removed from the earth, boundary walls built, and the soil improved with lime. New farmsteads were established to increase rents and productivity³.

The submitted heritage statement notes that "whilst it has been claimed that the parkland surrounding the Hall was designed by the celebrated 18th century landscape architect Lancelot 'Capability' Brown... this remains unproven and the veracity of the claim has been questioned." This assessment is of the link to Capability Brown is not disputed.

Terrace, lawn and parkland

A deer park is referred to in the 16th century, but its extent is unknown, and it was disparked and the land put to other uses by 1733.⁴ The 1843 and 1855 OS Maps show a clearly bounded rectangular area of parkland to the east of the Hall, framed by woodland at its eastern end. This may be a legacy of that earlier deer park and has influenced the layout of the modern golf course (holes 1 and 2) to this day. The woodland was been extended westwards towards the Hall and this now frames views from the principal ground floor and first floor rooms of the club house as well as from its front terrace and lawn and the tees of holes 1 and 2. These areas with close visual relationships with the front elevation and principal rooms are all *critical to the setting* of the Hall.

¹ West Yorkshire Archaeology Advisory Service, Created on 11/25/2020, 'Primary Record Number 2572 Woodsome Hall & medieval settlement'

² Harman, R & Pevsner, N, 2017, *The Buildings of England: Yorkshire West Riding, Sheffield and the South*, (London)

³ Redmonds, G., 1982, *The Heirs of Woodsome and other essays in local history*, (Huddersfield)

⁴ West Yorkshire Archaeology Advisory Service, Created on 11/25/2020, 'Primary Record Number 2572 Woodsome Hall & medieval settlement'

Approaches

The way in which the Hall is approached has changed markedly over time, this is set out in some detail in the submitted heritage statement. The approach from Penistone Road across Woodsome Road Bridge up to the modern entrance to the golf club has been altered but still has historic associations with the Hall and is therefore considered to form *part of its setting*. The tree lined avenue from Woodsome Road to the Hall has defined the way in which it has been experienced for the last 150 years or more and *contributes to its setting*.

Surviving rural landscape

The surviving rural landscape of Woodsome Hall beyond the current boundaries of the golf club to the east *contributes to its setting*. This includes the allocations HS2 and HS3 and Lepton Great Wood. The Hall was the centre of an extensive and productive rural estate that included Woodsome Mill and a number of farms. There is no evidence that land to the east of Penistone Road was landscaped to improve views from the Hall, but it is an important part of the way in which it is experienced and reveals the productive nature of the land associated with the Hall. The principle rooms of the Hall all face east across the valley, the terrace and front lawn and the tees of Holes 1 and 2 also provide key viewpoints that all look eastwards. The tree planting of the golf course, which is a legacy and extension of the historic planting shown on early OS maps, contains the view and naturally leads the eye out to that surviving rural landscape. Deciduous trees partly obscure views to that landscape during spring and summer, most notably to the allocation HS2.

To a limited degree, modern development has encroached on views eastwards. The heritage statement notes that 'the views from the Hall have not remained static, and were far more industrialised during the 19th and 20th centuries industrial development'. Whilst this is correct, the western part of allocation HS2 and the allocation HS3 has never been developed. With the exception of the railway line, those parts that were developed for industry in the 19th and 20th centuries have already been redeveloped, except for the eastern part of HS2, which is not visible in key views from Woodsome Hall. It appears that whilst the Kayes and later the Lords of Dartmouth were resident at Woodsome they were keen to develop the productivity of their estate but not unduly industrialise the view from their home.

Woodsome Road Bridge, listed grade II

The bridge is probably of early 19th century date and forms *part of the setting* of Woodsome Hall. Its own setting is comparatively limited and would not be affected by the proposed development.

1 Woodsome Road, listed grade II

This former farmhouse was part of the Dartmouth Estate and therefore has historical associations with Woodsome Hall. It forms part of a group of historic buildings clustered around Woodsome Road Bridge including the former Woodsome Mill all of which appear to predate the mid-19th century. The 1845 Lepton tithe map and records included in the submitted heritage statement notes that the proposed development site (HS2 western part) was in the ownership of the Dartmouth Estate. It is also clear that the land was associated with 1 Woodsome Road, a former farmhouse (Figure 4 1845 – Lepton tithe map). Subsequently, the realignment of the Huddersfield Penistone Turnpike (Penistone Road) in the mid-19th century significantly altered the setting of the 1 Woodsome Road. Today that part of the former farmlands within the allocated housing site (HS2) still remains *part of the setting* of 1 Woodsome Road. Its open character, pastoral use and drystone boundary walls are important to that relationship. However, it retains a limited visual relationship due to an intervening tree belt. The

historical relationship is not readily appreciable on the ground. That part of land to the west of Penistone Road, where the roundabout is proposed, *contributes to its setting*, the land now forming the private garden to the property is *critical to its setting*.

Impact of the proposals on significance

The applicant seeks outline planning permission for access only, specifically the provision of an access off Rowley Lane at the western edge of the western section of housing allocation HS2. An outline proposal for an access off a new roundabout capable of handling the traffic requirements of HS2 and HS3 is provided. Broad outlines for development of HS2 and HS3 are also included.

The application is accompanied by a heritage statement. This includes viewsheds and photographs from three viewpoints. These viewpoints are suitable for illustrating the impact of the development on setting of Woodsome Hall, specifically its terrace, lawn and parkland and surviving rural setting. They do not however include a visual impact assessment to adequately illustrate that impact, nor are they sufficient to evaluate the impact of the currently proposed road junction or the proposed housing development. Similarly, the Design & Access Statement appears to be rather ambiguous in terms of the extent of the proposed road networks and the integration of the main vehicular routes. Consequently, it is not possible to evaluate the impact on the character of the landscape or the designated heritage assets, or plan for adequate mitigation.

Principle of development

Any development of the western part of the housing allocation HS2 to the north west of the disused railway viaduct will have an impact on the setting of Woodsome Hall because of the contribution its rural character makes to the setting of the Hall. The trees lining Holes 1 and 2 'lead the eye' from key viewpoints down the course towards the landscape beyond. This does not preclude development, but design aspects including layout, scale, materials and details are all important to mitigating that impact. That part of the allocation to the east of the disused viaduct has no visual relationship.

Any development of the western part of the housing allocation HS2 will also have an impact on the setting of 1 Woodsome Road, because of its historic functional association with the listed farmhouse. However, given the weaker present-day relationship between the housing allocation and the listed building this does not prevent development. Boundary treatments and landscaping may be sufficient to mitigate that impact but would need to be included in the required Masterplan.

Development of HS2 would not affect the setting of Woodsome Road Bridge due to the limited extent of its setting.

Impact of the proposed access off Rowley Lane

The proposed access off Rowley Lane would appear to have no impact on the setting of Woodsome Hall. It would have a negligible impact on the setting of 1 Woodsome Road.

However, the consequential impact of providing two access points cannot be assessed on the information submitted. For example, would viability or planning policy drivers regarding density result in denser or taller development in the developable areas of HS2 that lead to unacceptable heritage impacts or harm that could have been mitigated with a more efficient use of land?

Impact of the proposed roundabout

Further information is required to consider the scale of that impact on the setting of Woodsome Hall

including a Landscape Visual Impact Assessment (LVIA) and an evaluation of the indirect (visual) Heritage Impact illustrating how the road layout including street lighting and road crossings would impact on key views and the settings of the identified heritage assets.. Deciduous tree cover obscures views of the existing road in the spring and summer, but existing traffic and streetlights are visible in autumn and winter.

It is evident that the indicated roundabout would cause harm to the setting of 1 Woodsome Road due to the intrusion of the roundabout and associated lighting and traffic into a parcel of land that *contributes to* its setting. Visual impact assessment is also needed to evaluate the extent of the adverse impact and plan for the necessary mitigation for this designated heritage asset.

Relevant Policies/Guidance

Balancing and mitigating heritage impacts through masterplanning

The allocations HS2 and HS3 require a joint masterplan is prepared in accordance with policies in the Local Plan. This is a critical process to balance and mitigate the heritage impacts of the development of allocations HS2 and HS3 and to accord with the following statutory duties and planning policies:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy LP5 of the Local Plan, Masterplanning sites requires demonstration of a good understanding and respect for the natural environment, its heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the natural environment and heritage assets will be conserved and enhanced.

Paragraph 189 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

The submitted Heritage Statement only considers the impacts on Woodsome Hall, it does not consider impacts on 1 Woodsome Road, which is clearly affected by the roundabout proposal and the development of HS2. Visual impact assessments are also needed.

A masterplan-led approach to developing HS2 and HS3 is essential to give special regard to the setting of the affected heritage assets and to mitigate the relative heritage impacts on them. The potentially affected heritage assets are:

- Woodsome Hall, listed grade I, List Entry Number 1313336
- 1 Woodsome Road, listed grade II, Lis Entry Number 1184154
- Castle Hill, scheduled ancient monument, List Entry Number 1009846

- Victoria Tower, listed grade II, List Entry Number 1210385
- Crow Trees, 12 Rowley Lane, listed grade II, List Entry Number 1135342

The allocation for HS3 requires that in order to safeguard the setting of the Grade II Listed Building known as Crow Trees, no development shall take place on the field/area marked as moderate significance in Councils HIA to the west of the public footpath that runs across the site. The required masterplanning process will need to balance the more proximate impacts on the setting of the grade II listed 1 Woodsome Road and 12 Rowley Lane, with the distant impacts on the more significant Woodsome Hall and Castle Hill. This masterplan should be supported by a heritage impact assessment, which defines the relative significance and sensitivity of the identified heritage assets to the changes proposed by the masterplan and development and includes an evaluation of the direct and indirect heritage impacts (including a visual impact assessment).

Kirklees Council commissioned the Castle Hill Setting Study, which was completed in 2016. This advises that development of this scale immediately adjacent to the major urban areas is unlikely to pose and significant issues in relation to impacts on the setting and significance of Castle Hill. It would not affect identified key views to Castle Hill from its surrounding landscape. However, no study of this kind is exhaustive. There are attractive landscape views of Woodsome Hall and Castle Hill from HS3 including from the Public Right of Way KIR/85/10 a, which are doubtlessly of value to local residents and the masterplan should seek to preserve these.

Justification

Paragraph 194 of the NPPF requires that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The need for additional housing does not need to be justified as this is clearly identified in the Kirklees Local Plan and that need has been met by the allocation of suitable housing sites including HS2 and HS3. However, the proposed access roundabout to the development would have a significant impact on the setting of 1 Woodsome Road. Revised proposals should demonstrate the need for a roundabout and if this is necessary alternative options that meet highway needs but have a lesser impact on the setting of 1 Woodsome Road should be explored.

Weighing harm against public benefits

The proposed housing allocations HS2 and HS3 will inevitably change the character of the landscape and potentially result in a degree of harm to the setting of the various designated heritage assets. The NPPF requires that “great weight” is afforded to the conservation of designated heritage assets, including their setting. It is consequently important to appropriately evaluate the nature of the potential direct and indirect heritage impacts which would result from the proposed development. In accordance with the NPPF and the Local Plan harm to designated heritage assets should be minimised or avoided where possible (NPPF paragraph 190 and Local Plan Policy LP35) and only where it is unavoidable should it be mitigated. Where identified, specified harm to the heritage assets should be weighed against the delivery of clear public benefits of the proposal in accordance with NPPF paragraph 196. It will be clear that it is not possible to adequately evaluate heritage impacts, the effectiveness of mitigation or the delivery of public benefits without the proposed stages of the development being set within the context of the required masterplan.

Opportunities for enhancement

Paragraph 200 of the NPPF requires that Local planning authorities should look for opportunities for

new development within the setting of heritage assets, to enhance or better reveal their significance.

With regards to the allocated housing site HS2, the opportunity to create views from the western part of the allocation towards Woodsome Hall should be taken. The existing topography affords the best views towards Woodsome Hall in the south east corner of the parcel of land in the vicinity of the isolated field tree.

There is no general public access to the grade I listed Woodsome Hall, nor are there publicly accessible close or medium distance views. The allocation for HS3 requires that the public footpath, the historic field boundary and the trees protected by TPOs to the south of Crow Trees shall be retained as part of any development proposals. HS3 provides some excellent vantage points with attractive landscape views of Woodsome Hall with Castle Hill beyond including from this field boundary. Opportunities should be taken to retain some key views and provide some form of interpretation of the impact of the occupants of Woodsome Hall on the surrounding area.

Conclusion

Conservation and Design are unable to support the proposed development due to the failure to give the necessary “great weight” to the impact on the identified heritage assets and design grounds, in particular the disproportionately adverse impact of this stage of the wider housing development. The current proposal is considered to be premature and thus fails to meet the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP5 and LP35 of the Local Plan and paragraphs 189, 190, 193, 194, 196 and 200 of the NPPF. The housing allocations HS2 and HS3 require that a joint masterplan be prepared. This is a necessary tool to balance and mitigate the varying impacts on the affected designated heritage assets. A staged approach to the development of the allocations does not allow for adequate balancing and mitigation of impacts or for special regard to be paid to preserving the settings of the affected heritage assets. This substantial housing allocation should not be progressed in this apparently piecemeal fashion.

Recommendations

A joint masterplan should be prepared for the allocations HS2 and HS3, this should be used to balance varying heritage impacts. Great weight should be given to conserving the setting of all heritage assets and greatest weight should be given to protecting the settings of Woodsome Hall and Castle Hill. Opportunities to enhance the settings of the heritage assets should be identified including through introducing new views (including glimpses or better framed views) that add to the public experience of the assets and improving public access to, or interpretation of, the assets including their settings.

As a first step in considering heritage impacts it is advised that the Local Planning Authority and applicant’s agent agree the relative sensitivity of different areas within the allocated housing sites and key viewpoints for visual impact assessments.

It is important that the masterplan consider the landscaping, layout, form and scale of the development and also its materials and details. Existing development around the housing allocations HS2 and HS3 demonstrate the impact that materials and details can have on distant views from Woodsome Hall and the golf club. For example, the development on Woodsome Park with its palette of natural stone, dark brown concrete roof tile and dark framed windows are relatively unobtrusive. Whereas development to the north of Rowley Lane with palettes including red brick, light coloured render, white window frames and gable barge boards is highly visible.

Craig McHugh, IHBC

Senior Conservation and Design Officer

Site visit made to Woodsome Hall with access to the interior, allocations HS2 and HS3 and surrounding area 20/11/2020