

**Subject:** FW: Chidswell - application ref: 2020/92331  
**Date:** 20 April 2021 16:33:27

---

---

**From:** Hunter, David <David.Hunter@wyjs.org.uk>  
**Sent:** 20 April 2021 15:32

**Subject:** RE: Chidswell - application ref: 2020/92331

Dear Victor,

Many thanks for your email of 16/4/21.

**2020/60/92331/E Outline planning application for demolition of existing dwellings and development of phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure Land east of, Leeds Road, Chidswell, Shaw Cross, Dewsbury**

The applicant has produced a comprehensive desk based assessment of the application site's archaeological and heritage potential based on known heritage assets and a geophysical survey. The latter is of particular help in forming an opinion of the archaeological potential within the application boundary. This can be broadly characterised as comprising buried but extensive evidence of field systems, trackways and farmstead enclosures. These likely date from the later prehistoric period and Romano-British period. Thanks to the scale of the work and indication that more than one period of activity is present the evidential potential of these remains is enhanced as is their ability to answer questions on contemporary agriculture (asked by the county's archaeological research agenda and available from our website).

Evidence of later mining is also present. Whilst such activity may date to before the 18<sup>th</sup> century there is a greater level of activity from the late 19<sup>th</sup> to early 20<sup>th</sup> century. "Doglitch Water Pit" appears to be a pumping engine and may be associated with de-

watering the Babes in the Wood Colliery or other large deep mines in the vicinity. This is potentially of regionally significance and worthy of record to allow comparison with the recently excavated fan house at Nursery Pit (Waterloo Main), Osmondthorpe, Leeds. s. Nursery pit was a ventilation shaft that served a complex of belowground workings from the mid-19<sup>th</sup> century to the 1920s.

The heritage assessment therefore establishes that there is currently up to regionally significant archaeologically significant remains within the site.

However, techniques employed to date can miss some remains and, should planning consent be granted, then further archaeological evaluation, to determine the reliability of the surveys and complexity of the remains, should be carried out prior to determining any reserved matters applications.

Following this a programme of archaeological mitigation can be developed to preserve significant remains by record as described by The National Planning Policy Framework (February 2019): "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted." (paragraph 199).

Kirklees Local Plan, Strategy and Policies (February 2019) also makes provision for the retention and/or archaeological recording of non-designated heritage assets. Policy PLP 35.2 states that "the developer will be required to make adequate provision for excavation and recording before or during development."

Given the size of the proposed development and the apparently very well defined evidence of agricultural activity any programme of archaeological works should set out an integrated strategy to maximise the collection and dating of these field systems and their origins, uses and development through time. A programme to make this work publically accessible should also be developed and integrated in to each phase of development.

This work can be secured by the inclusion of a suitably worded condition on any grant of planning consent awarded by Kirklees council. The following condition, in accordance with the Department of the Environment's Circular 11/95, may be used:

*"No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."*

Or, as an alternative to the above model condition which was first introduced in 1990, the following condition is suggested by Historic England in their Historic Environment Good Practice Advice, Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment, 2015 paragraph 37:

*No development shall take place/commence until a written scheme of archaeological investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take*

*place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and*

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI*

### **Detail of Archaeological Investigation**

Details of the necessary archaeological work, in the form of a specification, will be provided to the developer on written request, by the WY Archaeology Advisory Service in our capacity as Kirklees Planning Department's advisors on archaeological matters. The WY Archaeology Advisory Service will also be responsible for monitoring the work of the archaeological contractor commissioned by the developer to undertake this work, on behalf of the Planning Authority. From the 1st of April 2011 in accordance with an agreement of the Council Committee that oversees our work the WY Archaeology Advisory Service will charge for these and concomitant services. Please note that the production of a specification may take up to three working weeks from receipt of a written request. It is in the applicant's interest that they be made aware of this likely timescale.

The WY Archaeology Advisory Service can also provide a list of archaeological contractors who may be available to tender for the work. In order to aid the developer to meet the requirements of the above condition I would suggest that it might be helpful to add the following as a note to the planning permission:

"For further information please contact: David Hunter, West Yorkshire Archaeology Advisory Service: 0113 5350300."

We would strongly suggest that the developer be advised that a reasonable period of time for the execution of the necessary archaeological work must be allowed for within the overall site timetable. Any commencement of work on site prior to the approval and implementation of an archaeological specification, and/or any failure to schedule work properly that results in inadequate archaeological recording, should be deemed by the Planning Department to be a breach of the planning condition.

Best regards

David