



Former Cooper Bridge Water Treatment Works, Leeds Road, Mirfield, WF14 0BT

Heritage Impact Assessment

Client: John Cotton Ltd

Planning Authority: Kirklees Council

Planning Ref: 2023/60/92448/E

Grid Ref: SE 18025 20973

Author: Nansi Rosenberg BA (Hons), MA, MCifA

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Executive Summary

Prospect Archaeology has been instructed by John Cotton Ltd to prepare this desk-based heritage assessment to assess the potential impacts of development on the historic environment from commercial development of the former Cooper Bridge Water Treatment Works in Mirfield, Calderdale. The Site measures c. 6.1ha and is centred on SE 18025 20973.

As a former water treatment works, the potential for archaeological survival is negligible and as such archaeological information is provided as background only. The Site lies near to the southern boundary of Kirklees Park, a registered Park & Garden, which contains two scheduled monuments and eighteen listed buildings, albeit the majority of these are outside the search area. Listed buildings including a floodgate, a bridge, locks, cottages and other structures relating to the Calder & Hebble Navigation are located to the south and west of the Site. Roadside structures including an obelisk, a boundary stone, houses and a barn are also listed buildings within the study area.

The Site lies in low ground at the confluence of the Rivers Calder and Colne. It is between 3-5m lower than the road to the north and 9m lower than the railway to the southwest. A high stone wall separates the Site from the road to the north and mature trees are present along much of the northern boundary.

The proposed development is for a single 300,000 sq ft industrial building (use Class B8 with ancillary offices). To comply with flood requirements, the proposed building will have a finished floor level 2m below the existing road level. The maximum building height would be 73.5m above Ordnance Datum, i.e. 24m tall.

On the northern side of the road, a thick plantation of mature trees provides further screening from Kirklees Park towards the Site. The topography and mature planting immediately surrounding the scheduled Iron Age defended settlement, Robin Hood's Grave and the reconstructed Roman watchtower within Kirklees Park mean none of these will suffer any impact from the proposed development. Other listed buildings and scheduled monuments within the parkland are too far removed and with multiple stands of trees between to suffer any impacts. Even the very southern end of the park is well screened by dense mature trees and is separated from the Site by the Leeds Road.

To the southwest of the Site, all the listed buildings lie on the far side of the railway and existing water treatment works. They are well shielded from these features by mature planting and their lower aspect (being associated with the Calder & Hebble Navigation). To the immediate north, the boundary stone and Dumb Steeple are located on the very busy wide roadside and roundabout respectively and the Site does not provide a significant contribution to their settings. Other listed buildings to the northeast are separated by modern development and the Site is not significant to their settings. There are no designated heritage assets to the southeast.

In conclusion, whilst the area surrounding the proposed development site contains numerous of designated heritage assets. None of them is likely to suffer a significant impact to its setting and there would therefore be no harm as a result of development.

1.0 Introduction

- 1.1.1 This Desk-based Archaeology & Heritage Assessment has been prepared by Prospect Archaeology Ltd on behalf of John Cotton Ltd to assess the heritage impact of a proposed residential development of the former Cooper Bridge Sewage Treatment Works, Mirfield (the Site). This report considers the known and suspected archaeological remains lying within and adjacent to the proposed development and the potential impacts on designated heritage assets within the surrounding area.

2.0 Site location

- 2.1.1 The application site comprises an irregular triangular-shaped parcel of land measuring c. 6ha bounded to the north by the A62 Leeds Road, the A644 Huddersfield Road, Cooper Bridge Road and the Cooper Bridge Roundabout, to the southeast by four settlement lagoons, and to the southwest by the Manchester – Leeds Railway line. The River Calder and Calder & Hebble Navigation pass close by the south and east of the Site, and Kirklees Park lies nearby to the north.
- 2.1.2 The Site had been used as a water treatment/ sewage works from the early 20th century until closure in 2015. It has been unoccupied since that date, although three derelict buildings do remain within the northern part of the Site.

2.2 Geology & Topography

- 2.2.1 The Site sits on Pennine Lower Coal Measures Formation - Mudstone, Siltstone and Sandstone, Overlain by Alluvium - Clay, Silt, Sand and Gravel deposits (<https://mapapps2.bgs.ac.uk/geindex/home.html>).
- 2.2.2 It is low lying ground adjacent to the River Calder and lies at c. 47mAOD. The road to the north sits approximately 2m above the Site and the land rises rapidly to the north and east. A broader flood plain to the south and west is also bounded by steep rises in the landscape with the confluence of the Rivers Calder and Colne present close to the southwest of the Site boundary. The Nun Brook flows south-east through the northeastern part of the Site to join the River Calder just west of the Site boundary.

3.0 Assessment Methodology and Significance Criteria

3.1 Buried Heritage

- 3.1.1 The buried heritage (archaeology) has been considered through desk-based assessment and a site visit. A full list of referenced sources is provided, and references are given. Staff at the West Yorkshire Historic Environment Record (WYHER) gave advice and information about known archaeological sites of interest in the vicinity of the study area, and where relevant, these were further investigated, as well as previous survey reports. Additional sources consulted included:
- information available on a variety of internet sites including, The National Archives (<http://discovery.nationalarchives.gov.uk/>) and the Archaeology Data Service (<http://ads.ahds.ac.uk/>); the Heritage Gateway (www.heritagegateway.org.uk); and data from PastScape (www.pastscape.org.uk) as well as the National Archives Discovery Catalogue. A full list of sites accessed can be found in the References section;
 - cartographic sources held by the Ordnance Survey and Promap (www.promap.co.uk);

- a search of the relevant archives catalogue has been made and, where justified, primary / secondary sources held there have been viewed;
- A site visit was undertaken by Nansi Rosenberg.

3.1.2 The historical development of the site has been established through reference to these sources and is described in the Baseline Conditions section of this report. This has been used to identify areas of potential archaeological interest. Each area of archaeological potential has been assessed for its archaeological importance in geographical terms, although it should be noted that despite the national policy guidance's reliance on geographical significance, there is no statutory definition for these classifications:

- International – cultural properties in the World Heritage List, as defined in the operational guidelines for the implementation of the World Heritage Convention;
- National – sites or monuments of sufficient archaeological/historical merit to be designated as Scheduled Ancient Monuments. Other sites or monuments may also be considered of national importance but not appropriate for scheduling due to current use(s) or because they have not yet been fully assessed;
- Regional – sites and monuments of archaeological or historical merit that are well preserved or good examples of regional types or that have an increased value due to their group associations, regional rarity or historical associations. In West Yorkshire these are identified as Class II monuments, also known as 'Areas of Special Archaeological Value' that need to be considered when development is proposed.
- Local – sites and monuments of archaeological or historical interest but that are truncated or isolated from their original context and are of limited use in furthering archaeological or historical knowledge.
- Negligible – areas of extremely limited or no archaeological or historic interest. These commonly include areas of major modern disturbance such as quarries, deep basements etc.

3.1.3 The concluding chapter of this document summarises the findings and provides an opinion on the potential for archaeological remains to be identified, the likely importance of such remains should they exist and the likely impact of the proposed development. Recommendations for further work are provided.

4.0 Baseline Conditions

4.1.1 The assessment of existing conditions has been based on a 'study area' extending 1000m from the boundary of the proposed development. This enables the significance of existing and potential archaeological features to be considered in their local, regional and national contexts.

4.1.2 The source of the monuments noted in the following text are from the WYHER and the National Heritage List for England (NHLE). The latter have been prefixed NHL, HER records prefixed with MWY. Previously unrecorded sites are prefixed PA. Events are prefixed with EWY. Where they fall within the Site, they are referenced in **bold**. Additional information on the historic development of the Site and surrounding area has been collated from historic mapping, online resources, and the library of Prospect Archaeology. Known and suspected archaeological remains are summarised and discussed in the following sections.

4.2 Designated Heritage Assets

- 4.2.1 There are no designated assets within the Site.
- 4.2.2 Twenty-five Grade II listed buildings, one scheduled monument and one registered park & garden are located within the search area.

Registered Parks and Gardens – Kirklees Park (NHL1413828)

- 4.2.3 Landscaped park, pleasure grounds and gardens for Kirklees Hall, the principal phase of development being the late C18 to the design of Richard Woods for Sir George Armytage (3rd baronet), but developed subsequently, especially in the early C20 by Sir George Armytage (6th baronet). The park includes the remains of a medieval nunnery (Kirklees Priory) and is associated with the legend of the death of Robin Hood.
- 4.2.4 Kirklees Priory (itself a scheduled monument) was established in the mid-12th century as a Cistercian nunnery, on the site of an earlier medieval settlement. Legend states that Robin Hood fired an arrow from his death bed at the priory to select his burial site. The listed building within the park that is called Robin Hood's Grave (NHL1184066) is some 600m south of the Priory and would have been a remarkable feat even for a healthy man.
- 4.2.5 There are 17 listed buildings within the Park and two scheduled monuments. The listed buildings include the Grade I listed Kirklees Hall Mansion and attached stables (NHL1184034) and the cluster of Grade I, II* and II listed buildings comprising Home Farm. Kirklees Priory is represented both by the scheduled archaeological remains of the establishment (NHL1417240) and by the Grade II* Priory Gatehouse (NHL1314039) and Grade II orchard walls (NHL1300282) which remain as standing buildings. All of these lie just outside the search area but are of great importance in the designation of the parkland as a whole.
- 4.2.6 Within the search area, the parkland includes the scheduled Castle Hill univallate defended settlement (NHL1005806) which is an Iron Age settlement, originally believed to be a Roman fort. This original belief of a Roman origin led to the 1905 construction of a Roman Watchtower (NHL1419209) within the subsequently scheduled area, protected as the earliest example of a reconstructed Roman building in England. The ramparts of the defended settlement were subject to archaeological investigations by Sir George Armytage (6th Baronet) and it was Sir George who built the watchtower as a summerhouse and viewing platform as part of his wider improvements to Kirklees Park.
- 4.2.7 Also within the parkland within the search area is the Grade II listed Robin Hood's Grave (NHL1184066). This memorial and gravestone (with Chaucerian inscription) were part of the 18th century garden design. The alleged grave had previously been plundered for pieces which were believed to cure toothache.

Listed Buildings

- 4.2.8 There are 28 listed buildings within the search area, all of them Grade II listed. The two buildings within Kirklees Park, Robin Hood's Grave and the Reconstructed Roman Watchtower, have been discussed above.
- 4.2.9 Yew Tree (NHL1134686) is a late 15th or 16th century timber-framed house with 17th century adaptations (including chimney and floors). An adjoining barn (NHL1300336) is 17th century, built of coursed rubble.
- 4.2.10 Mock Hall (NHL1134687) is also 17th century, referred to as Mockbeggar Hall in 1731. A timber-

framed barn 50m to the east (NHL1300343) is probably 16th century.

- 4.2.11 Bradley Hall (NHL1313500) is a 17th century structure and is likely on the site of the principal farm of a grange of Fountains Abbey.
- 4.2.12 142 Bradley Road (NHL1134365), 33-37 Oak Road (NHL1229568) and Lilac Cottage (NHL1314070) are all 18th century stone built houses.
- 4.2.13 The Dumb Steeple (NHL1184400) is an obelisk adjacent to the Cooper Bridge roundabout, probably erected in the 18th century. It was used as the meeting point for the Luddites abortive attack on Cartwright's Mill in Liversedge in 1812. It is called 'dumb' because it has no bells. It has been moved slightly from its original position.
- 4.2.14 There are nine listed buildings that form part of the Calder & Hebble Navigation, an 18th century canal originally built to transport wool and corn between 1774-1780. These comprise five locks (NHL1133863, 1134346, 1313800, 1221170 & 1313801), a floodgate (NHL1314046), two lock-keeper's houses (NHL1183774 and 1221170 which includes the lock), a bridge (NHL1221180), and wharfe works (NHL1183755).
- 4.2.15 Several infrastructure structures are included - bridges carrying the railway over the River Calder (NHL1220150, 1264679), the Railway overbridge at Colne Bridge (NHL1450265) and Colne Bridge itself (NHL1134290). The latter is probably the oldest of these infrastructure features, being mid-18th century or earlier and sits on the site of the earliest bridge in the Huddersfield district.
- 4.2.16 Also known as Colne Bridge Mill (NHL1313854) is an early 19th century mill located on the north of the Colne River, near Colne Bridge.
- 4.2.17 A boundary stone (NHL1313716) on the roadside immediately adjacent to the redline boundary is late 19th century and is inscribed 'HALIFAX R.D. MIRFIELD U.D.'.
- 4.2.18 The Church of the College of the Resurrection (NHL131678) is a large Romanesque style church of 1911 by Sir Walter Tapper, with the nave and aisles added in 1937 (also by Tapper) and the south porch and south transept added in the 1970s.

Table 1: Listed Buildings within 1km of the Site

Nhl Ref	Name	Grade	Her Ref
1133863	Calder and Hebble Navigation Cooper Bridge Lock and Gantry to Foot Bridge	li	DWY1485
1134290	Colne Bridge	li	DWY1904
1134346	Calder and Hebble Navigation Cooper Bridge Lock, Kirklees Cut Cooper Bridge Lock	li	DWY1957
1134365	142, Bradley Road	li	DWY1975
1134686	Yew Tree	li	DWY2289
1134687	Mock Hall	li	DWY2290
1183755	Calder and Hebble Navigation Wharfe Works	li	DWY3277
1183774	Calder and Hebble Navigation Cooper Bridge Lock-Keepers House	li	DWY3279
1184066	Robin Hood's Grave	li	DWY3368
1184400	The Dumb Steeple	li	DWY3444
1220150	Bridge Carrying North Track of Railway over River Calder Downstream from Kirklees Cut	li	DWY4291

1221170	Calder and Hebble Navigation Lock Keepers Cottage at Cooper Bridge Lock, Sir John Ramsdens Canal Lock Keepers Cottage at Cooper Bridge Lock	li	DWY4341
1221180	Calder and Hebble Navigation Bridge Taking Colne Bridge Road, Sir John Ramsdens Canal Bridge Taking Colne Bridge Road	li	DWY4342
1229568	33-37, Oak Road	li	DWY5214
1264679	Bridge Carrying North Track of Railway over River Calder, Downstream from Kirklees Cut, Bradley	li	DWY7303
1300336	Barn Adjoining Number 13 (Yew Tree)	li	DWY8530
1300343	Barn 50 Yards to East of Mock Hall	li	DWY8534
1313500	Bradley Hall	li	DWY8943
1313678	Church of the College of the Resurrection	li	DWY9115
1313716	Boundary Stone opposite Three Nuns Public House	li	DWY9153
1313800	Calder and Hebble Navigation Kirklees Low Lock, Kirklees Cut Kirklees Low Lock	li	DWY9234
1313801	Calder and Hebble Navigation Number 2 Lock, Sir John Ramsdens Canal Number 2 Lock	li	DWY9235
1313854	Colne Bridge Mill	li	DWY9282
1314046	Calder and Hebble Navigation Cooper Bridge Floodgate	li	DWY9468
1314070	Lilac Cottage	li	DWY9492
1419209	Reconstructed Roman Watchtower	li	DWY10718
1450265	Railway Overbridge Mvl3/107, Colne Bridge (B1168 Bridge Road)	li	DWY10768

4.3 Undesignated Heritage Assets and Events

4.3.1 There are 32 heritage assets recorded in the HER within the study area of which 13 are designated heritage assets, including Kirklees Park, Castle Hill, Robin Hood's Grave and the Roman Watchtower.

Prehistoric - Roman

4.3.2 There are no pre-Iron Age sites or finds recorded within 1km of the Site. Cropmarks of enclosures in a field to the north of the Site are considered likely to represent an Iron Age or Roman field system and trackway (MWY3511).

4.3.3 The Iron Age settlement at Castle Hill is the most significant activity of this period known in the area. The limited investigations undertaken at the start of the 20th century indicate the ramparts were made of a core of rough cobble walling within an earthen bank, surrounded by an external ditch, enclosing c.0.5ha. No investigations have been undertaken of the interior and the reconstructed Roman watchtower within the hillfort is based on examples seen on Trajan's Column in Rome.

4.3.4 Two sherds of 2nd century Roman Samian pottery from two separate bowls were recovered during drain cutting in the 18th century (MWY13582). The precise location of the find was not recorded and the position marked in the HER is a best estimate.

Medieval

4.3.5 The Site lies in the very southern part of Hartshead cum Clifton Township. It is recorded in the Domesday Book of 1086 with Alsí (son of Karski) identified as Lord of the Manor, replacing the pre-Conquest Lord, Arnbiorn of Worsorough. Its value had halved in the two decades since the conquest (opendomesday.org/map/).

- 4.3.6 Cooper Bridge appears in records from the 14th century onwards, originally called *le Couford*, meaning ‘ford that cows could use’. However, a bridge was already in existence by 1336 and was in need of repair in 1484, with further records indicting it was to be rebuilt in stone in 1639 (<https://epns.nottingham.ac.uk/>).
- 4.3.7 Kirklees Priory was established as a Benedictine nunnery by Reiner Le Fleming, Lord of the Manor of Wath upon Dearne in the 12th century. It followed the rules of the Cistercian order for most of its existence, under the supervision of the Diocesan Bishops. Kirklees Priory avoided Dissolution until 1539 when it was worth £30 with a community of eight nuns, six of whom were granted pensions. It was partially excavated by Sir George Armytage (6th Baronet) in 1904-5, revealing the floor plan of the church and cloister. The priory lies outside the search area but is associated with the legend of Robin Hood who was allegedly killed by a prioress, who was also his relative.
- 4.3.8 The 18th century Robin Hood’s Grave may lie on the site of a medieval grave. It was alleged that he was buried next to the highway to show travellers the area was now safe. However, excavation below the gravestone in 1607 identified no evidence for earlier disturbance (MWY2110). The tradition of Robin Hood being buried at Kirklees Priory dates back to at least the 15th century and accounts of the stone on his grave mentioning ‘Robert Hood, William of Goldsbrough and others’ was recorded from 1569 onwards. The inscription and an epitaph located near the grave are variously mentioned by antiquarians over the following years (varying slightly in wording and description in the different accounts). A drawing of the grave slab with a cross and inscription was reportedly made by Dr Nathaniel Johnston in 1665. Dr Johnston was physician to the wife of Sit John Armitage IV of Kirklees so was very familiar with the estate (<https://robinhoodlegend.com/robin-hoods-grave-5/>).



Figure 1: Drawing of Robin Hood's Grave allegedly by Dr Johnston 1665 (<https://robinhoodlegend.com/robin-hoods-grave-7/>)

- 4.3.9 A series of weirs and fishponds on Nunbrook built in the 18th century may preserve traces of earlier water-features associated with the priory (MWY2109).
- 4.3.10 The fieldname 'Hellewell syke' given on the Huddersfield tithe map may mark the position of a medieval holy well. The site has since been lost to the railway (MWY1409).
- 4.3.11 The 17th century Bradley Hall may occupy the site of the medieval Bradley grange belonging to Fountains Abbey (MWY7304).
- 4.3.12 Yew Tree is possibly as early as 14th century, enclosed in a modern exterior. Potentially originating as a single-aisled, three-bay timber-framed house, it has been much adapted since construction (MWY7923). 13th – 15th century pottery was recovered during small-scale excavations in the interior in 1973 (EWY3109).
- 4.3.13 The Three Nuns Inn (now Miller & Carter) is believed to be located on the site of a house used by the last three nuns of Kirklees Priory following Dissolution in 1539, and local tradition claims the house was present from the 12th century. The medieval building was demolished in 1939 and at this time, it was recorded that the half-timbered house, encased in stone was of 14th century date (MWY10367).
- 4.3.14 Medieval archery butts were reportedly located on Mirfield Moor (MWY10372). There is no suggestion they were used by Robin Hood.
- 4.3.15 West Mill (MWY10369) is first recorded in documentary records in 1517. Since 1853, records indicate it has at times been used for corn, wool, fulling, scribbling, flour, and oil extraction.

Post-medieval - Modern

- 4.3.16 The Site lies on the boundary of Kirklees and Calderdale Districts as well as the township boundary. Kirklees Park lies partly within Clifton and partly within Hartshead townships and a boundary stone is recorded on historic and mapping within the woods in the park (MWY3634).
- 4.3.17 The earliest mapping for the area (Jeffrey's Map of Yorkshire 1775) shows the Site as undeveloped but with the turnpike road forming the northern boundary and being carried across the river on Cooper's Bridge.
- 4.3.18 An 18th century forge, Colne Bridge Forge, lay on the site of the later Colne Bridge Mill (MWY12504). Kirkheaton Forge is also of 18th date but was derelict by 1813 (MWY20320).
- 4.3.19 A series of weirs and fishponds on the Nunbrook were constructed in the 18th century but may well have earlier origins (MWY2109).
- 4.3.20 The Calder and Hebble Navigation from Wakefield to Sowerby Bridge opened in 1765 (MWY3355). The Huddersfield Broad Canal, originally known as the Sir John Ramsden Canal, was built between 1778-1780 (MWY12983) joined the Aspley Basin to the Calder & Hebble Navigation at Cooper Bridge. The Battye Ford Cut of the Calder & Hebble Navigation provided a navigable waterway that avoided the Battye Ford Weir on the River Calder from 1785. There are a large number of buildings associated with these canals, many of which are listed (see above).
- 4.3.21 The Manchester and Leeds Railway built a station at Cooper Bridge in 1840 to serve Huddersfield, 6.4km away, which did not at that time have its own station. Whilst the Tithe Apportionment does identify the railway as belonging to the Lancashire and Yorkshire Railway

Company, the Site was excluded from the tithe assessment, presumably because it was in the ownership of Sir George Armytage as Lay Proprietor.

- 4.3.22 Christ Church, Battleyford was constructed in 1841 (MWY10370) but was replaced by the church of Christ the King after the original church was gutted by fire in 1973.
- 4.3.23 Holme Cotton Mills at Bradley is first shown on maps in 1894, located between the Calder & Hebble Navigation and the railway (MWY11159).
- 4.3.24 Nunbrook House (no 7 Leeds Road) and a short-lived maltings, also called Nunbrook were both constructed in the 19th century (MWY7919 and MWY10368 respectively).
- 4.3.25 In the 1920s, the factory premises to the northeast of the Site was briefly occupied by the L.S.D. Motor Co. Ltd, manufacturers of 3-wheeled cycle cars (http://mirfield-2ndlook.info/Made_In_Mirfield/Motor_Industry/Motor_Industry_2/motor_industry_2.html)

4.4 Historic Mapping

Ordnance Survey 1855

- 4.4.1 The railway is present with Cooper Bridge Station labelled but apparently only a very small square building next to the level crossing on the south side of the line. The Dumb Steeple is identified as 'The Obelisk'. On the north-east side of the Nun Brook an area is demarcated adjacent to the road which might be indicative of cultivation, although it doesn't appear on the map key. A building identified as 'Goosehole' is present near the eastern boundary of the Site along with another area of possible cultivation. A wooden bridge crosses Nun Brook near Gooseholes and Bridle Bridge (Wooden) crosses the Calder at the junction with the Calder & Hebble Navigation. A plantation of trees occupies the northern side of the Leeds Road, obscuring views between the Site and Kirklees Park.

Ordnance Survey 1908

- 4.4.2 The railway has expanded and Cooper Bridge Station has been rebuilt further east and considerably larger. Gooseholes has been replaced with the Nun Brook Print Works. The plantation on the north side of Leeds Road is labelled Stubbin's Plantation. The Site itself remains undeveloped.

Ordnance Survey 1955

- 4.4.3 The Sewage Works (Huddersfield Corpn) occupies the whole of the Site south of Nun Brook. The print works building remains to the north but is unlabelled. The residential building at the junction of Leeds Road, Wakefield Road and Cooper Bridge Road has been constructed.

Ordnance Survey 1966

- 4.4.4 Cooper Bridge Station has been removed. The former Nun Brook Print Works is now labelled Mill and additional buildings have been constructed.

Ordnance Survey 1974

- 4.4.5 The junction has been converted to a roundabout.

5.0 Assessment

- 5.1.1 The proposed development is for a single industrial unit of c. 300,000 sq ft (27,870 sq m) with a maximum height of 24 metres (73.5m aOD) in a low pitch roof. Built development is positioned towards the southeast of the Site, with car parking to the north adjacent to the

Leeds Road and new landscaping to the west and south, and increased buffer planting on the northwest.

- 5.1.2 The current ground level within the site is 3.5m below the road but will be raised in the new development to 2m below the road for flood management. The new building would therefore stand at a maximum of 22m above the landscape to the north.
- 5.1.3 The Site is separated from the canal by retained settling tanks. Whilst the canal is historically an industrial feature, the current appearance is relatively tranquil. Specific heritage assets associated with the canal are separated from the site by other utility facilities and industrial buildings. There is also significant mature planting along the canal side that provides a further buffer.
- 5.1.4 To the north, a thick plantation separates the Site from Kirklees Park and the designated heritage assets therein. In the case of the univallate hillfort, Roman watchtower and Robin Hood's Grave, these are also located within mature woodland settings and the Site does not have any intervisibility with them.
- 5.1.5 The Site does not contribute to a significant setting of Kirklees Park, which has only glimpsed views towards the Site from the very edge of the southern woodland, and these are dominated by the busy road and the 2m high stone boundary wall to the Site.
- 5.1.6 The Dumb Steeple is a roadside monument that has been moved from its original position and has a setting dominated by the roundabout and adjacent roads. The boundary stone on the boundary wall to the Site has a similar roadside setting, not contributed to by the Site itself.

6.0 Conclusions and Recommendations

- 6.1.1 Whilst there are a considerable number of designated heritage assets in the vicinity of the Site, these are largely either within the heavily wooded and topographically inwardly focused Kirklees Park, or form elements of the Calder & Hebble Canal which is separated from the Site by other infrastructure features. The Site is low-lying and the proposed finished floor-level is 2m below the adjacent road level. The building will sit 20m above the boundary wall to the north but is already heavily screened by mature trees and additional planting will provide further screening.
- 6.1.2 In respect of the river and canal, there will be views towards the new building from the footbridge but elsewhere along the waterways, mature planting and existing infrastructure/commercial development will result in changes to the landscape being limited.
- 6.1.3 There would be no direct impact on any designated heritage asset and no indirect impact on any significant setting as a result of the proposed development.

7.0 References

7.1 Published and Unpublished Sources

Faull, M L & Moorhouse, S A 1981 *West Yorkshire: an Archaeological Survey to A.D. 1500 volume 2*

7.2 Cartographic & Photographic Sources

Ordnance Survey 1855, 1908 6":1 mile

Ordnance Survey 1907 25":1 mile

Ordnance Survey 1955 1:25,000

Ordnance Survey 1966 1:10,000

Ordnance Survey 1974 1:2,500

7.3 Digital Sources

<http://ads.ahds.ac.uk/>

<http://discovery.nationalarchives.gov.uk/>

<http://environment.data.gov.uk/ds/survey/index.jsp#/survey>

<http://mapapps.bgs.ac.uk/geologyofbritain/home.html>

http://mirfield-2ndlook.info/Made_In_Mirfield/Motor_Industry/Motor_Industry_2/motor_industry_2.html

<http://www.heritagegateway.org.uk/gateway/>

<http://www.magic.gov.uk/>

<https://historicengland.maps.arcgis.com/apps/webappviewer/>

<https://historicengland.org.uk/listing/the-list/>

<https://maps.nls.uk/>

<https://specialcollections.le.ac.uk/>

<https://www.britainfromabove.org.uk/>

<https://www.british-history.ac.uk/>

<https://www.cambridgeairphotos.com/>

<https://www.genuki.org.uk/>

<https://www.thegenealogist.co.uk/>

<https://www.visionofbritain.org.uk>

8.0 Figures

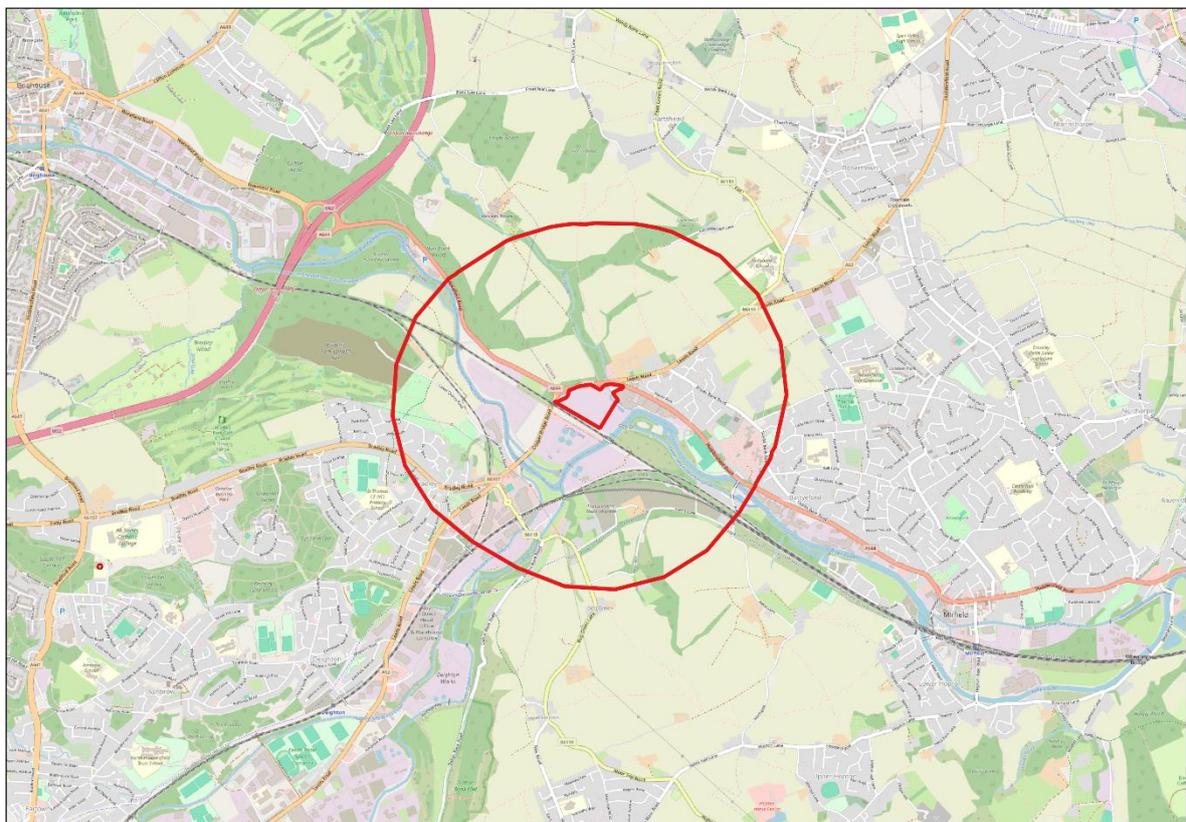


Figure 2: Site location

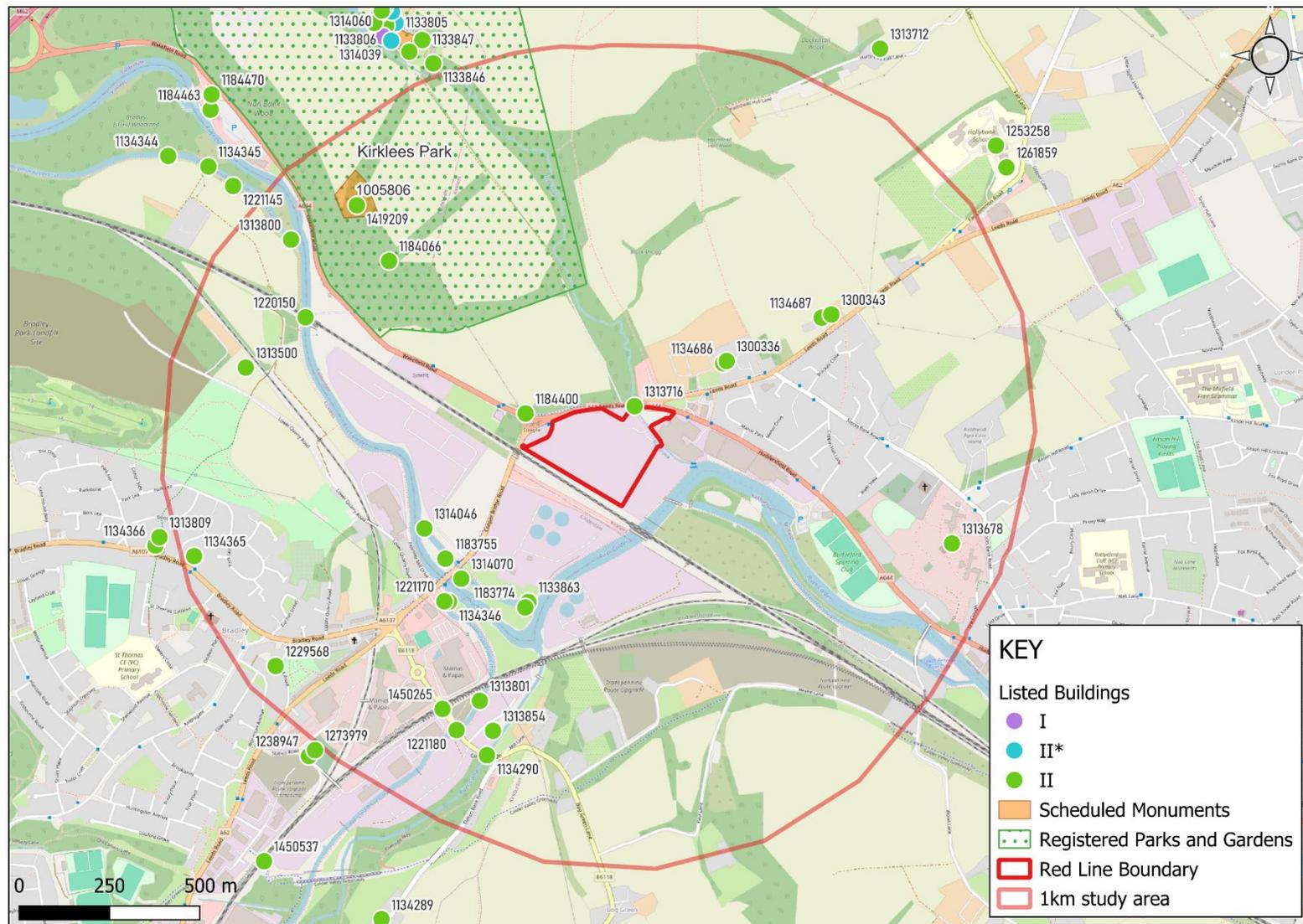


Figure 3: Designated Heritage Assets

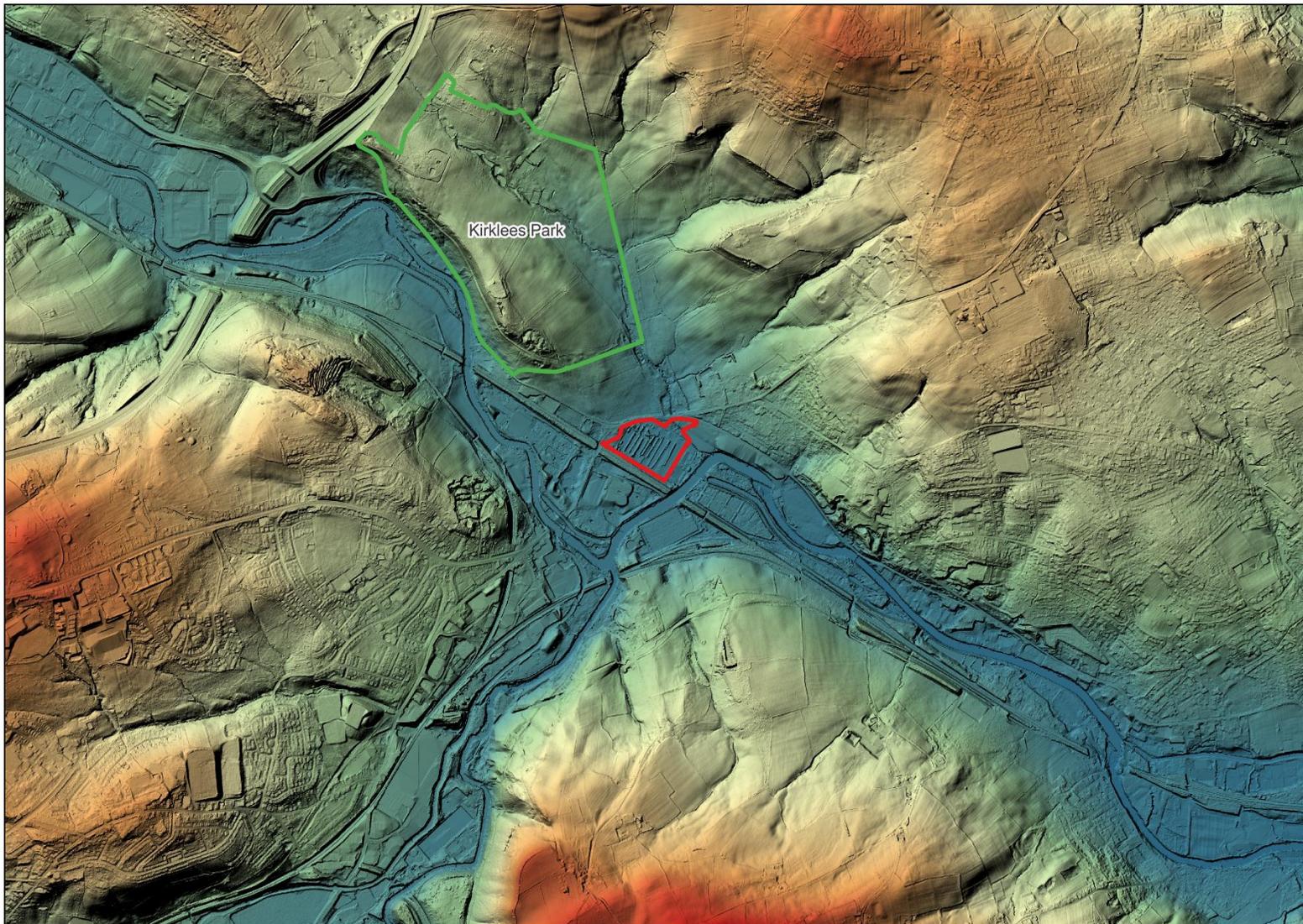


Figure 4: LiDAR data showing topographical relationship to Kirklees Park

9.0 Plates



Plate 1: View towards Site from entrance to Kirklees Park (note the Registered Park is 340m north of this point)



Plate 2: Field between the plantation and Kirklees Registered Park on the north side of the Leeds Road



Plate 3: View towards Kirklees Park from the Site's northern boundary



Plate 4: View south across the Site



Plate 5: View towards Site from Battyeford Footbridge

Appendix 1: Heritage Assets in the Study Area

Designated Heritage Assets

NHL Ref	Name	Type / Grade
1133863	CALDER AND HEBBLE NAVIGATION COOPER BRIDGE LOCK AND GANTRY TO FOOT BRIDGE	LB II
1134290	COLNE BRIDGE	LB II
1134365	142, BRADLEY ROAD	LB II
1134686	YEW TREE	LB II
1134687	MOCK HALL	LB II
1183755	CALDER AND HEBBLE NAVIGATION WHARFE WORKS	LB II
1183774	CALDER AND HEBBLE NAVIGATION COOPER BRIDGE LOCK-KEEPERS HOUSE	LB II
1184066	ROBIN HOOD'S GRAVE	LB II
1184400	THE DUMB STEEPLE	LB II
1220150	BRIDGE CARRYING NORTH TRACK OF RAILWAY OVER RIVER CALDER DOWNSTREAM FROM KIRKLEES CUT	LB II
1221170	CALDER AND HEBBLE NAVIGATION LOCK KEEPERS COTTAGE AT COOPER BRIDGE LOCK SIR JOHN RAMSDENS CANAL LOCK KEEPERS COTTAGE AT COOPER BRIDGE LOCK	LB II
1221180	CALDER AND HEBBLE NAVIGATION BRIDGE TAKING COLNE BRIDGE ROAD SIR JOHN RAMSDENS CANAL BRIDGE TAKING COLNE BRIDGE ROAD	LB II
1229568	33-37, OAK ROAD	LB II
1300336	BARN ADJOINING NUMBER 13 (YEW TREE)	LB II
1300343	BARN 50 YARDS TO EAST OF MOCK HALL	LB II
1313500	BRADLEY HALL	LB II
1313678	CHURCH OF THE COLLEGE OF THE RESURRECTION	LB II
1313716	BOUNDARY STONE OPPOSITE THREE NUNS PUBLIC HOUSE	LB II
1313800	CALDER AND HEBBLE NAVIGATION KIRKLEES LOW LOCK KIRKLEES CUT KIRKLEES LOW LOCK	LB II
1313801	CALDER AND HEBBLE NAVIGATION NUMBER 2 LOCK SIR JOHN RAMSDENS CANAL NUMBER 2 LOCK	LB II
1313854	COLNE BRIDGE MILL	LB II
1314046	CALDER AND HEBBLE NAVIGATION COOPER BRIDGE FLOODGATE	LB II
1314070	LILAC COTTAGE	LB II
1419209	Reconstructed Roman Watchtower	LB II
1450265	Railway overbridge MVL3/107, Colne Bridge (B1168 Bridge Road)	LB II
1005806	Castle Hill univallate defended settlement, Kirklees Park	SM
1413828	Kirklees Park	RPG II

Non-Designated Heritage Assets

HER No	Asset type	Name/Description	Class
MWY10367	MON	The Three Nuns Inn, Mirfield	WYAAS Class 4
MWY10368	MON	Nun Brook Malting's	WYAAS Class 4
MWY10369	MON	West Mill	WYAAS Class 3
MWY10370	MON	Christ Church, Battyeford	WYAAS Class 3
MWY10372	MON	The Butts	WYAAS Class 4
MWY11	MON	Castle Hill (Camp at Kirklees Park)	WYAAS Class 1
MWY11159	MON	Holme Cotton Mills at Bradley	WYAAS Class 4
MWY11694	MON	33-37 Oak Road Huddersfield	WYAAS Class 1
MWY12504	MON	Colne Bridge Forge and Colne Bridge Mill	WYAAS Class 1
MWY12983	MON	Huddersfield Broad Canal or Sir John Ramsden Canal	WYAAS Class 3
MWY13104	MON	Wharf Works, Cooper Bridge, Clifton	WYAAS Class 3
MWY13582	FS	Two sherds of two Roman Samian bowls	WYAAS Class 4
MWY1409	MON	Place name, Hellewell Syke, Huddersfield	WYAAS Class 4
MWY20320	MON	Kirkheaton Forge	WYAAS Class 3
MWY20487	MON	Railway Bridge MVL3/107 Colne Bridge	WYAAS Class 1
MWY2109	MON	Weirs and fishponds along Nunbrook, Clifton	WYAAS Class 3
MWY2110	MON	Robin Hood's Grave, Clifton	WYAAS Class 1
MWY3355	MON	Calder and Hebble Navigation Canal	WYAAS class 3
MWY3511	MON	Prehistoric or Roman field system and trackway (cropmarks)	WYAAS Class 3
MWY3512	MON	Mineral extraction pits	WYAAS Class 3
MWY3513	MON	AP index, Hartshead, Mirfield	WYAAS Class 4
MWY3634	MON	Township Boundary stone	WYAAS Class 3
MWY4456	MON	World War I anti-aircraft gun at Mirfield Moor	WYAAS Class 4
MWY5557	MON	Dumb Steeple at Cooper Bridge	WYAAS Class 1
MWY6035	MON	Reconstructed Roman Watchtower, Kirklees Park	WYAAS Class 1
MWY7282	MON	Church of the College of Resurrection, Mirfield	WYAAS Class 1
MWY7304	MON	Bradley Hall	WYAAS Class 1
MWY7919	MON	Nunbrook House (No.7 Leeds Road)	WYAAS Class 3
MWY7923	MON	Yew Tree	WYAAS Class 1
MWY7924	MON	Barn Adjoining Yew Tree	WYAAS Class 1
MWY8578	MON	Mock Hall and barn, Leeds Road, Mirfield	WYAAS Class 1
MWY8825	MON	Kirklees Park (Registered Park & Garden)	WYAAS Class 2

Appendix 2: Legislation and Planning Policy Context

Ancient Monuments and Archaeological Areas Act 1979 (AMAAA)

The Act is the primary legislation protecting archaeological remains within the United Kingdom. It identifies as a duty of the Secretary of State the need to compile and maintain a schedule of ancient monuments of national importance, to allow for their preservation, so far as possible, in their current (at the time of scheduling) state.

A statement setting out current Government policy on the identification, protection, conservation and investigation of nationally important (both scheduled and nationally important non-scheduled) ancient monuments was published in October 2013 (DCMS 2013).

Where works to scheduled monuments are proposed for development-related purposes, the Secretary of State has particular regard to the following principles:

Only in wholly exceptional cases will consent be granted for works could result in substantial harm to, or loss of, the significance of a Scheduled Monument; and

In cases that would lead to less than substantial harm to the significance of a Scheduled Monument the harm will be weighed against the public benefits of the proposal (DCMS 2013, para 20).

This legislative position is directly reflected in the National Planning Policy Framework (NPPF) which states that “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...” (NPPF, para 195), and “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use” (NPPF, para 196).

Where consent is granted for works that could result in harm to, or loss of, the significance of a Scheduled Monument, conditions are expected to be imposed that provide for recording of information that adds to our understanding of the significance of that monument. Those conditions are likely to be designed to ensure that:

- the project design seeks to further the objectives of relevant international or national research frameworks;
- use is made of appropriately skilled teams with the resources to fully implement the project design to relevant professional standards (such as those published by the Institute for Archaeologists);
- the project design provides for the full analysis, publication and dissemination of the results, including the deposition of reports in the relevant Historic Environment Record (HER), to a set timetable; and
- provision is made in the project design for the conservation and deposition of the site archive with a local museum or other public depository willing to receive it (DCMS 2013, para 21).

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990) highlights the importance of built heritage and Listed Buildings within the planning system. With regard to the Local Planning Authority’s (LPA) duty regarding listed buildings in the planning process, it states that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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”.

In addition, Section 72 of the Act emphasises the value of Conservation Areas in built heritage planning. In relation to the duties and powers of the LPA, it provides that:

“With respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

The National Planning Policy Framework (NPPF) December 2024

The latest iteration of the NPPF continues to provide policy relating to the historic environment in Chapter 16 ‘Conserving and enhancing the historic environment’. Planning decisions have to be made from a position of knowledge and understanding with respect to the historic environment. Paragraph 207 states:

“In determining applications, 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 impacts 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. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

In paragraph 210, it is made clear that a balance must be sought, on the one hand sustaining and enhancing the significance of heritage assets and the positive contribution that they can make to communities, and on the other in considering the positive contribution that a new development could make to local character and distinctiveness.

The impact on a heritage asset should be assessed in terms of the significance of that asset; the greater the significance, the greater weight should be given in that assessment. Any harm to, or loss of, the significance of a designated asset should require clear and convincing justification. Where substantial harm or loss is predicted, approval should be given only in exceptional circumstances for Grade II listed buildings, parks or gardens. For heritage assets of higher importance (Grade II* & I listed buildings and parks & gardens, scheduled monuments, protected wreck sites, battlefields and World Heritage Sites) approval for proposed developments that cause substantial harm should be ‘wholly exceptional’ (para 213). In all cases the harm must be weighed against the public benefit (para 214).

As a footnote to para 213 the NPPF states that:

“Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.”

As is reflected in the DCMS 2013 statement on Government policy, it is made clear that undesignated heritage assets of national importance should be afforded the same consideration as designated assets of equivalent significance:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset” (para 216);”

In addition, para 205 states that:

“Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

Local Planning Policy – Calderdale Local Plan Adopted 22 March 2023

Policy HE1

Historic Environment

- I. **Development proposals should conserve, and where appropriate, enhance, the historic environment** especially those elements which make a particularly important contribution to the identity, sense of place and local distinctiveness of Calderdale. These include:
 - a. Calderdale's textile/industrial heritage and landscapes
 - b. Yeoman Houses of the 16th and 17th centuries
 - c. Nonconformist chapels and graveyards
 - d. Historic farmsteads and barns, and
 - e. Civic buildings
- II. Applications for development which are likely to affect the significance of a heritage asset (whether designated or not), including its setting, will be required to include an appropriate understanding of the significance of the assets affected. Where it is necessary to understand the impact of the proposals upon the heritage asset, this should also be accompanied by a Heritage Impact Assessment or, in the case of archaeological remains, an appropriate archaeological assessment.
- III. Development proposals will be expected to conserve heritage assets in a manner appropriate to their significance. Harm to a designated heritage asset (or a Class II archaeological site) will only be permitted where this is outweighed by the public benefits of the proposal. Substantial harm to or the total loss of the significance of the most important designated heritage assets will only be permitted in wholly exceptional circumstances where there is a clearly defined significant public benefit which outweighs the harm.
- IV. Proposals affecting a Class III archaeological site should conserve those elements which contribute to its significance in line with the importance of the remains. In those cases where development affecting any archaeological sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified or achievable, the developer will be required to make adequate provision for the archaeological site's satisfactory recording, analysis, reporting, interpretation and deposition of the resultant archive with an appropriate museum or archive service.
- V. Proposals affecting a conservation area or its setting should preserve or enhance those elements that contribute to its significance particularly those buildings, spaces or structures making a positive contribution to its character. Regard should be given to conservation area character appraisals where one exists.
- VI. Support will be given to development proposals which will help to provide a sustainable future for a heritage asset at risk, providing that other elements of this policy are complied with.
- VII. Proposals that are within or likely to affect the setting of a locally important historic park and garden will be expected to: ensure that development does not detract from the enjoyment, layout, design, character, appearance or setting of the park or garden, key views out from the park, or prejudice its future restoration.