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MAP Archaeological Practice

Land West of Roslyn Avenue,
Netherton
West Yorkshire

Archaeology and Heritage Desk Based
Assessment



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Netherton
West Yorkshire

MAP 5.05.23
Archaeology and Heritage Desk Based Assessment

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Non-Technical Summary

This report has been undertaken by MAP Archaeological Practice Ltd., under instruction from KCS Developments, to evaluate the historical background and assess the impact of a proposed residential development on land west of Roslyn Avenue, Netherton, West Yorkshire, on known archaeological and historical assets.

An archaeological geophysical survey has been carried out across the site which has identified anomalies of potential archaeological origin. It is therefore recommended that Evaluation by Trial Trenching be undertaken following planning permission being secured and prior to the commencement of development.

The site is located within the setting of the Scheduled Monument of Castle Hill and Grade II Listed Victoria Tower. Long distance views of the site as open space bounded by existing urban development are possible from within the assets boundaries, although the current application site is not as visible as ongoing residential development at Netherton Moor Road, to the south of the village. The prominence of Castle Hill makes it a focal point of long distance views out of the development site boundary over Netherton to the east. Development within the site boundary will remove a small amount of open space from within the setting of Castle Hill but would not significantly alter its setting or significance. Current development plans show that the proposed development is in keeping with existing dwellings within the immediate vicinity of the site, and views across the development to Castle Hill, and from Castle

Hill through the development site will be largely maintained. It is therefore considered that development would have a negligible impact on the setting and significance of Castle Hill.

Two Conservation Areas and forty-nine Grade II Listed Buildings are also located within the vicinity of the site. Owing to existing built development and the topography of the surrounding landscape, development within the site boundary would have a negligible impact on the setting and significance of all.

1. Introduction

- 1.1 This Archaeology and Heritage Desk Based Assessment has been undertaken by MAP Archaeological Practice Ltd., under instruction from KCS Developments, to evaluate the archaeological and historical background, and to assess the impact of a proposed residential development in Netherton, West Yorkshire (SE 11965 13055), Fig. 1).
 - 1.2 Archaeological, Historical and Architectural remains are protected by means of Statutory Instruments; including the Ancient Monuments and Archaeological Areas Act 1979 and Planning (Listed Buildings and Conservation Areas) Act 1990); and by the National Planning Policy Framework, Chapter 16 (2021).
 - 1.3 The work was funded by KCS Developments.
 - 1.4 The author, contributors and editors are accredited Members of the Chartered Institute of Archaeologists. The report assesses the proposed development and considers its effect on archaeological and built heritage resources (referred to as "heritage assets" as defined in the National Planning Policy Framework) within and surrounding the site.
 - 1.5 All Maps within this report have been reproduced from the Ordnance Survey with the permission of the Controller of His Majesty's Stationery Office, Crown Copyright, License No. AL50453A and data derived from Open Street Map (<https://www.openstreetmap.org/copyright>). The Historic England GIS Data contained in this material was obtained in January 2023. The most publicly available up to date Historic England GIS Data can be obtained from [HistoricEngland.org.uk](https://historicengland.org.uk).
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- 1.5 All maps containing data derived from the West Yorkshire Historic Environment Record is reproduced under a license agreement.

2. Site Description

- 2.1 The site, which measures approximately 10.39ha, is located to the north-west of Netherton town centre, approximately 5km north-east of Huddersfield, and 26km south-west of Oldham (NGR SE 11965 13055, Fig. 1).
- 2.2 The Kirklees Local Plan allocates the site for residential development as Allocation HS18. The associated allocation note makes reference to the need for a Heritage Assessment to accompany any application, due to the site being located within an area which affects the setting of Castle Hill.
- 2.3 The Proposed Development Area is bounded to the north and west by agricultural land, and to the south and east by ongoing residential development. The site is oriented north-west to south-east.
- 2.4 The Proposed Development Area lies on Rough Rock Flags Sandstone, a sedimentary bedrock formed during the Carboniferous period (British Geological Society. 2023).

3. Aims and Objectives

3.1 The Desk Based Assessment has been prepared in accordance with best practice guidelines issued by the Chartered Institute for Archaeologists *Standard and Guidance for historic environment desk-based assessment* (CIfA 2020).

3.2 An assessment is required that will consider the likely survival of buried archaeological deposits on the site, the likely significance of such deposits and the impact on them of the proposal and assess the setting and significance of the standing buildings and their contribution to the area's historic character and will consider the impact of the development proposal on them.

3.3 The aim of the Desk Based Assessment is to:

- Identify recorded features of historical and archaeological significance within the study area
- Establish the potential for hitherto unrecorded and unknown sites
- Assess the relative importance of the sites
- Assess the likely impact of the proposed development on the sites
- Make recommendations to mitigate any impact of the development on the sites

4. Policy Context

4.1.1 Archaeological, historical and architectural remains are protected by means of Statutory Instruments (including the Ancient Monuments and Archaeological Areas Act 1979 and Listed Buildings and Conservation Areas Act 1990) and the National Planning Policy Framework adopted in 2021.

4.1.2 A full summary of relevant national legislation is outlined in Appendix 2.

4.2 Local Policy- Kirklees Local Plan

4.2.1 Chapter 14 of the Kirklees Local Plan (Adopted 2019) and Policy L35 concerning the Historic Environment (Conservation Areas, Scheduled Monuments, Listed Buildings and Archaeology) is relevant to this Desk-Based Assessment. It states that:

1. *Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm, or all of the following are met: a. the nature of the heritage asset prevents all reasonable uses of the site; b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use.*

2. *Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset. In the case of developments affecting archaeological sites of less than national importance where development affecting such 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, the developer will be required to make adequate provision for excavation and recording before or during development.

3. Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to:

a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets;

b. ensure that proposals within Conservation Areas conserve those elements which contribute to their significance;

c. secure a sustainable future for heritage assets at risk and those associated with the local textile industry, historic farm buildings, places of worship and civic and institutional buildings constructed on the back of the wealth created by the textile industry as expressions of local civic pride and identity;

d. identify opportunities, including use of new technologies, to mitigate, and adapt to, the effects of climate change in ways that do not harm the significance of heritage assets and, where conflict is unavoidable, to balance the public benefit of climate change mitigation measures with the harm caused to the heritage assets' significance;

e. accommodate innovative design where this does not prejudice the significance of heritage assets;

f. preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted

5. Methodology and Significance Criteria

5.1 The assessment comprised the evaluation of historical information derived from cartographic and pictorial documents, the Ordnance Survey and the Historic Environment Records, Regional, National and International Designations; and secondly by consideration of previous Archaeological Excavations, Evaluations and Watching Briefs. It covered an area of 1Km from the centre of the proposed development area.

5.2 The following data sources were utilised for assessment:

- I. National Heritage List for England
- II. West Yorkshire Historic Environment Record
- III. National Archives
- IV. National Monuments Record
- V. Conservation Area Appraisals
- VI. Aerial Photographs
- VII. Historic England Register of Historic Parks and Gardens and Register of Battlefields
- VIII. Plans and maps of the site and its environs, including historical pictorial and surveyed maps and including pre- and post-war Ordnance Surveys up to the present day
- IX. Place and street name evidence
- X. Trade and Business Directories
- XI. Historical documents and photographs
- XII. Appropriate archaeological and historical journals and books.

5.3 *Assessment of Heritage Assets*

5.3.1 A Heritage Asset is described in the National Planning Policy Framework Annex 2 Glossary as '*A building, monument, site, place, area or landscape*

identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)'. Heritage Assets include buildings, structures, landscapes, parks, battlefields, towns, villages, factories and earthworks, on the UNESCO World Heritage List, National Heritage List for England and cropmarks, monuments and events on Historic Environment Records/Sites and Monument Record. Built Heritage is known from documentary evidence, cartographic sources, historical associations or events, places and structures of architectural interest. Buried Heritage is known from documentary evidence, cartographic sources, past archaeological investigations, aerial photographic cropmarks, areas of earthworks and geophysical or LIDAR anomalies interpreted as archaeological features.

5.4 *Heritage Assets: Types and Significance*

5.4.1 Heritage Assets are assessed in terms of significance and of designation. Designated Heritage Assets are listed as internationally, nationally and regionally important including World Heritage Sites, Scheduled Monuments, Listed Buildings, Registered Park and Gardens, Registered Battlefields and Conservation Areas. Some Buried or Built Heritage described as Non-designated Heritage Assets may be of National Significance but has not been designated due to its current use or have not been fully assessed in the past.

5.4.2 West Yorkshire Historic Environment Record categorises the significance of sites based on the following criteria

- Class I (statutory sites of special archaeological value – i.e. scheduled monuments)

- Class II (non-statutory sites, yet considered to be of special archaeological value and potentially worthy of preservation in situ)
- Class III (sites of unknown or untested significance, or of local archaeological value)
- Class IV (destroyed archaeological sites or isolated find spots)

Table 1: Sensitivity and Significance of Heritage Assets

Level of Sensitivity/ Importance	Significance & Monument Type
Very High	Monuments of international significance including • Built and buried World Heritage Sites (Including nominated sites)
High	WYAAS Class I sites Monuments of national and regional significance including • Scheduled Monuments (buried or standing, or Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments) • Listed Buildings • Registered Parks & Gardens • Registered Battlefields • Conservation Areas
Moderate	WYAAS Class II sites Monuments of regional significance including those 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.
Low	WYAAS Class III sites Sites of local significance which are truncated or isolated from their original context and are of limited use in furthering archaeological or historical knowledge.
Negligible	WYAAS Class IV sites Sites with no archaeological or historical significance including areas of modern quarrying or disturbance
Undetermined	WYAAS Class III sites The significance of the archaeological and historical record has not been ascertained. It should be noted that further archaeological investigation has the potential to change the significance and therefore the sensitivity of such sites.

5.5 Criteria for Assessing Impacts

5.5.1 The Proposed Development may either adversely impact or beneficially enhance historic assets within the development area, in the vicinity. Heritage Assets are assessed in accordance with the procedures set out in Historic

England Advice Notes. A critical resource for this report is *The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning: 3* (Historic England 2017). Within this document a staged approach is proposed:

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes.

Table 2: Magnitude of Impact Criteria

Magnitude	Factors in the assessment
Major	Very significant Effect.-Major change from baseline conditions <i>Adverse effect-</i> When the development proposals would destroy or significantly compromise the integrity of a regionally or nationally important archaeological site or historic building and mitigation could not remove or modify such effects. <i>Beneficial effect-</i> The proposals would result in effects that improve the historic landscape character and the quality of the archaeological record by detailed recording and increased interpretation and public dissemination.
Moderate	Significant Effect.-moderate change from baseline conditions <i>Adverse effect-</i> Development proposals would partially damage or compromise but not destroy the integrity of a regional or national important archaeological site or historic building. Adequate mitigation measures can be specified. Effect on the setting of sites, buildings and historic landscapes which would

	diminish the character, appearance and understanding. <i>Beneficial effect-</i> The proposals would result in effects that fit very well with the historic landscape character enabling the restoration of valued characteristic features.
Slight	Slight Effect.-small discernible change from baseline conditions <i>Adverse effect-</i> Integrity of regional and national important sites not substantially compromised. Locally significant sites and historic buildings could be destroyed or substantially compromised. However, substantial mitigation measures can be specified. <i>Beneficial effect-</i> The proposals would result in effects that improve the archaeological understanding of the quality and character of the site.
Negligible	Very slight or no Effect- no discernible change from baseline conditions The proposals would have no effect on archaeological sites, historic buildings, or historic landscapes.

6. Results

6.1 Archaeological Background

6.1.1 Prehistoric and Roman activity in the vicinity of the proposed development area is well documented. The scheduled monument at Honley Old Wood, located approximately 950m to the south, is a Bronze Age cairnfield (MWY6, NHLE 1018556), comprised of upwards of 17 cairns with associated banks and a hollow, possibly for a hut.

6.1.2 Some 900m to the north-east of the proposed development area was a suggested prehistoric enclosure (MWY12) first recorded in 1775, marked as a 'camp' on the first edition OS map. A field visit in 1995 determined it was completely built over and presumably destroyed, so no clear date could be established.

- 6.1.3 A D-shaped enclosure located some 100m west of Honley Old Wood (MWY7342), was suggested to be of possible Bronze or Iron Age date, potentially later. Radiocarbon dates taken during an excavation by Huddersfield and District Archaeological Society in 2016-2017, provided a date of 248-385 cal AD, suggesting a mid-late Roman construction date for the feature (HDAS, 2017).
- 6.1.4 Residual prehistoric finds were recovered during a Trial Trenching Evaluation (ASWYAS. 2021), nearly 1km south-east of the proposed development area, which revealed a series of five pits, with associated Late Neolithic/Early Bronze Age flint, as well as single sherds of Roman, Medieval and Post-Medieval pottery.
- 6.1.5 3.2km to the north-east stands Castle Hill scheduled monument (List Entry Number 1009846), located on the opposite side of the Holne valley to Netherton. Castle Hill is a multi-period site, consisting of a sequence of a Late Bronze Age or Early Iron Age univallate hillfort, a later Iron Age multivallate hillfort, a 12th century motte and bailey castle, and a deserted medieval village. It's location in the landscape dominates the views across the surrounding area. Few univallate hillforts are located outside of central southern England and few are also more than 1ha in size. Partial excavation of the site during the 20th century identified that the earliest utilisation of the site dates to the Neolithic period, from which flint tools and a stone axe were recovered (Historic England. 2023). The multi-phased development of the hillfort continued into the fifth century BC when the site appears to have been abandoned until the twelfth century AD when a motte and bailey castle was constructed (Ibid).
-

6.1.6 Victoria Tower is located atop Castle hill and although excluded from the scheduling is designated a Grade II Listed Building in its own right (NHLE 1210385). The tower is located to the south-west side of the hilltop and was constructed between 1897-1899 to commemorate the diamond jubilee of Queen Victoria (Historic England. 2023b). Castle Hill and Victoria Tower are discussed in greater detail in section 7.

6.1.7 An archaeological geophysical survey has been carried out across the site (Magnitude Surveys. 2023). The results of the survey indicate anomalies of potential archaeological origin, in the form of a possible enclosure in the southern region of the site. Two former field boundaries, shown on early OS mapping were also identified (Ibid).

6.2 Historical Background

6.2.1 Medieval activity in the vicinity of the proposed development area is also well attested. Pottery evidence from Crosslands Lower Hall (MWY1555), some 680m south-west, suggests a possible site usage from c.1166, with documentary evidence of the site dating from 1341. It subsequently appears on two early maps from 1695 and 1720. Other nearby evidence includes undated earthworks to the north-west, suspected to be medieval in nature (MWY2852), though these may be associated with the nearby enclosure (MWY12).

6.2.2 Three Grade II Listed Buildings are located along Church Lane, to the south-west of the site. a Vicarage (NHLE 1134321) dates to the mid-19th century and is associated with the Church of the Holy Trinity (NHLE 1313827), located to the west. The church has its origins in the early 19th century, with the chancel said to be a later addition (Historic England. 2023c). The third building (NHLE

1210448) dates to 1835 and is recorded by Historic England as South Crossland National School.

6.2.3 The 1854 County Series 1:10,560 map shows the proposed development area to be open land behind a public house situated on the road between Netherton and South Crossland. The land is crossed by a footpath, and quarries are depicted to the north and east. The village of Netherton is centred off to the east, near the junction of Moor Lane and Meltham Road.

6.2.4 The 1892 1:2,500 County Series map shows Netherton village has expanded, with the addition of a methodist chapel and the new Chapel Street to the north-east of the development area, and a railway line and station, and associated infrastructure, to the south-east, and a railway tunnel constructed beneath Netherton. The proposed development site itself at this point is divided into four fields, with the footpath still maintained through them. The quarry to the east appears to have fallen out of use, though the one to the north has expanded, and another quarry west of the development area has been opened up. Both of these had fallen out of use by the 1913 County Series map.

6.2.5 The early part of the 20th century appears to show little change in the immediate vicinity of the proposed development area with only the addition of some new houses on Church Lane, to the southwest of the proposed development area by 1933, although Netherton village has expanded eastward with the addition of housing estates along Moor Lane and Netherton Moor Road.

6.2.6 Post-war, Netherton expanded westward towards the proposed development area with the addition of Henry Frederick Avenue by 1949 immediately to the east, and later construction of Roselyn Avenue, which linked Henry Frederick Avenue to Chapel Street. At some point between 1949 and 1956, the proposed development site was turned from three fields into one. Further development on the east side of Netherton also continued throughout the second half of the 20th century.

6.2.7 The Netherton and South Crossland Conservation Areas were both designated in 1981 and both cover the historical core of their respective settlements, although no appraisals have been produced.

6.3 Site Walkover

6.3.1 The site was visited in February 2023. The proposed development area consisted of agricultural land. The northern boundary of the site is bounded by a steep escarpment down into Dean Wood, with former quarry pits on the north-eastern corner. Modern residential housing is present along the eastern and southern boundaries, with enclosed pasture fields to the west.

6.3.2 The impact of development on all Conservation Areas and Listed Buildings within the vicinity is discussed in section 7.

6.3.3 No archaeological finds, features (earthworks or otherwise) or deposits were noted during the walkover.

6.3.4 The Scheduled Monument of Castle Hill and the Grade II Listed Victoria Tower is visible from within the site boundary, on a significantly elevated

position to the east. Intervening land is dominated by built-form within the village of Netherton, mature tree belts and rural farmland.

6.3.5 Castle Hill was also visited to assess the visual impact of development within the site boundary. The site is visible in the long distance (see plate 5) in what is considered to be a somewhat mixed rural and suburban landscape. The site is viewed as an agricultural field with the south-east facing scarp of Dean Wood, to the north of the site, being visible. Ongoing residential development off Netherton Moor Road, to the south of Netherton is highly visible to the south of Netherton.

6.4 Historic Environment Record Data

6.4.1 A 1km radius search was undertaken for the site on the West Yorkshire Historic Environment Record (HER) in February 2023. All data is displayed in Figures 2-5.

6.5 Prehistoric

6.5.1 The HER contained four records dating wholly or partially to prehistoric periods, consisting of one Designated Heritage Asset (MWY6), and three non-designated Heritage Assets.

6.6 Roman Heritage Assets

6.6.1 A single non-designated asset has a possible roman association (MWY12), consisting of a series of enclosures which were built upon before they could be properly dated.

6.7 Medieval

6.7.1 Two heritage assets from the Medieval period are recorded in the HER, including a moated hall scheduled monument (MWY1555) dating from at

least the early 14th century. Enclosures and field systems from the Medieval to Post-Medieval period are also noted (MWY2852)

6.8 Post-Medieval to Modern

6.8.1 Forty-nine designated Heritage Assets dating to the post-Medieval or modern periods are present within the search area (see Table 3), all of which are Grade II (WYAAS Class 1) Listed Buildings, including farmhouses, barns, cottages, milestones, schools, mills, a well and a church. The majority of the Listed Buildings are located within either the Netherton or South Crosslands Conservation Areas.

6.8.2 Six Post-Medieval or modern non-designated Heritage Assets are present within the search area. These assets, which are predominantly Class III or IV include 18th and 19th century barns, a mill, a tannery and post-medieval field systems. MWY4918 is Beaumont Park, registered in 1999.

6.8.3 Twenty-three archaeological events, including field visits, a geophysical survey, a desk-based assessment, a watching brief, and a trial trenching evaluation have been carried out within 1km of the proposed development area.

6.9 Potential for Unrecorded Sites

6.9.1 Prehistoric archaeology has been identified and recorded within the vicinity of the site and given the undeveloped nature of the site, it is possible that prehistoric features may be present within the proposed development area, particularly when considering its setting within the wider landscape. The results of the Geophysical Survey has indicated potential archaeological featured, particularly in the southern half of the site.

6.9.2 According to cartographic and documentary sources, the proposed development area appears to have been used for agricultural purposes since at least the Medieval period. While there have been some known variations in field boundaries as shown by the historic mapping, there is also the potential for earlier, unknown field boundaries to exist.

6.9.3 Given the site appears to have been in continual agricultural use since at least the Medieval period the potential for unrecorded late prehistoric or later archaeology to be present on the site is considered to be moderate and of local to regional significance.

6.9.4 The nature, date, quality of survival and importance of any archaeological deposits or features which may be present on the site cannot be fully assessed without further archaeological evaluation.

7. Setting of the Heritage Assets

7.1 Historic England Guidance on the Setting of Historical Assets (Historic Environment Good Practice Advice in Planning Note 3 (second edition) December 2017) states that *"Setting is not itself a heritage asset, nor a heritage designation... its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance."* Assessing the setting takes into consideration the heritage asset's physical surroundings and the experience of the asset, the form and appearance of the development, wider effects of the development and the permanence of the development.

- 7.2 The National Planning Policy Framework describes the setting of a heritage asset as; *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the assets and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'* (NPPF 2019, Annex 2 Glossary).
- 7.3 The Scheduled Monument of Castle Hill (NHLE 1009846) and the Grade II Listed Victoria Tower, which sits atop Castle Hill, are located approximately 3.2km north-east of the site. Part 3 of Policy L35 of the Kirklees Local Plan states that consideration should be given to the need to *'preserve the setting of Castle Hill where appropriate and proposals which detrimentally impact on the setting of Castle Hill will not be permitted'*. The *'Castle Hill Setting Study'* (Atkins. 2016) provides a detailed assessment of the setting and significance of the Scheduled Monument.
- 7.4 Castle Hill's elevated position makes it an extremely prominent feature in the landscape and the surrounding topography allows for a zone of visual influence over 10km in places, indeed the Setting Study states that *'views to and from the hilltop are the most important factor in the setting of the site, and are the most substantial factor in which Castle Hill's significance can be derived from its setting'* (Atkins. 2016). Views to the west, from within the asset, encompass both urban and rural areas, with views extending some 15km, towards Calderdale Moor (Ibid). The wooded hillsides of the Holme Valley and suburban areas to the south of Huddersfield are also visible, although these views are interrupted by areas of woodland and farmland. Views towards Castle Hill from within the site boundary highlight the dominance of the asset

within its wider setting, although the foreground is dominated by residential property.

- 7.5 The location and prominence of Castle Hill also allows for visual relationships between the monument and other known archaeological and historical sites, such as prehistoric enclosed settlements, cairnfields and medieval settlement located within the viewshed of and to Castle Hill.
- 7.6 There are forty-nine Listed buildings within 1km of the Proposed Development Area (see table 3), all of which are Grade II listed, which are all of high sensitivity. Rooflines of three of these were visible from the site, being the Church of the Holy Trinity and associated vicarage, and the South Crossland National School. The church is heavily obscured by mature trees (plate 3), while the vicarage and school are obscured by topography. Any impact on these buildings will be lessened by the establishment of Public Open Space along the southern boundary of the site and the retention of existing vegetation. As such, any development would have negligible impact on the setting of any Listed Buildings in the vicinity.
- 7.7 The Netherton Conservation Area is situated some 250m south-east of the proposed development area, and was designated in 1981. Mature vegetation and existing buildings reduce visibility between the proposed development area and the Conservation Area, therefore any development would have a negligible impact upon it.
- 7.8 The South Crosslands Conservation Area, located to the west of the proposed development area, was designated in 1981. The topography of the surrounding area means that there is no visibility between the proposed
-

development site and the Conservation Area, and as such there will be negligible impact upon it.

8. Impact of Development

8.1 Although no archaeological records held by the Historic Environment Record fall within the area, archaeological activity dating from the prehistoric periods has been identified in the vicinity. The site occupies an elevated position within the landscape, close to a water source, which would be ideal for prehistoric activity, as seen at nearby Honley Old Wood. Residual evidence uncovered in nearby trial trenching to the south of Netherton (ASWYAS. 2021), lends further evidence to the potential for the PDA to be located on or peripheral to prehistoric activity. The agricultural nature of the site also raises the possibility of the presence of features from earlier agricultural regimes, such as early or pre-Medieval field boundaries. Any development would have the potential to severely compromise or destroy any archaeological features or deposits that may be present.

8.2 The presence of intervening buildings and tall mature vegetation, combined with the topography of the area, means that development on the proposed development area would have negligible impact on the setting or significance of either the Netherton or South Crosslands Conservation Areas and Listed buildings within.

8.3 Any development within the site boundary would inevitably cause loss of open land within long-distance views from Castle Hill. Views of this land are however restricted due to the presence of existing built-form within Netherton. Views towards the ridgeline of Dean Wood would be maintained,

although this is not specifically mentioned as a key view within the Setting Assessment, it does contribute to the 'rural ridgelines' discussed in the report.

- 8.4 Paragraph 6.18 of the Castle Hill Setting Assessment (Atkins 2016) states that *'In general, where such development is located within or immediately adjacent to areas of existing urban development, and is not out of scale with the design of surrounding existing buildings, the impact on the setting of Castle Hill will not be substantial. Similarly, where such development does not lie on a ridgeline, and would therefore not alter the character of views to and from the hilltop across such ridgelines, or challenge Castle Hill's prominence within the landscape, there is low risk of harm to setting.'* It is considered that the proposed development would have a negligible impact on the setting and significance of Castle Hill and Victoria Tower, with the development forming a small extension of the current village. Current development plans (drawing 2246 SK 03D) depict three north-east to south-west orientated roads within the site boundary which will allow for views over the current skyline of Netherton, towards Castle Hill, but will also break the nature of the built form in views from the asset, maintaining views to adjacent open land and to Dean Wood to the north. Furthermore, spacing of dwellings along the eastern boundary of the site will also enhance views of the Scheduled Monument from within the site boundary, as will the inclusion of Public Open Space and the retention of a Public Right of Way along the southern boundary.
- 8.5 Development within the site boundary will not erode the relationship between Castle Hill and other known archaeological sites within its wider setting.
-

9. Conclusions

- 9.1 A Geophysical Survey has indicated that features of potential archaeological origin are present within the site boundary, however the nature, date, quality of survival and importance of any archaeological deposits or features which may be present on the site cannot be fully assessed without further archaeological evaluation. As such it is recommended that a programme of Trial Trenching is undertaken following planning permission being secured and prior to the commencement of development, in order for West Yorkshire Archaeology Advisory Service to make a more reasoned decision regarding the need for further archaeological work.
- 9.2 Although development within the site boundary would inevitably cause some loss of open land within the setting of Castle Hill, development would be immediately adjacent to existing urban development and would not restrict views from the Scheduled Monument towards the ridgeline at Dean wood or wider views to the west. The current development plan also allows for the retention of views of the prominent asset from within the site boundary. As such it is considered that development would have a negligible impact on the setting and significance of the Scheduled Monument and the associated Grade II Listed Building of Victoria Tower.
- 9.3 Intervening topography and built form restricts interactions between the site and other nearby designated assets and as such development would have a negligible impact.

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11. List of Contributors

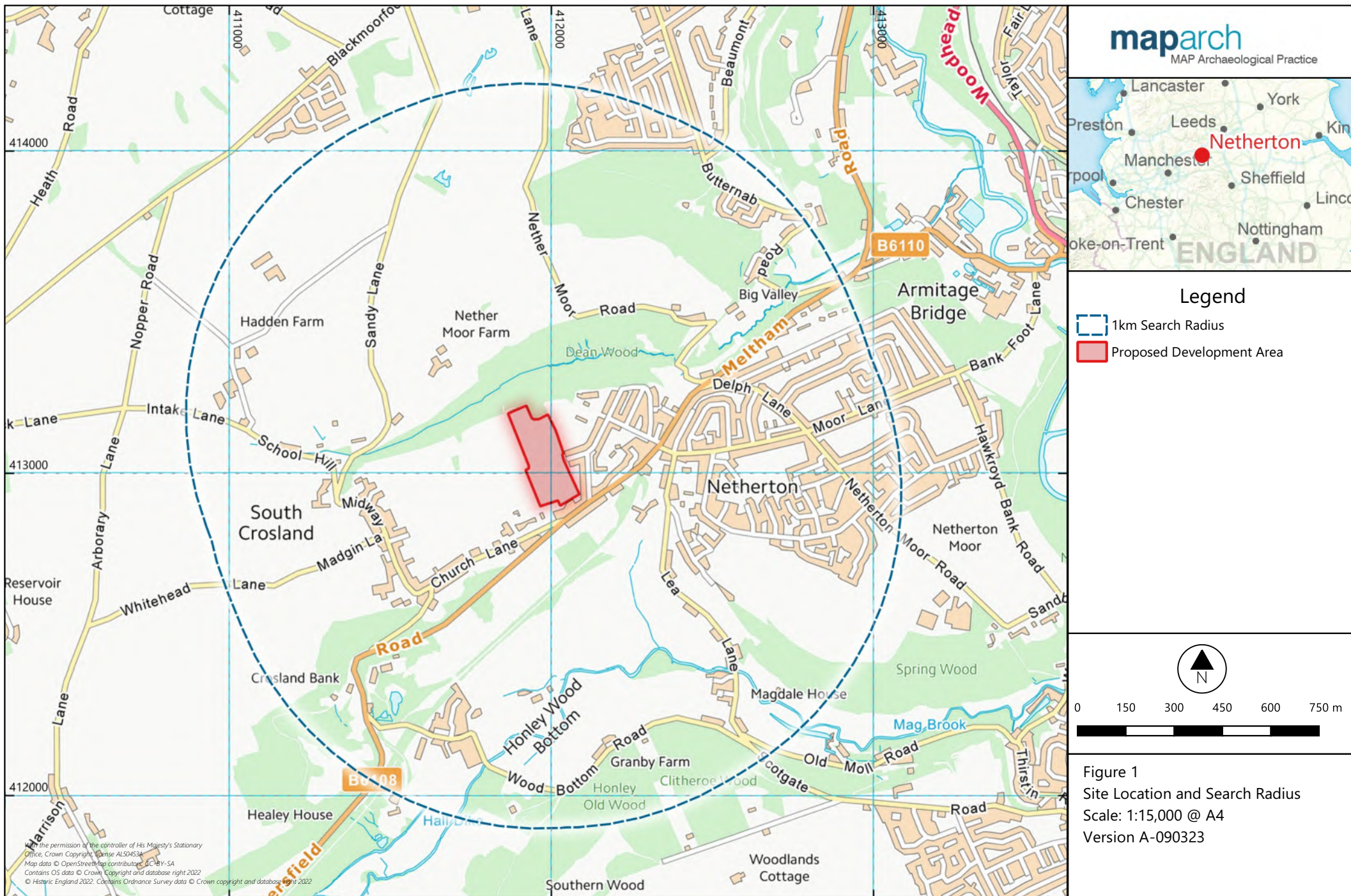
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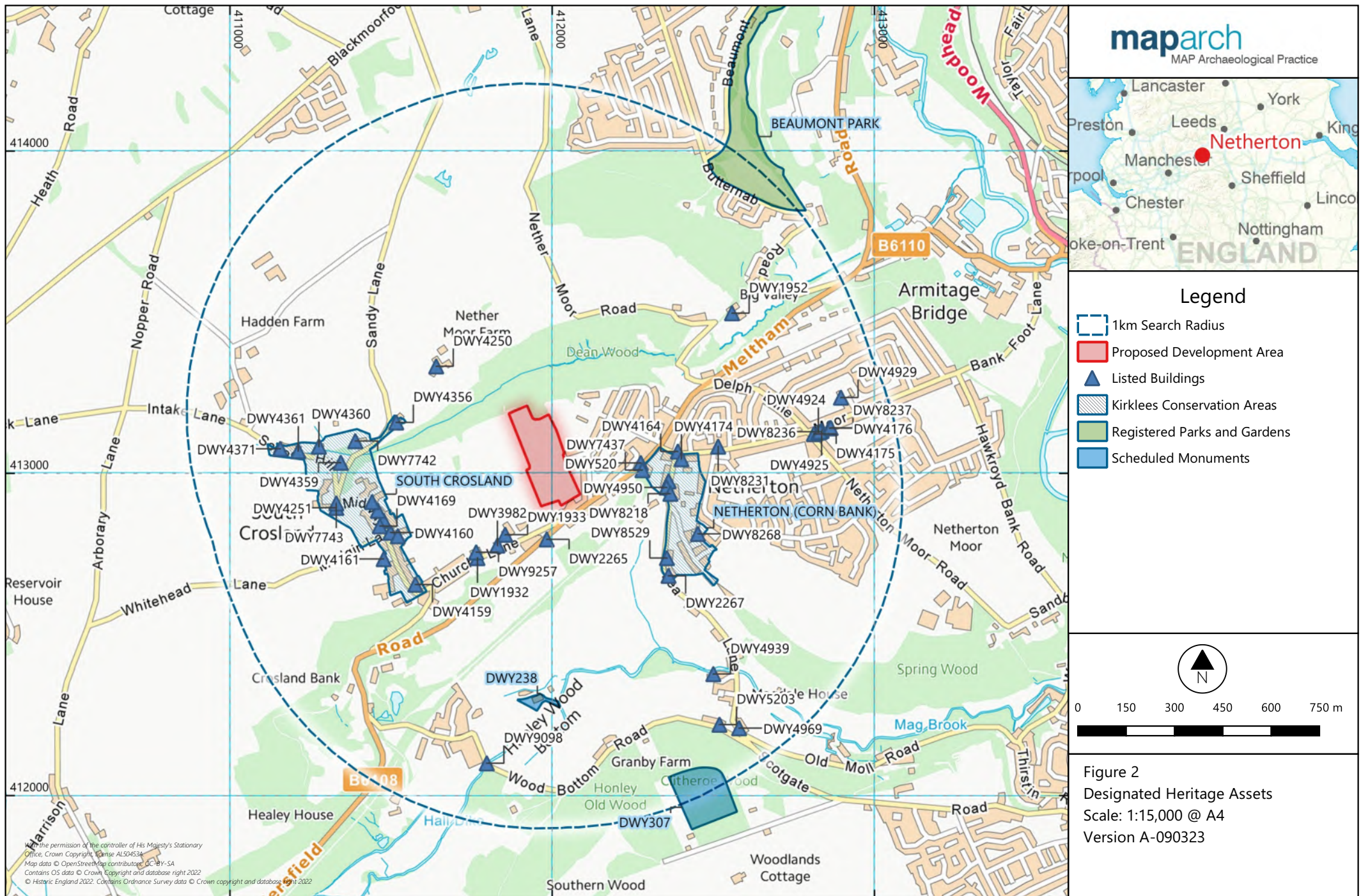
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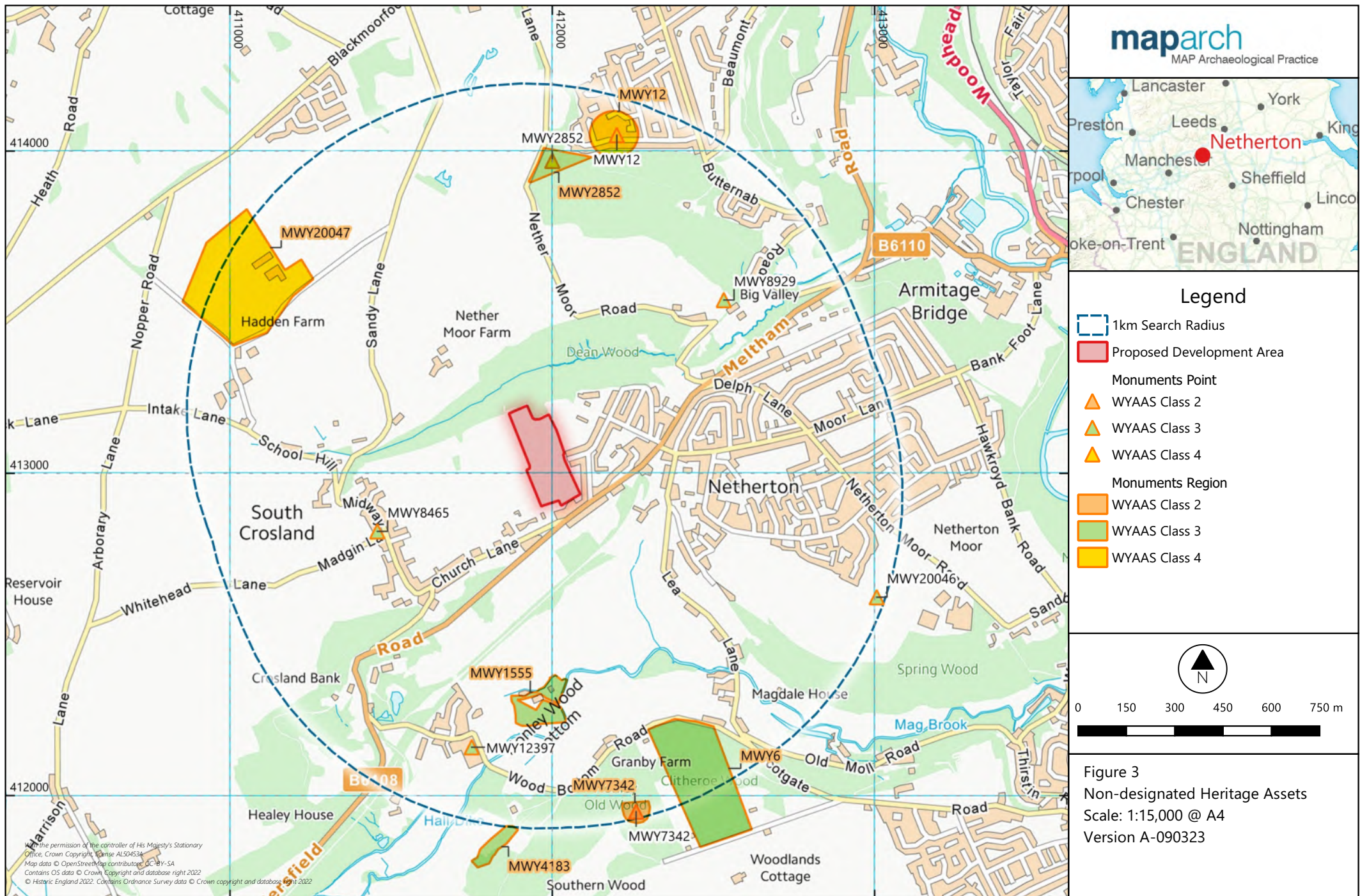
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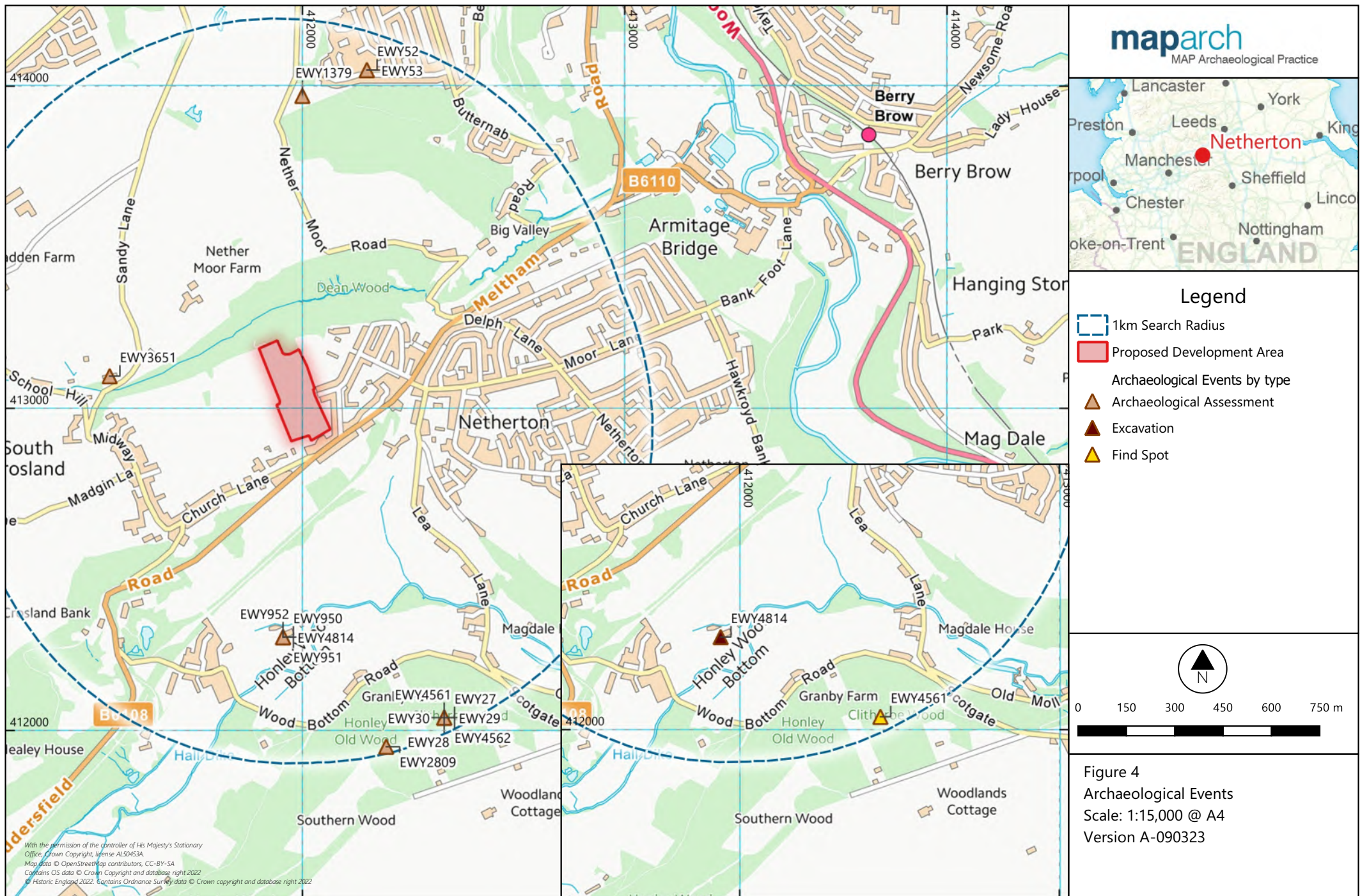
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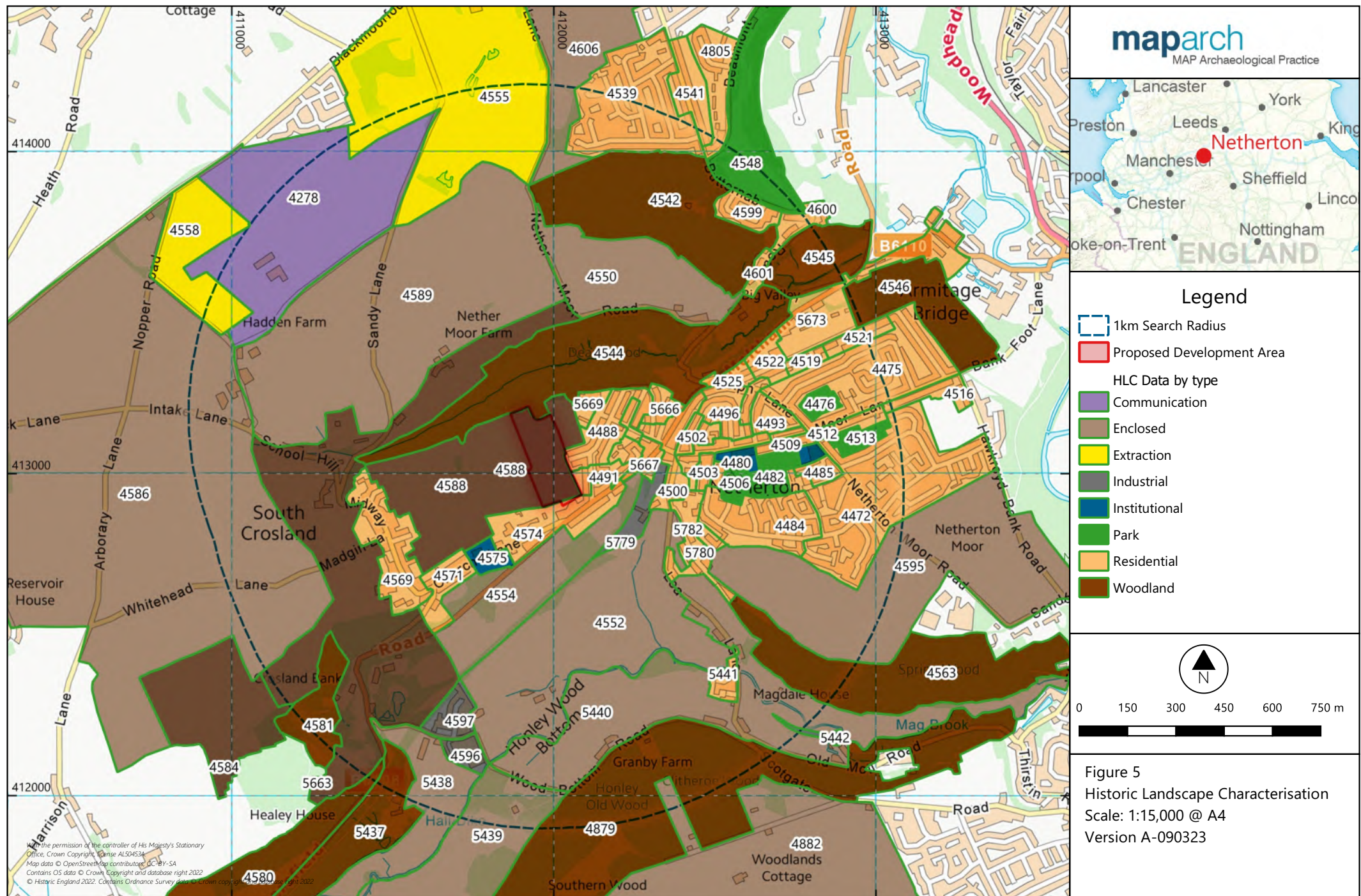
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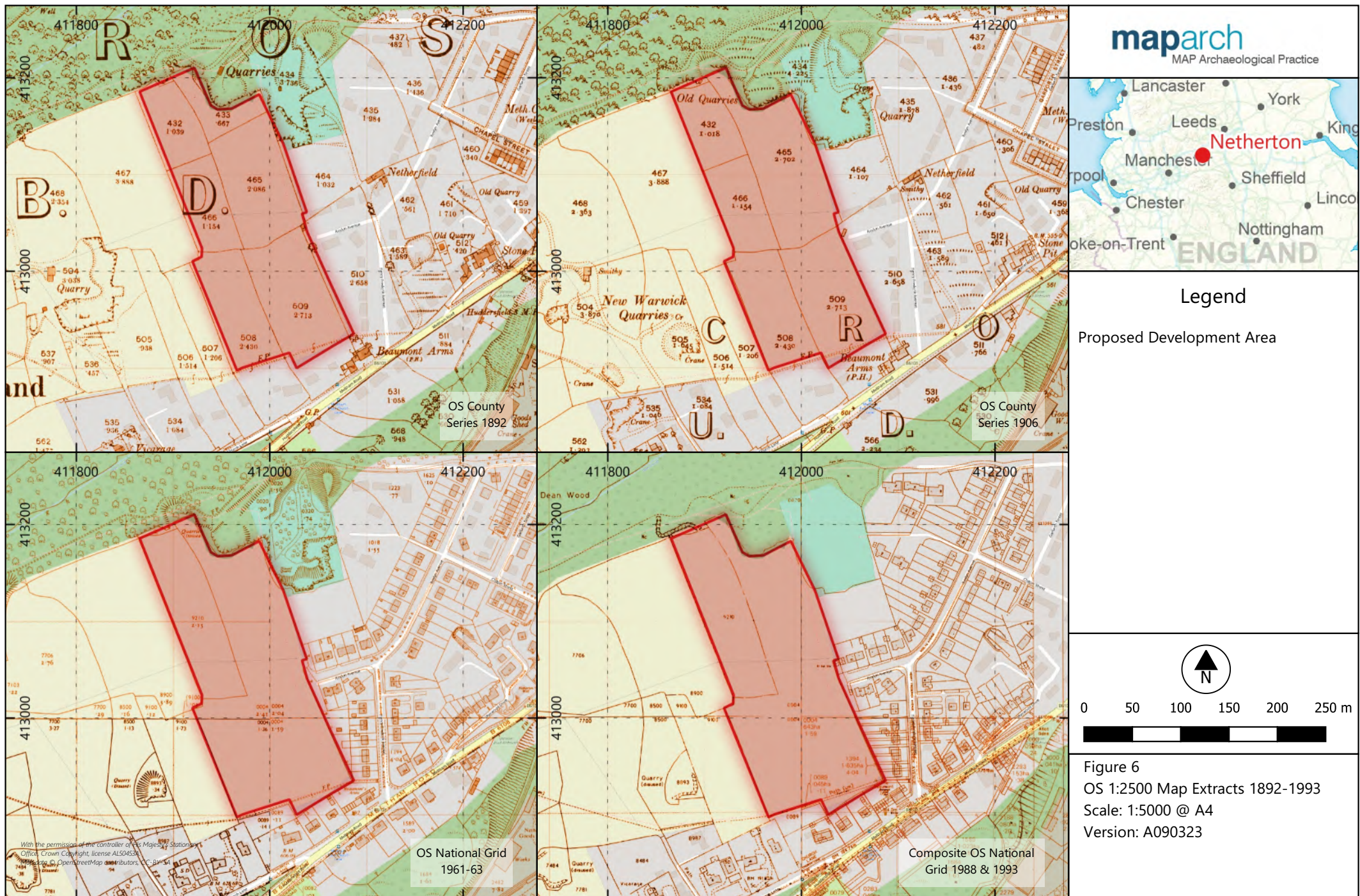


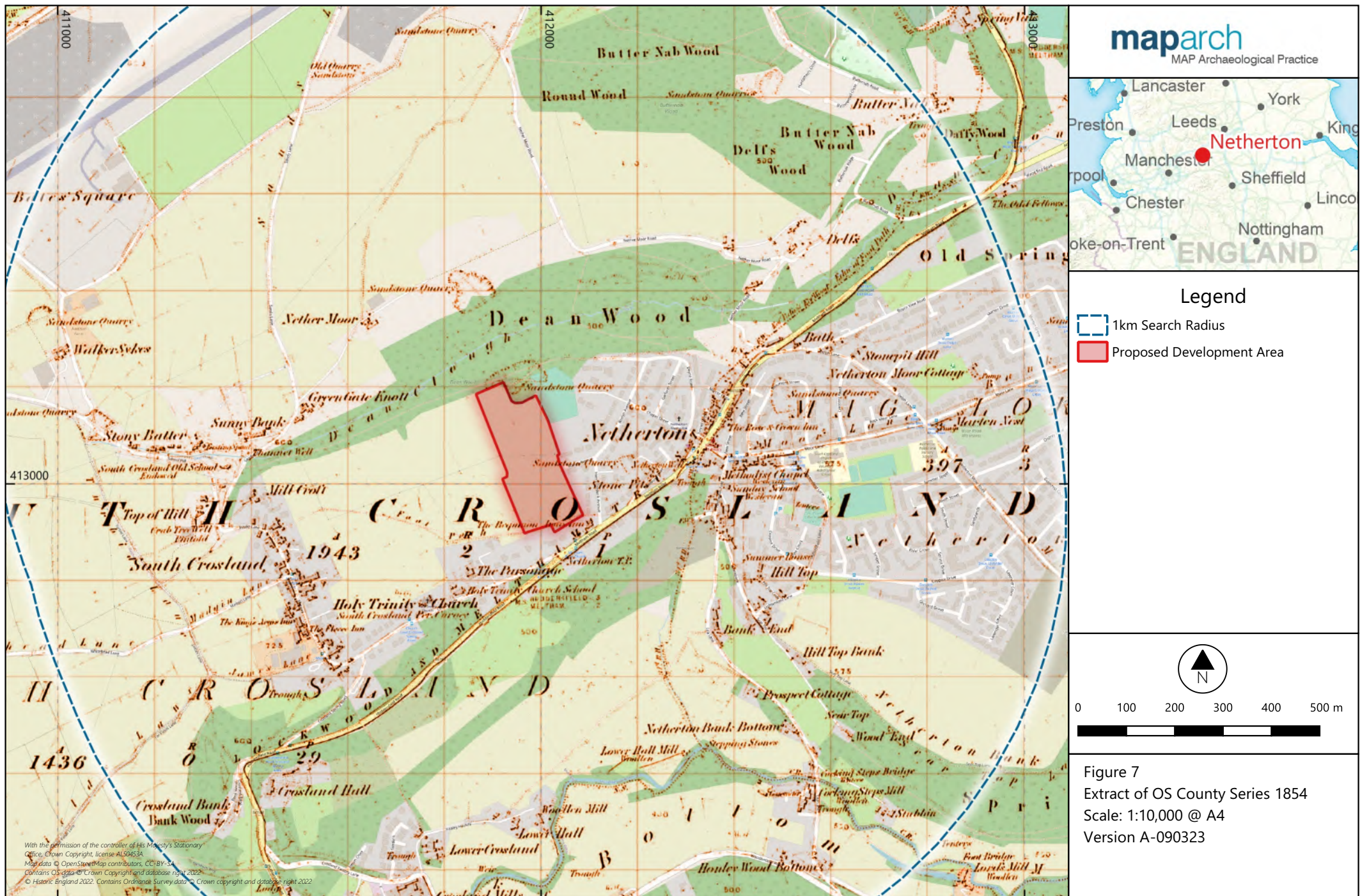


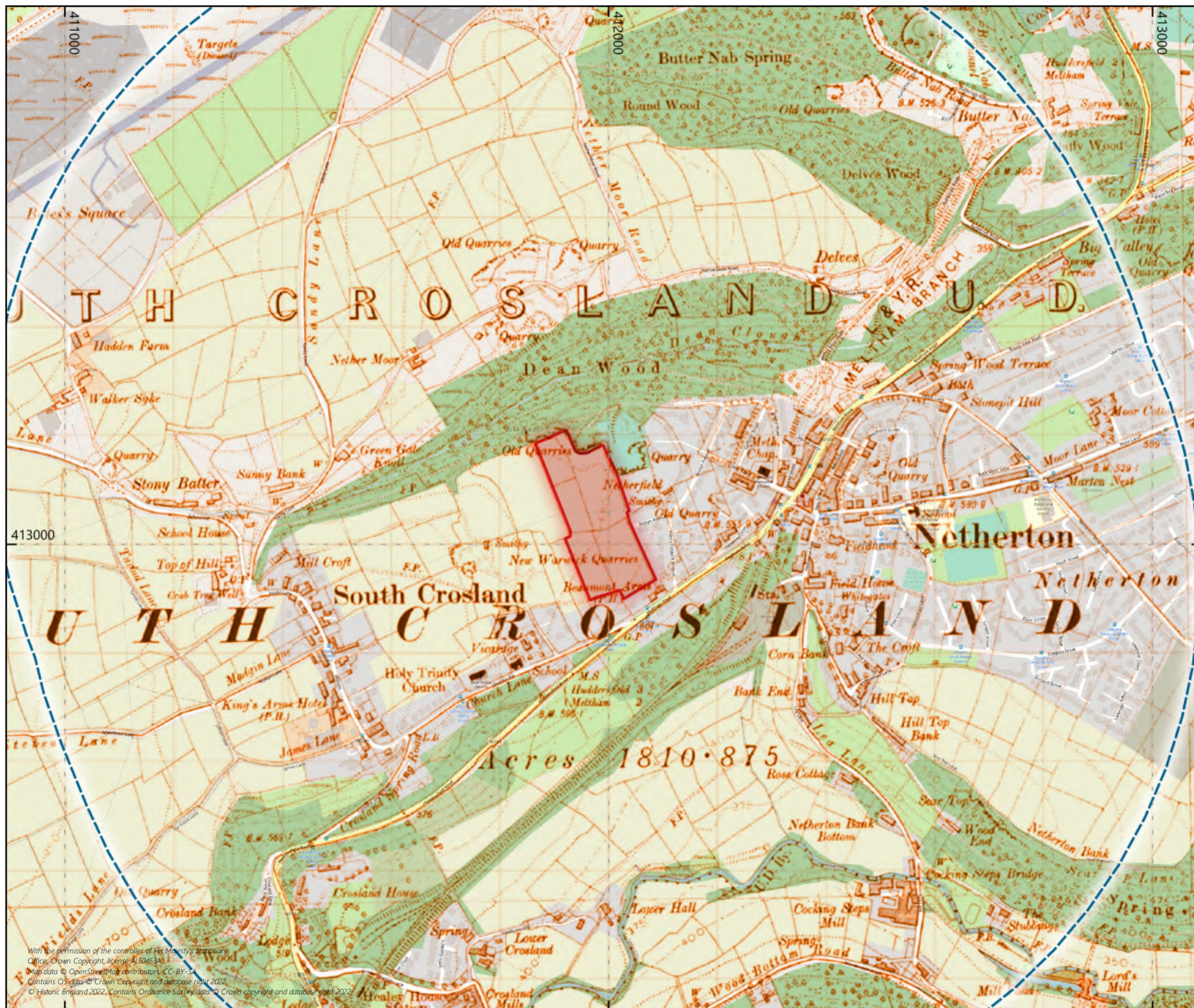












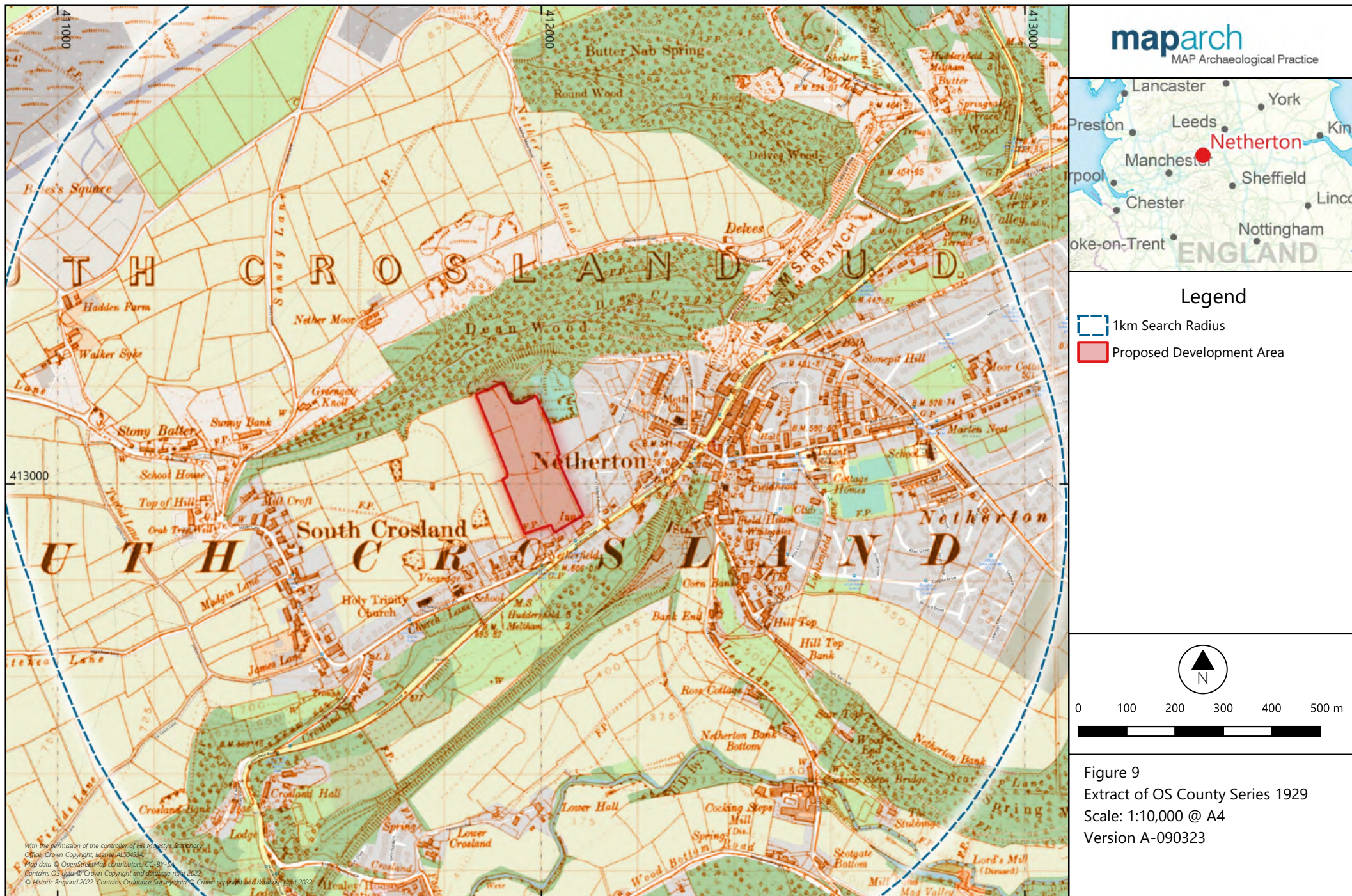
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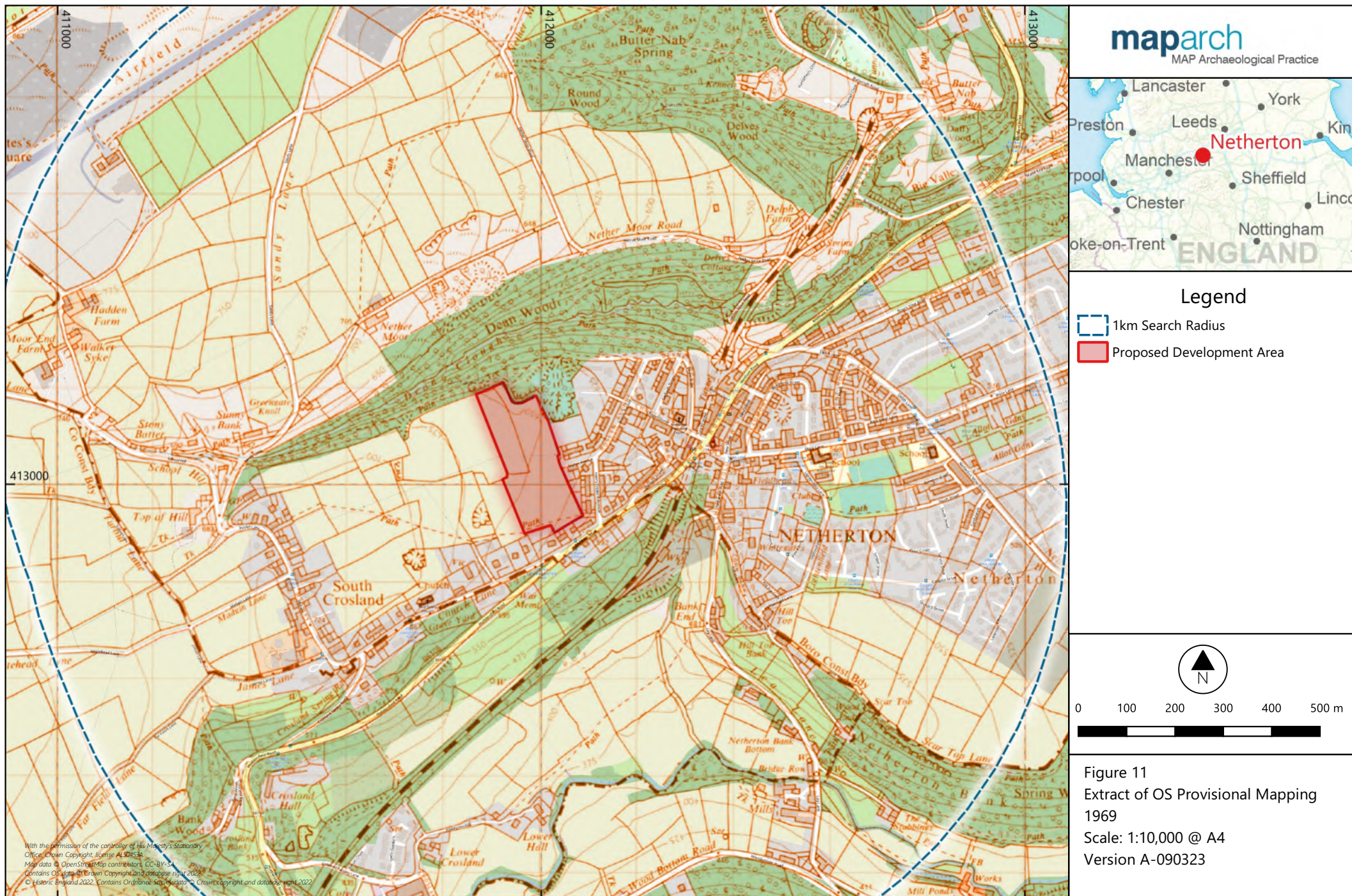
- 1km Search Radius
- Proposed Development Area



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Figure 8
 Extract of OS County Series 1904-05
 Scale: 1:10,000 @ A4
 Version A-090323





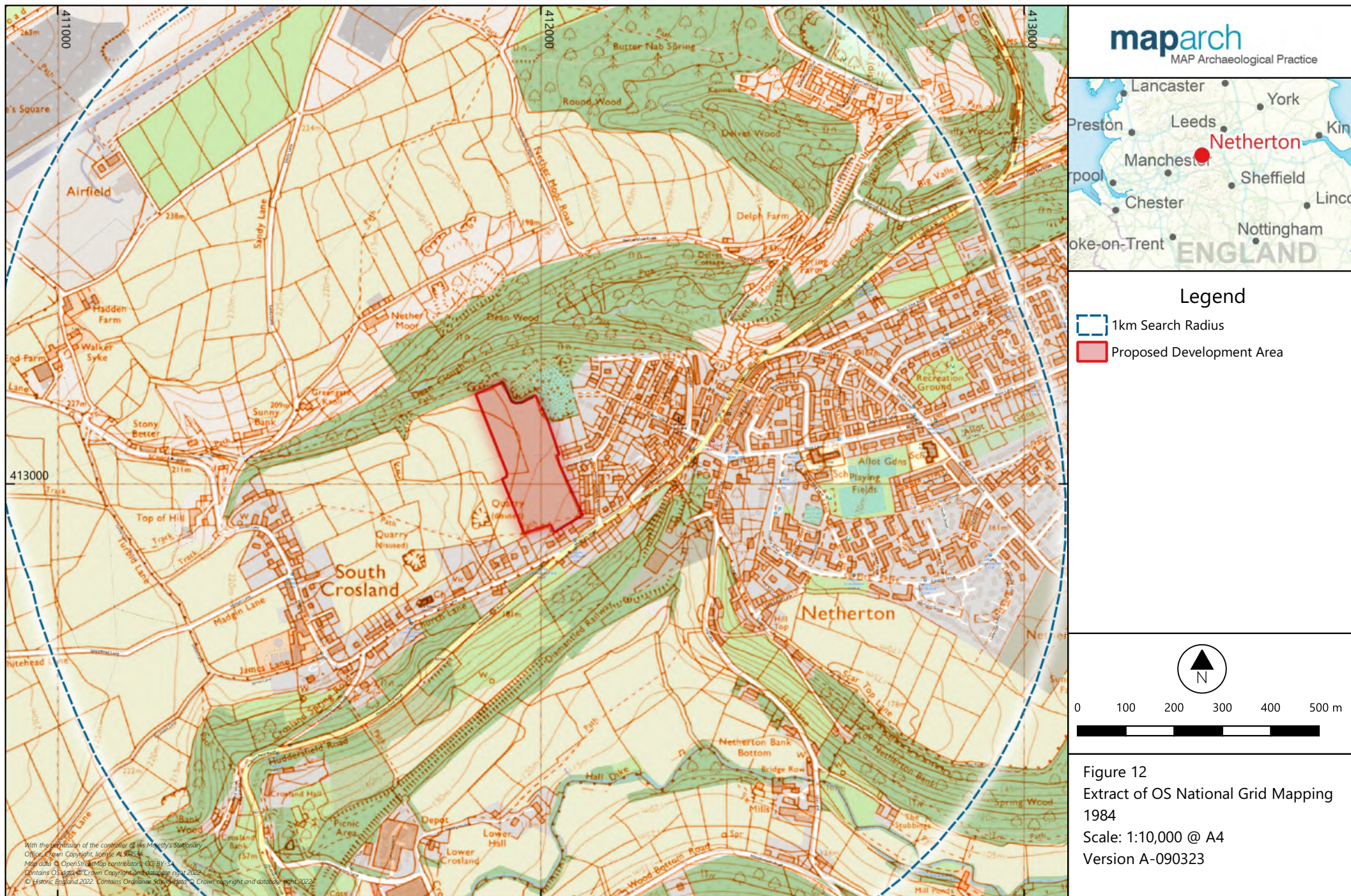




Plate 1. General view of site facing north



Plate 2. General view from site facing south-west



Plate 3. View from site, facing south-east. Note views of the nearby church are screened by mature trees



Plate 4. View from site facing east. Castle Hill is prominent on the centre horizon



Plate 5. View over Netherton from Castle Hill, blue arrow showing the site, red showing ongoing residential development at Netherton Moor Road

Appendix 2

Ancient Monuments and Archaeological Areas Act 1979

Section 46 in the Department of Culture Media and Sport 2010: Scheduled Monuments. Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979) states *'In terms of impact of development on the setting of a scheduled monument, securing the preservation of the monument 'within an appropriate setting' as required by national policy is solely a matter for the planning system. Whether any particular development within the setting of a scheduled monument will have an adverse impact on its significance is a matter of professional judgement. It will depend upon such variables as the nature, extent and design of the development proposed, the characteristics of the monument in question, its relationship to other monuments in the vicinity, its current landscape setting and its contribution to our understanding and appreciation of the monument'*.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 (1) in the Planning (Listed Buildings and Conservation Areas) Act 1990 states *'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'*.

National Planning Policy Framework: 16. Conserving and Enhancing the Historic Environment

NPPF-16 sets out the Government's objectives for the historic environment and rationale for its conservation. It recognises the unique place the historic environment holds in England's cultural heritage and the multiple ways it supports and contributes to the economy, society and daily life. The NPPF also identifies the historic environment as a non-renewable resource. Its fragile and finite nature is a particularly important consideration in planning. Conserving this resource for future generations accords with the principles of sustainable development. Government places a priority on its conservation and has set out tests to ensure that any damage or loss is permitted only where it is properly justified.

- 194 *In determining application, 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 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.*
- 199 *When considering the impact of the 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 200 *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. Substantial harm to or loss of;*
- A) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional.;*

- B) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*
- 201 *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, or all of the following apply:*
- A) *the nature of the heritage asset prevents all reasonable uses of the site; and*
 - B) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - C) *Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
 - D) *the harm or loss is outweighed by the benefit of bringing the site back into use,*

Historic England: Historic Environment Good Practice Advice in Planning: 2
– Managing Significance in Decision-Taking in the Historic Environment and
Historic England: Historic Environment Good Practice Advice in Planning: 3
– The Setting of Heritage Assets.

The Contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or a place which can be static or dynamic, including a variety of views of, across, or including that asset, and views of the surroundings from and through the asset, and may intersect with, and incorporate the settings of numerous heritage assets.
