
From: Davies, Glyn <Glyn.Davies@wyjs.org.uk>

Sent: Tuesday, April 16, 2024 9:42 AM

To:

Subject: Consultation Response 2023/93503 RE: Roslyn Avenue, Netherton

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I have looked through the information you have sent me, the draft report and some of the illustrations. Based on this the only significant archaeological feature that was identified by the evaluation works is the enclosure in the south east corner of the site. This feature is still of unknown date and therefore of unknown significance. The proposed development aims to avoid this area with the proposed houses although a road will cut across or near the edge of the feature. In addition, a play area will be constructed within the area of the enclosure.

The impact of the road associated groundworks and groundworks related to the play area will depend on the significance of the ditched enclosure which is dependent on its date and the nature of any features within the enclosure which have not as yet been determined. The other factor will be the depth of disturbance related to any groundworks that take place in the enclosure or close to it. If such groundworks are restricted to topsoil depth then the impact will be low but should any groundworks extend below topsoil depth then the impact will be greater possibly major.

Recommended Course of Action

The impact of the works in the vicinity of the enclosure ditch or interior is thus uncertain until the enclosure is dated. In light of this I would recommend that a programme of archaeological recording is required within the enclosure area, and for 10m around it. The programme of works for any ground works that extend down to the base of the topsoil or deeper should comprise a watching brief with provision for strip, map and sample excavation where any archaeological features are identified.

Should the application be successful I would recommend that a condition is placed on the approval requiring a programme of archaeological works to investigate and record any archaeological remains disturbed.

Recommended Condition

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

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

"No demolition/development shall take place/commence until a written scheme of archaeological investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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

Detail of Archaeological Work

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

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

“For further information please contact: Glyn Davies, West Yorkshire Archaeology Advisory Service: 0113 3782249.”

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

Yours

Glyn



Glyn Davies | Senior Archaeological Officer

| t: **NOTE NEW NUMBER** 0113 5353145

| e: Glyn.Davies@wyjs.org.uk

West Yorkshire Archaeology Advisory Service , West Yorkshire Joint Service,
Nepshaw Lane South, Morley, Leeds LS27 7JQ

www.wyjs.org.uk/archaeologyadvisory

