

Sent: 29 February 2024 15:18

Subject: Consultation Response 2024/90255 Land Off, Burn Road, Birchencliffe

Thank you for your email of 14th Feb 2024.

The site on land off Burn Road Birchencliffe is formed of two arms either side of Cliffe Farm. The southern arm of land runs approximately east west south of Cliffe Farm while the northern arm runs as a curve from the centre of the southern arm north west around the north side of Cliffe Farm. The northern arm lies in an area that was evaluated during a previous planning application and the area within the northern arm did not contain any significant archaeological remains. However, further north within the previously evaluated, north west of the Burn Road/Yew Tree Road crossroads prehistoric remains were identified that related to possibly both the Neolithic and Iron Age. These remains were not extensive but even the presence of Neolithic and Iron Age remains on the edge of the Pennines is unusual and therefore significant. It is not known if further prehistoric or later remains could extend into the southern arm of the proposed development. As it is uncertain if archaeology is present on the southern arm of the site the impact of the proposed development cannot be ascertained on the currently available evidence.

Recommended Course of Action

An archaeological evaluation is recommended this should comprise an initial geophysical survey and possibly further evaluation and mitigation works. This is only required for the southern arm as the northern arm has already been surveyed. The results of the geophysical survey will be used to determine if further evaluation by trial trenching is required and to make a determination on the possible impact of the proposed development and if mitigation is required.

Without this data it is not possible to make a recommendation regarding the impact of the proposed development and I would recommend that the application is not determined until the evaluation is undertaken.

Should the evaluation works not be undertaken I would recommend that a condition is placed on the development for a programme of field evaluation and mitigation.

Condition

A suitable condition in accordance with the Department of the Environment's Circular 11/95:

"No demolition or development to take place 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 consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."

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

"No 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: 0113 3782249

| 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

