



Historic England

Mr William Simcock  
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Huddersfield  
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HD1 2JR

Direct Dial: 01904 601988

Our ref: P01582547

9 December 2024

Dear Mr Simcock

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**VICTORIA TOWER, LUMB LANE, CASTLE HILL, ALMONDBURY,  
HUDDERSFIELD, WEST YORKSHIRE HD4 6TA  
Application No. 2024/92519**

Thank you for your letter of 16 September 2024 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

This letter should be read in conjunction with our previous detailed advice letters of 27 November 2018, 10 January 2020, 15 October 2020 and 10th May 2021 and 4<sup>th</sup> October 2024. These advice letters were submitted to your authority in response to the original planning submission and the subsequent revised schemes and amendments.

The submitted document 'Background, Vision and Management', One17, November 2024, does not address comments in our previous advice letters. We continue to have concerns about this application, and cannot support the discharge of condition.

**Historic England Advice**

On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

The notification is for the Discharge of details reserved by conditions. The pre-commencement conditions were:

Condition 3 (Construction Environmental Management Plan)



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Condition 8 (access road works)  
Condition 17 (drainage)  
Condition 18 (kitchen waste water)  
Condition 20 (archaeological investigation)  
Condition 29 (biodiversity net gain)  
Condition 30 (public rights of way)

These documents have now been supplemented by a new document, being: 'Background, Vision and Management', One17, November 2024. We will be commenting on the new document, having previously responded to the previous discharge of conditions notification on 14<sup>th</sup> October 2024.

### **Significance:**

The significance of this site is set out in our advice letter of 27th November 2018. It is not necessary to repeat this in detail, suffice it to say that Castle Hill is an important site locally, regionally and nationally. It is an iconic location, much loved and frequently visited.

The hill is designated as a nationally important Scheduled Monument on account of its prehistoric origins and later modification with a motte and bailey castle and as the site of a medieval planned settlement. The Victoria Tower is listed grade II.

### **Policy:**

We consider that the recently supplied supporting information ('Background, Vision and Management') does not fully meet the requirements of NPPF paras 128, 135 and 200. We therefore ask your authority to carefully consider whether the details provided to discharge the condition satisfies the requirements of the condition bearing in mind the policy and responses provided on the scheme which led to the imposition of the condition.

### **Position:**

Historic England remains of the view that this important and sensitive site can benefit from the presence of a well-designed and executed building.

Any such building has to address public need, and deliver public benefits including site management, site interpretation and education and visitor amenities, but also has to be economically and financially sustainable.

Historic England has previously provided advice to your authority on this development



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proposal on 27 November 2018, 10 January 2020, 15 October 2020 and 10th May 2021 (following submission of Amended information) and most recently on 4<sup>th</sup> October 2024. Our advice letter of 10<sup>th</sup> May 2021 maintained our objection to this application on heritage grounds owing to the lack of an appropriate level of public benefits.

Our most recent advice letter stated that whilst we were content with one of the pre-commencement conditions (Condition 20 'archaeological investigation'), we had concerns on heritage grounds in respect of Condition 29 (biodiversity net gain), and could not support the discharge of this condition.

In our several advice letters to your authority, we have drawn your attention to three specific areas of concern:

- i) archaeology: we recommended that the Heritage Statement and Setting documents were updated and a Written Scheme of Investigation (WSI) was produced in order to ensure that the archaeological impact of the development scheme was identified, and any such archaeological impact would be suitably and comprehensively addressed;
- ii) setting: although additional visualisations had been presented, the Heritage Statement had not been updated in accordance with the NPPF or the published guidance on setting, to allow an understanding of the visual impact of the proposal, and
- iii) public benefit: the public benefit remains unclear, and the scheme lacked any business plan or business model against which to judge the claims made about economic benefits

In our advice letter of 10th January 2020, we stated that there was a need for 'a comprehensive Management Plan for the site and its context, establishing the public benefit and 'very special circumstances' of the proposal. The applicant has now submitted a 'Background, Vision and Management' document, The status and purpose of this document has not been stated, but we have assumed that it has been submitted to address the lack of a comprehensive Management Plan for the development and the site.

The submitted document contains numerous errors (eg para2.15, p 15: Historic England are not 'legal custodians') and there are several omissions (eg the section on the history of the site omits the World War II structures, and although referenced there is no description of the implications of the 2018 archaeological evaluation results and see below for the Business Plan). The submitted document does not address our concern.

The document does not provide a Management Plan for the site, although it does in fact refer to the need to develop a Management Plan (para 12.03, page 100) at some



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time in the future. The Proposal section (section 7.0) does not state what the detail of the proposal is, whilst the Setting section (Section 5) does not refer to the Atkins Setting Study prepared for KMDC, and does not refer to the published guidance on setting and its assessment.

Critically, the 'Background, Vision and Management' document refers to the economic potential of the proposed development, the collaborative work with KMDC and the Business Plan, but does not include the Business Plan. Therefore, the statements made in the 'Background, Vision and Management' document about viability cannot be tested. It is also the case that whilst the suggested collaboration between developer and KMDC is to create a CIC (Community Interest Company), there is nothing in the text to clarify whether this is an officer-level aspiration or an initiative which has been agreed by the KMDC executive.

In the absence of a comprehensive Management Plan which addresses appropriately the public benefits of the proposal, we continue to have concerns about this application, and cannot support the discharge of condition.

## **Recommendation**

Historic England has concerns regarding the application on heritage grounds.

We consider that there are limitations to the information submitted in respect of the Discharge of Conditions. Your authority should reflect on the issues that we had raised in our several responses to the scheme and the conditions imposed as a consequence of those concerns.

We are therefore recommending that the information does not in our view address the points we raised and does not appear to be sufficient to discharge the condition(s).

We would remind your authority that Scheduled Monument Consent will be required in advance of the commencement of any works on site.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 128, 135 and 200 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.



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Yours sincerely

Keith Emerick

**Keith Emerick**  
Inspector of Ancient Monuments

cc: Mr Malcolm Sizer.



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