Historic England

Mr William Simcock
Kirklees Metropolitan District Council
PO Box B93
Civic Centre
Huddersfield
West Yorkshire
HD1 2JR

Direct Dial: 01904 601988

Our ref: P01587495

7 March 2025

Dear Mr Simcock

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

VICTORIA TOWER, CASTLE HILL, LUMB LANE, ALMONDBURY, HUDDERSFIELD, WEST YORKSHIRE HD4 6TA
Application No. 2024/93494

Thank you for your letter of 20 January 2025 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

Historic England has previously provided advice on the original development proposal on 27th November 2018. At that time we objected to the proposal on heritage grounds. In the intervening period we have been consulted on modifications to the scheme and several Discharge of Condition notifications, the most recent being 13th January 2025 (ref 2024 /92519).

We have maintained a consistent position stating that the public benefit of the scheme is unclear, and the proposal does not address specific heritage concerns. The current Notification is a resubmission of the original scheme seeking to maintain the existing conditioned planning approval. Unfortunately, the supporting documentation is largely as previously submitted, and it is our advice and recommendation that your authority refuse this application on heritage grounds.

Historic England Advice

The Notification is a resubmission of a Full planning application for the erection of a restaurant/café/bar, with six guest rooms, exhibition/interpretation room, WCs, terrace, car parking and ancillary accommodation.

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

Significance

Castle Hill is an evocative place which plays a special role in the identity of Kirklees. It is a place valued and loved by the local population and for many people it is an iconic symbol of the area.

The closest parallel for its landscape impact and iconic status is Glastonbury Tor, Somerset, with both places sharing a similar, dramatic and recognisable silhouette, composed of very simple, memorable shapes. The continuity of its use as a place for settlement and recreation from potentially as early as the Late Neolithic period through to the present day has given it an almost unique standing not only in Kirklees, but in the whole of the north of England. Its form as a planned medieval hill top settlement places it in a similar category to the 13th and 14th century 'Bastides' of central and southern France, but something that is unique in England.

Castle Hill is a significant place for many different reasons; archaeologically and historically it represents one of only few such sites in the county displaying continuity of human activity for over 4,000 years, ecologically it boasts rare acid grassland and nesting birds, and socially it is a place where people have gathered for enjoyment, protest and celebration. It is an iconic representation of Huddersfield and is loved and valued by the local population. These values are both tangible, expressed physically at the site itself, and intangible, either relating to the contemporary use of the site or residing within local communities and memory as a much loved landmark and place of recreation. Its significance is further acknowledged by its designation as a Scheduled Monument, and Victoria Tower's listed building status. It is a focal point within the Green Belt, south of Huddersfield.

The powerful landscape presence of Castle Hill has attracted people to its summit for millennia and ensured that it has served as a prominent local landmark equally as long. This activity and landscape prominence has ensured that the Site has become imbued with a wide range of values, all of which are ultimately reliant on the fact that it is a prominent hill.

The significance of Castle Hill has been recognised in two key documents produced by Kirklees council in partnership with wider stakeholdders including and endorsed by ourselves:

- Conservation Management Plan (2006)
- the Castle Hill Setting Study (for Kirklees Council, Atkins 2016), which is currently being revised.

Impact on significance:

The introduction of a new, well-designed building in the suggested location could lead to less than substantial harm to the significance of both the Scheduled Monument and the Victoria Tower, through a change in setting, effecting the appreciation of the values we refer to in the significance section.
However the precise level of impact of the proposal on the significance of the site is not clear as the supporting documentation is partial and offers conflicting aims and objectives. For example, the Financial Business Plan document (One17, November 2024) offers alternative options and scenarios. This is further compounded by the fact that these different development and management options do not align with the proposal put forward in the Vision document (One17, November 2024). Therefore it is not yet possible to understand what exactly is being proposed, its commercial and long-term viability and the manner in which change to the site and the management of that change is to be undertaken and by whom, how it would deliver public benefit and ultimately to understand its impact on the significance of the site.

Policy

Castle Hill is designated as a Scheduled Monument and the Victoria Tower is nationally important listed grade II. The status of the site, its significance and sensitivities require the application to meet a high policy threshold and that any harm needs to be justified and balanced against public benefit in accordance with paragraphs 212, 213 and 215 of the NPPF.

Position of Historic England

Historic England remains of the view that this important and sensitive site can benefit from the presence of a well-designed and executed building. We would be supportive of such a proposal as long as the public benefits are articulated clearly enough for us to be confident that they will outweigh the harm to significance.

The introduction of a new, well-designed building in the suggested location could lead to less than substantial harm to the significance of both the Scheduled Monument and the Victoria Tower, through a change in setting, effecting the appreciation of the values we refer to in the significance section.

Any such building must 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 proposal on 27 November 2018, 10 January 2020, 15 October 2020 and 10th May 2021 (following submission of Amended information), 4th October 2024, 9th December

2024 and most recently on 13th January 2025.

Our advice letter of 10th May 2021 maintained our objection to this application on heritage grounds owing to the lack of an appropriate level of public benefits to outweigh the less than substantial harm to the significance of the monument. Our most recent advice letter to your authority (13th January 2025) stated that the submitted documentation still did not provide the necessary level of detail, and therefore the public benefit test could not be met.

The resubmitted application includes a 'Background, Vision and Management' document (One17, November 2024) and a 'Heritage Consultant report, and Financial Business Plan' document (One17, November 204).

Unfortunately, the Vision document still includes the errors of former iterations, and does not include key detail about interpretation, management and public benefit. On the basis of the information currently submitted we are not convinced that the applicant has fully understood the implications of forming and operating a CIC (Community Interest Company), and this is further compounded by statements in the Business Plan document to the effect that the Council alone would remain responsible for the upkeep of the Victoria Tower.

The Financial Business Plan document generates other and different concerns. It is not clear from the Business Model(s) how these would facilitate lasting public benefit. It is essential that your authority commissions a specialist consultant (at the applicant's cost) to audit the Business Plan to establish if the proposals are legitimate and viable, that the proposed use (especially the accommodation) is the Optimum Viable Use and justifies the harm to the Scheduled Monument. Historic England will be happy to advise your authority on the preparation of a brief for this work.

We recommend that the applicant should withdraw the current documents and undertake a comprehensive redraft in order to provide the necessary information. Should they resubmit revised documents we will be content to be reconsulted by your authority.

Because of the above stated issues, we have concerns on heritage grounds and recommend that the application is refused by your authority.

Recommendation

The Notification is the resubmission of an approved scheme (subject to conditions) for the erection of a restaurant/café/bar, with six guest rooms, exhibition/interpretation

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room, WCs, terrace, car parking and ancillary accommodation.

Historic England has provided advice to your authority on this development proposal on a number of occasions since November 2018.

We continue to believe that this important and sensitive site can benefit from the presence of a well-designed and executed building, which delivers quantifiable public benefits to outweigh any less than substantial harm to the designated monument.

The documentation submitted in support of this resubmission does not deliver the necessary justification. We recommend that the submitted supporting documents are withdrawn and resubmitted following a comprehensive redrafting with the necessary detail, and that your authority commissions a consultant (at the applicant's cost) to audit the Business and Financial plans to establish if they seem legitimate and viable.

Historic England has concerns on heritage grounds and recommends that the application is refused by your authority.

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 212, 213 and 215 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

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.

Yours sincerely

Keith Emerick

Keith Emerick
Inspector of Ancient Monuments
E-mail: Keith.Emerick@HistoricEngland.org.uk

Historic England

cc: Mr Malcolm Sizer
Mr I Thandi

37 TANNER ROW YORK YO1 6WP
Telephone 01904 601948
HistoricEngland.org.uk

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