30th July 2025

Dear Mr Hirst,

Castle Hill: Planning Application No 2024/93494 (amended plans) - **OBJECTION**

It is dispiriting to see yet another attempt to extend the deadline for considering what is in essence the 2018 scheme proposed for the ancient site of Castle Hill, Almondbury (2018/93591 2nd scheme).

Planning authorities are required by law to determine valid applications within set timescales. It appears as no coincidence that the notification of amendments dated 7th July 2025 occurred shortly after the 26 week deadline allowed by central government. According to Article 34 (2)(b) of Development Management Procedure (England) Order 2015 "When an application takes longer than the statutory period to decide and an extended period has not been agreed with the applicant, the government's policy is that decisions should be made within 26 weeks for major and 16 weeks for non-major applications". Our Local Authority appears to have taken a lax attitude to timescales since the 2018 application came in (even accounting for the pandemic and changes to proposals). **The scheme is out of time and the current package of information cannot be relied on as a basis for decision making. The application should be withdrawn, it is unfit for purpose.**

Major deficiencies lie in the following areas of the application:- a) no fire safety assessment; b) bogus transport statement; c) images of proposals have not been updated nor datum points added and some information has been removed; d) misleading drawings have been re-presented; e) the new business and management case is unreliable; f) the interpretation outline is just that; g) objectively handled public consultation has been absent; and h) the planning statement attempts "to pass off the site as grey belt".

a) **Fire Safety Assessment**:- Following the severe fire on Castle Hill of 3rd July this year proposals should be subject to a Fire Safety Assessment by the Fire Brigade (ref sectn. 26 of the application form). The fire caused people to evacuate houses on the hill, the NW steps started to melt, and the valleys were clouded in smoke and ash. Fortunately the access road acted as a break and fire officers were successful in extinguishing the fire, though it had to be watched for many hours due to the drought. More intensive use of the site could pose an additional hazard as would an increase in possible conflicts between emergency vehicles and vehicles escaping down Castle Hill Side.

b) **Transport Statement**:- this has been carried out by internal consultees in Highway Development Support Ltd and concludes that the proposal "does not cause any

negative impacts in terms of road safety or congestion". It looks at vehicular movements and fails to assess the safety of other road users (pedestrians, cyclists, horse riders) especially when access for emergency vehicles, increased service/delivery use and refuse collection must be taken into account, and the fact that the pedestrian steps facing SW are unsafe and currently blocked off.
Improvements designed as passing places only increase road width by 600-800mm.
The Transport Statement is based on 100 covers for the restaurant, yet the number of car parking spaces has been reduced to 37 places overall - to fit within the existing gravelled area currently used (south), and to minimize conflicts where the proposed service yard and the car park entrance are close and the public right of way crosses over near the proposed building entrance. This standard is grossly inadequate when compared with the applicant's initial assessment of 69 car spaces being required.
Parking standards are absent from the current Highways Design Guide SPD.
According to the old UDP standards, and based on the applicant's own figures, 116no parking spaces would be required to serve the café/restaurant, guest bedrooms and staff alone (KC UDP parking standards Appendix 2). Public transport serving Castle Hill has not improved in recent years and no taxi drop-off has been allocated on site. Even allowing for changes in attitudes towards use of cars, the 37no spaces proposed would be grossly inadequate to serve both the building <u>and</u> general visitors to the monument.
The approach road (Byway HUD/171/20) is classified as a byway open to all traffic.
Proposals are substandard for the projected use and an independent and comprehensive Transport Safety Assessment should have been required.

c) **Problems with drawings**: 3D visualizations do not show the building in context of the service yard and adjacent 2.4m high security gates, or over the car park as proposed with its plethora of signs and lines and notice boards. They also miss off the seating and safety balustrades on the café terrace, and any guarding/screening to the guest rooms on the viewing terrace and the embankment opposite.
Although a topographic survey has been carried out, the drawings continue to omit any dependable reference points for the height and position of the proposed building on site.
Tables and chairs are still drawn out of scale ie too big, making the building appear smaller or less intensively used than would be the case in reality. This change occurred when drawings were substituted before the Oct 2021 strategic planning meeting.
Drawing no 3287 (SK)111 appears to have disappeared. It showed the site in the context of the service area and car park with CCTV and ANPR cameras, signs, lines and notice boards, and some of the external paraphernalia required in the adjacent service yard such as waste/recycling bins (additionally plant, storage and staff parking will need to be accommodated in the yard). Drawing 3287 (SK) 111 is referred to in the Crime Prevention consultation from West Yorkshire Police who maintain concerns about the scheme (such as its low level lighting, the ungated external areas which lie out of sight, and the service yard). This important drawing

should have been updated to reflect the reduced size of the car park, then re-presented as it was the only drawing illustrating the practical implications of current proposals. Without a similar illustration, a sanitized version of the scheme is being projected.
On the website it is unclear why the majority of plans, of the same date and revision letter, appear in both the "Plans" section and "Superseded Drawings" section. It is tedious to go through information again and whether done deliberately or otherwise duplication helps to hide any omission.

d) **Misleading drawings**:- Elevational Comparisons on p35 (fig 5.14) & p50 of the "Background Vision and Management Document Rev B" (BVMD) purport to compare current proposals with the approved elevations of the former Castle Hill Hotel (see drwg 3287(0-)19) The red elevations do not show this scheme but a building which is both longer and higher than the one described in approved drawings (ref Alistair Ingram drawing no 01. 693/9 May 2002 & 01. 693/11 – which should be in the LA's planning archive). The comparison is misleading and drawings should be removed. (Does the comparison illustrate the steel frame structure erected without planning permission c2005 and subsequently taken down? A photo can be provided).
On page 46 of the same document (BVMD) the 1.500 drawing (Existing Site Plan 3287 (0-) 01 dated May 2019) shows the footprint of a building (in pink), implying its existence. The plan is repeated within the document text (fig 10.1). There has been no building on the site for two decades; and there was never a building with the footprint shown (in pink) on this site. There is no building on the site.
The same footprint occurs on p77 of the BVMD as part of the Archaeological Working Scheme of Investigation (WSI) where it is described incorrectly as the basement of the former hotel. The basement of the former Castle Hill Hotel was a small keep cellar covering less than 20% of the ground floor area. The erroneous plan has been overlaid to show other areas of ground disturbance. Either this is a mistake or the drawing has been designed to hide the extent of criminal damage caused by excavation for a large basement under the unauthorized steel-framed structure erected c2005.
Nowhere do drawings show the size and location of the attenuation tank required by the Local Flood Authority. The infiltration method proposed by applicants would unacceptably exacerbate existing run-off. Yorkshire Water require a soakaway for surface water run-off. Both measures would have an adverse impact on archaeology and are not accounted for in the WSI.
Photographic drawings produced by JCA Ltd (ref Biodiversity & Ecological Management map & Biodiversity Metric 4.0) show comparisons of the site as existing (baseline) and after intervention. They show the sealed surface area (service yard and car parking area) doubled in area, even without the café terrace and viewing terrace (also sealed). The scope for improving biodiversity would be much reduced by the development due to the extent of hard surfacing, and the presence of humans, traffic, and lighting at night will make the proposed faunal boxes less attractive.

e) **Business and Management**:- Validation criteria for proposals of this nature normally require evidence of a building's long term viability. The three storey building proposed has been designed to be half underground and partially masked by artificial bunds. There would be limited options for its reuse should the business not succeed.
The Castle Hill Visitors' Centre: Business Case Executive Summary by ONE17DESIGN proposes a Community Interest Company (CIC) to support the public visitor elements. At 3.15 of the Planning Support Design and Access Statement it claims "The essence of the scheme is that Castle Hill Visitors Centre is not a commercial development with public benefits, it is a public benefit-driven proposal supported by sustainable revenue streams. For this reason the CIC model is our preference for management of the scheme." It claims that the commercial elements have been included to support the visitor function, whereas the history of applications, the space devoted to each use and the unbalanced opening hours (purely commercial after 5pm) suggest otherwise.
The risks of a CIC have not been addressed and no firm proposals or financial case has been put forward. Information in the "Executive Summary" is unlikely to satisfy Historic England as this body advises using an independent consultant to audit any Business and Financial Plans in order to establish the legitimacy and viability of the scheme.

f) **Interpretation Outline**:- The independent heritage consultant *in*Heritage states that their submission is the first step towards a heritage plan. It scopes out aims, broad themes and topics, and target audiences. There is no reference to Kirklees's Heritage Strategy and the applicant/agent does not appear to have drawn the consultant's attention to the consultation response from Kirklees' Museums and Galleries (M&G). The Local Authority's M&G section is part of the governance team for the Heritage Strategy. Officers share Historic England's concerns about the business case and they consider that interpretation and access to current collections and events can be provided in a number of ways which avoid harm to the asset itself and to the environment in which it is experienced.
Many of the aims identified in *in*Heritage's "Interpretation Outline" can be met in other ways, and there is a danger that some of the target audiences would be disenfranchised by the presence of a building, the increased activity on site and a lack of parking. The consultee response from Environmental Health drew attention to potential adverse effects of external lighting, particularly in this isolated elevated location (where "dark skies" target audience might suffer), and of cooking odours. There will also be adverse effects of increased noise and pollution (from equipment/plant, people, deliveries).
The open nature of the site is a defining characteristic of people's experience. In addition to informal recreation (exercise, games, picnics, sight-seeing etc) for many centuries the central ward has been an important gathering space for community expression and national events. In the last 100+ years these have included C19th Chartist rallies, mid C20th Coronation bonfire, early C21st Platinum Jubilee

celebrations, Remembrance, as well as charity events, cycle rallies, exhibitions (sheep art, illuminate Kirklees), religious festivals for Eid and Divali, and informal gatherings to observe the solstices. Connections to services are located here, close to the tower and at the heart of the monument. The brazier is also located here and can be seen for miles around (currently being repaired).

g) **Public Consultation**:- The agent refers to extensive consultations having been carried out over a period of years in different formats. Certainly there has been ongoing promotion of the proposals by the applicants and even by the former MP through the printed local press and online Huddersfield Hub. Central government advice is to start consultation at an early stage with a two-way process of engagement and feedback overseen by a neutral party. Formal consultation has not taken place.
The site has been highly controversial since demolition of Castle Hill Hotel; and the subsequent illegal excavation and erection of a much larger structure caused general outrage. It was followed by a public meeting at the town hall (standing room only) where the LA was urged to issue a "stop notice". This was public engagement.
Until the 2018 application, larger scale development proposals for the site had been withdrawn or refused in accordance with law, policy and guidance, as expected under Section 38(6) of the Compulsory Purchase Act 2004 which requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Shockingly application 2018/93591 was approved. Local councillors representing three of the four parties voted against proposals but it was carried by one vote. The decision was inconsistent with previous decision making; and had little regard for planning law, national & local policies, guidance and relevant specialist studies. Naturally this has raised suspicions about the integrity of the parties involved.
The developer failed to satisfy conditions attached to the 2018 conditional approval in the statutory timescale and, although that application has now failed, the LA has allowed the developer to extend the timescale twice under this new number. The planning agent has argued that more time is required to satisfy onerous conditions. This does not make sense as the application documents, as outlined in the revised Planning Statement, offer little to satisfy the previous conditions but they continue to alter proposals.
The agent argues that the fewer number of comments recorded under this application means a greater acceptance of it by the public. This is not the case. People are totally baffled by the ongoing process and put off by lack of clarity and consistency in altered submissions which occur after long intervals. It takes time to review each application. Just as the planning agent sees subsequent applications as a continuation of the 2018 one, there is a case that the 300+ comments should be rolled over onto this application's web pages, especially where any substantive matters raised have not been addressed.

h) **Grey Belt classification wrong**:- The Planning Statement makes a claim that the site is grey belt due to the previous building (built prior to the introduction of heritage

protections and demolished over 20 years ago), and it asserts that it does not contribute strongly to green belt purposes. It fails to mention the criteria for assessing exclusions set out in footnotes to the revised National Planning Policy Framework, and ignores the essential contribution of an open rural setting as assessed by Atkins in the independent Setting Study of 2016. Nationally designated sites such as Castle Hill scheduled ancient monument and the free-standing Jubilee Tower listed at grade 11 are excluded from the definition of grey belt.
In section 6.0 of the Atkins setting document risk factors are set out; and at 6.11 it concludes, "Slopes and summit of Castle Hill: The profile of the upper slopes of Castle Hill and its rural and essentially undeveloped character are key characteristics of the site and contribute to its setting and significance. These aspects would be adversely affected by small scale development and it is unlikely that such development could be accommodated on the hill itself".
The site is in an environmentally sensitive location where the effects of development would be more significant, and the lack of an Environmental Impact Assessment suggests our inheritance has been woefully undervalued. Proposals constitute inappropriate development in the green belt. The absence of the former Castle Hill Hotel has enhanced the setting of the Tower and enabled better appreciation of the hillfort and its later embodiment of the C12th fortification.

Conclusion
National government's advisors on heritage, Historic England (HE), have advised the Authority to refuse the application on heritage grounds. The Victorian Society maintain their objection. The Council for British Archaeology objected (their letter is missing from Consultees). Huddersfield Civic Society have objected as have The Huddersfield and District Archaeology Society and Castle Hill Civic Associates. KC's Museums and Galleries object. Proposals do not accord with the aims of the Heritage Strategy; and importantly they conflict with statute and national and local policies to protect heritage assets and the green belt.
Hillforts as important as Castle Hill are rare in the north of England. HE have cited Glastonbury Tor as the closest parallel for its landscape impact and iconic status, with both places sharing dramatic and recognizable silhouettes. The proposed development would harm its many special characteristics which represent over 4.000 years of human activity. It is noted that the proposed type and scale of development in a scheduled monument in this type of setting is unprecedented in modern times (York Archaeology Heritage Impact Assessment). Professor Melanie Giles, a foremost authority on iron age hillforts, warns that approval would set a dangerous precedent for analogous sites of cultural heritage significance nationwide.

In view of the above important considerations please recommend **REFUSAL** of this planning application if the applicant fails to withdraw it by a <u>specified deadline</u>.

Yours sincerely