

HISTORIC ENGLAND

Message to the Council and other representors who attended the hearing session on sites H442 (land between Richmond Park and Sunnyside Avenues, Robertstown) and H198 (land south of Second Avenue, Liversedge)

Thank you for attending the recent Kirklees Local Plan hearing session relating to the aforementioned site(s). Historic England were unable to attend the session but have since provided further clarification on their position, along with a number of proposed modifications to the text of the Plan. If you wish to comment on Historic England's attached Response Note, please forward your response to the Programme Officer by Monday 30th April 2018.

Message to Ian Smith, Historic England

A number of sites with heritage issues were discussed at the re-arranged Kirklees Local Plan hearing sessions on 22nd and 23rd March 2018. I have some questions for you relating to these sites, and it would be appreciated if you are able to assist. The details are as follows:

H442 – land between Richmond Park Avenue and Sunnyside Avenue, Robertstown

The HIA for this site was updated by the Council in January 2018. The revised HIA identifies new areas of high significance but does not clearly recommend that this area remains as open land. At the hearing session on 22nd March the Council indicated that it would be minded to require that the frontage part of this area should be kept as open space, equating to a buffer of about 10 metres back from the road. They indicated that development in the remainder of the site, including the rest of the area of high significance, could be appropriate if the policy text was revised to include mitigation measures relating to building height, design, orientation etc, and retention of the PROW and field boundaries.

I understand that the Council has contacted you already with the specific proposed wording changes relating to these mitigation measures. It would be appreciated if you could provide me with your views and comments on i) the updated HIA, ii) the Council's position relating to a proposed buffer zone of 10 metres, and iii) the Council's proposed text modifications relating to other mitigation measures.

H508 – Second Avenue, Hightown, Liversedge

At the hearing session the Council indicated that it disagreed with Historic England's recommended area of moderate significance, as set out on the map in your updated Hearing Statement. The Council indicated that the area of moderate significance in the HIA was appropriate. However, they suggested that although the moderate area section closest to the listed building should remain as open land/buffer, part of the moderate area could be suitable for development – provided suitable building heights, design, orientation etc could be achieved and reference to this included in the policy text.

The Council also indicated that part of the area of high significance closest to the motorway could be developed without harm, and that an access road across this area could be suitably mitigated. They were unable to explain how this could be achieved (Mr Hunston was not at the hearing session) so I asked them to provide me with a Note on potential mitigation measures in the area of high significance following the hearing session.

Once you are in receipt of this Note it would be appreciated if you could provide me with your comments and views on: i) the Council's position in relation to the area of moderate significance - including your view on whether it is possible to achieve suitable mitigation in part of the moderate area furthest from the heritage asset, and ii) whether you think that either built form and/or an access road within the area identified as high significance in the HIA could be suitably mitigated.

H198 – Second Avenue, Hightown, Liversedge

In your Hearing Statement you indicate that the developable area of the site should extend no further south than the curtilage of the southernmost property on Lyncs Wold. It would be appreciated if you could clarify whether this relates to just the small area of the site directly between Lyncs Wold and the heritage asset – or whether the buffer should extend further to the west and Windy Bank Lane.

At the hearing session the Council indicated that they would be minded to proposed modifications to the text to refer to the need for mitigation measures such as sensitive design, orientation, building heights etc particularly in the area of the site closest to the heritage asset. It would be appreciated if you could confirm whether or not you think these changes could provide suitable mitigation.

Next steps

If you are able to respond with comments on H442 and H198 by Friday 20th April, it would be appreciated. Comments on H508 will need to follow publication of the Council's Note, and they have not yet confirmed the timetable for its production.

Thank you for your assistance. If you have any questions or queries please do not hesitate to contact me via the Programme Officer.

REPLY FROM HISTORIC ENGLAND

Response by Historic England to Inspector's Questions, 27 March 2018

H442 – land between Richmond Park Avenue and Sunnyside Avenue, Roberttown

- (i) The revised Heritage Impact Assessment now considers that several parts of this area are of more significance to the setting of the Grade II* Listed Building than the original evaluation. However, this latest iteration of the document is just as unhelpfully vague as its predecessor about what this should mean in terms of how this site might need to be developed.
- (ii) Whilst the retention of a buffer zone is welcomed, a buffer of the size suggested by the Council (10 metres - and, presumably, this is from the edge of the existing highway) would mean that buildings could, potentially, be constructed some 5 metres further forward than the front elevation of 71 Roberttown Road (the dwelling towards the north-western corner of this site). This hardly seems sufficiently wide to retain the 'agricultural setting' of Old Hall Farmhouse from the road envisaged in the Heritage Impact Assessment especially since, one would presume, a 2m footway will also be required to be created alongside Roberttown Road.

If a buffer is to be of sufficient width to retain some semblance of a rural setting between the proposed housing estate and the Listed Building, then it ought to be similar to the width of the curtilage of 71 Roberttown Road (i.e. in the region of three times what the local planning authority are proposing).

- (iii) Whilst we would broadly support the thrust of the proposed textual modifications suggested by the Council, they would benefit from some changes either to more closely reflect the conclusions of the Heritage Impact Assessment or to better articulate what is necessary to safeguard the significance of the Listed Building.

Proposed Criterion 1

- The wall alongside Roberttown Road is identified on the map on page 5 of the Heritage Impact Assessment as being of 'High Significance'. Therefore, the retention of this boundary feature ought to be referred to within this Criterion.
- In view of our comments, above, it would be preferable if this Criterion set out clearly the extent of the proposed buffer.

It is suggested that this Criterion is amended along the following lines:-

1. *The existing stone wall along the Roberttown frontage shall be retained. A green buffer of at least 30 metres to be provided to the south-east of the wall to retain the rural setting to Old Hall Farmhouse and to provide a visual break in the site frontage along Roberttown Lane.*

Proposed Criterion 3

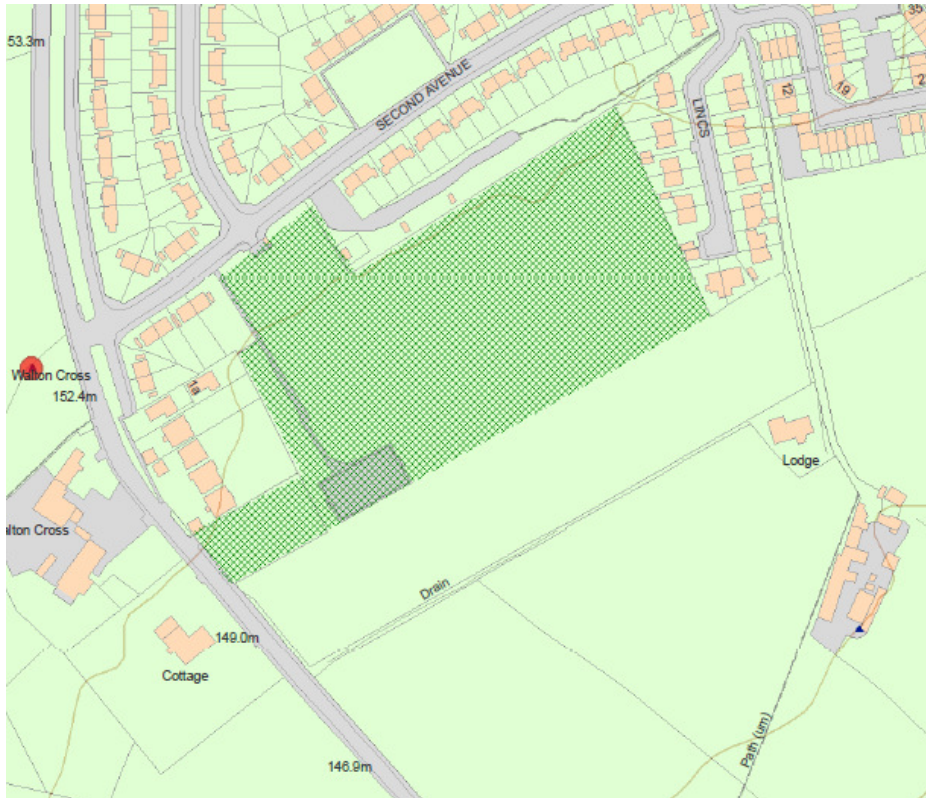
- In order to assist users of the document, it might be preferable to split this Criterion into two – one dealing with the public right of way; the other with the field boundaries. The Criterion which deals with the public footpath needs to make it clear how it is envisaged residential development in its vicinity should relate to it – otherwise there is a real concern that it will simply become a rather unattractive urban footpath through a housing estate. This is especially so for that part of the site closest to Roberttown Road. It is also important that views towards the Listed Building from this public right of way are retained.

It is suggested that this Criterion is amended along the following lines:-

3. *The public footpath shall be retained. Development on those fields adjoining Roberttown Road shall provide a green buffer alongside the footpath to retain the rural character of this section of the public right of way and to retain views towards the Listed Building.*
4. *The design and layout shall incorporate the existing field boundaries within the allocated site and seek to minimise any loss of these features.*

H198 – Second Avenue, Hightown, Liversedge

In order to make it clear precisely the extent of the developable area, it is suggested that Site H198 is amended as shown below:-



As we made clear in our Statement, it is the undeveloped nature of the southern part of this site which contributes to the rural setting of Thornbush Farm and its loss, no matter how well designed any buildings upon it, would urbanise the agricultural setting of this farm building and, therefore, harm its significance.

If the Council would still wish to continue with the extent of this allocation as proposed in the Submission Plan because it provides the ability to accommodate the open space requirements of this development, then the following development principle could be incorporated instead:-

"A 50 metre wide buffer shall be retained along the southern end of this site between Windy Bank Lane and Hawthorn Lodge to safeguard the setting of the Listed farm building"