

## MATTER 30 - HUDDERSFIELD1 HOUSING ALLOCATIONS: GREEN BELT RELEASES

### H2730a – land to the south-east of Hermitage Park, Lepton

Issue - Are the proposed Green Belt release housing allocations in the Huddersfield Sub-Area justified, effective, developable/deliverable and in line with national policy?

#### 1 Introduction

- 1.1 The allocation of Site H2730a for residential development as currently proposed is not sound as it is neither justified nor is it consistent with either the emerging Policies in the Local Plan or with national policy guidance.
- 1.2 Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset's conservation and explains that significance can be harmed by development within its setting. Crow Trees to the north of this area is a Grade II Listed Building. The loss of this site and its subsequent development could harm elements which contribute to its significance.
- 1.3 Although a Heritage Impact Assessment has been produced to ascertain whether or not this site could be developed in a manner consistent with the conservation of this Listed Building, the measures it suggests to reduce the potential harm which the development of this site might cause to this heritage asset do not seem likely to be effective.
- 1.4 Consequently, the allocation of Site H2730a for residential development as proposed in the Submission Local Plan would be in conflict with the following aspects of the emerging Local Plan:-
  - The Spatial Vision – in that it conflicts with the intention that development will take place in a sustainable way (balancing economic, social and environmental priorities), that the local character and distinctiveness of Kirklees and its places will be retained, or that the natural, built and historic

environment will be maintained and enhanced through high quality, inclusive design

- Spatial Objective 8 - in that it will not protect or enhance the characteristics of the historic environment
- Policy PLP35 – in that it will not conserve elements which contribute to the significance of a designated heritage asset.

1.1.4 It would also be contrary to national policy guidance as set out in the NPPF insofar as it would not:-

- Help to deliver a “*positive strategy for the conservation and enjoyment of the historic environment*” as is required by NPPF Paragraph 126.
- Contribute to protecting or enhancing the historic environment. Therefore, it will not deliver sustainable development in terms of the conservation of the historic environment [NPPF Paragraph 7].
- Conserve heritage assets in a manner appropriate to their significance. Therefore it will runs contrary to one of the Government’s Core Planning Principles [NPPF Paragraph 17].
- Give great weight to the conservation of the area’s designated heritage assets [NPPF, Paragraph 132]

## 2 Response to the Inspector’s questions

Question d) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE98) be specified in the Plan?

2.1 The Heritage Impact Assessment has provided an excellent summary of the historic development of this area, it has identified the elements which contribute to the significance of the Grade II building and has set out a good evaluation of the contribution which this site makes to its setting. The Heritage Impact Assessment considers that that the open area of land immediately to the south of the Listed Building is of ‘moderate significance’ due to the presence of historic field boundaries and the open nature of the land which facilitates views towards the building. The loss of this area would harm the rural setting of this building. We would concur with that evaluation.

2.2 Given this assessment, it is unclear how the Heritage Impact Assessment envisages that this harm might be effectively removed or reduced. It

recommends that it would be necessary to “*retain the open agricultural setting*” of the Listed Building. However, the proposal to do this through the measures suggested in Paragraph 6.3 seem unlikely to retain the agricultural character of this part of the site. Indeed, any development on the area of ‘medium sensitivity’ would fundamentally change the relationship of this part of the site with the Listed building and, therefore, harm its rural setting.

### 3 Conclusions

- 3.1 The Heritage Impact Assessment accepts that the westernmost part of this site contributes to the setting of Crow Trees – a Grade II Listed Building and concludes that its development would be likely to harm its significance. However, the measures which it has suggested to reduce that harm do not seem likely to be effective.
- 3.2 Consequently, the development of the Site H2730a as currently proposed would result in harm to the setting of this Listed Building. In terms of NPPF Paragraph 134, this is likely to constitute less than substantial harm to the significance of this designated heritage asset. Whilst the degree of harm may be less than substantial, nevertheless, it would still be causing harm to a designated heritage asset. As such, therefore, it would not be delivering sustainable development in terms of protecting and enhancing the historic environment, it would conflict with one of the Government’s Core Planning Principles (that heritage assets should be conserved in a manner appropriate to their significance), nor would it be likely to provide the positive strategy for the conservation of the historic environment that is required for Local Plans.

### 4 Suggested Change

- 4.1 It is recommended that:-
- (a) Site H2730a is reduced in size to exclude the area identified on Figure 4 of the Heritage Impact Assessment as being of ‘moderate significance’
  - (b) The amount of housing likely to come forward from Site H2730a as detailed in part 2 of the Plan is amended accordingly