

**MATTER 31 – HUDDERSFIELD EMPLOYMENT AND HOUSING ALLOCATIONS: URBAN SITES (NON-GREEN BELT)**

Site H706 – land east of Halifax Road, Birchencliffe

Issue - Are the proposed employment and housing allocations in the urban area of Huddersfield justified, effective, developable/deliverable and in line with national policy?

**1.1 Introduction**

1.1 The allocation of Site H706 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. Middle Burn Farmhouse and Lower Burn Farmhouse at the northern edge of this area are Grade II Listed Buildings. The loss of this site and its subsequent development could harm elements which contribute to their significance.

1.3 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 these Listed Buildings. This has identified that parts of Site H706 contribute to the setting of Middle Burn Farmhouse and Lower Burn Farmhouse and concludes that their loss and subsequent development would be likely to cause harm to elements which contribute to their significance. However, the Heritage Impact Assessment has not set out clearly or explicitly what measures would be necessary to reduce the potential harm which the development of this site might cause to these designated heritage assets.

1.4 As a result, the extent of the area that is proposed for developed coupled with the lack of any specific measures within the Plan to ensure that any development will take place in a manner consistent with the conservation of

these Listed Buildings could result in a form development which would harm elements which contribute to their significance.

1.5 Consequently, the allocation of Site H706 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.

1.6 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 The Heritage Impact Assessment

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 these Listed Buildings and has set out a good evaluation of the contribution which this site makes to their setting. The Heritage Impact Assessment considers that that part of the site immediately to the south of the

Listed Buildings is of high significance and that its loss would result substantial harm to their setting. We would agree with this evaluation. Middle Burn Farmhouse is a prominent feature in the landscape looking northwards from the bend on Burn Road. The Heritage Impact Assessment considers that the views towards the two Listed Buildings, across Site H706, are of 'moderate significance' and that, if these were lost, this would also harm the appreciation of these assets. Again, we would concur with this evaluation.

- 2.2 Given this assessment, it is unclear how the Heritage Impact Assessment envisages that this harm might be effectively removed or reduced or which areas might need to remain undeveloped in order to lessen the adverse effects which residential development might cause to the significance of these Listed Buildings.
- 2.3 On the basis that the Heritage Impact Assessment has not set out clearly or explicitly what measures would be necessary to reduce the potential harm which the development of this site might cause to these designated heritage assets coupled with the lack of any specific measures within the Plan to ensure that any development will take place in a manner consistent with the conservation of Middle Burn Farmhouse and Lower Burn Farmhouse this allocation is, at present, Unsound.

### **3 Conclusions**

- 3.1 The Heritage Impact Assessment has identified that parts of Site H706 contribute to the rural setting of Middle Burn Farmhouse and Lower Burn Farmhouse - two Grade II Listed Buildings. The loss of these areas, therefore, would be likely to result in harm to the setting of these buildings. However, it is not clear from the Heritage Impact Assessment how that harm might be effectively mitigated. In terms of NPPF Paragraph 134, this is likely to constitute less than substantial harm to the significance of these designated heritage assets. 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) The Heritage Impact Assessment is amended to set out clearly the mitigation measures necessary to ensure that this site is developed in a manner consistent with the conservation of the designated heritage assets in its vicinity.
- (b) The recommendations of the Heritage Impact Assessment are securely tied into the Policy framework of the Local Plan