

MATTER 35 - DEWSBURY AND MIRFIELD EMPLOYMENT, HOUSING AND MIXED USE ALLOCATIONS: URBAN SITES (NON-GREEN BELT)

H95 – land east of The Combs, Hall Lane, Thornhill, Dewsbury

Issue - Are the proposed employment, housing and mixed-use allocations in the urban areas of Dewsbury/Mirfield justified, effective, developable/deliverable and in line with national policy?

1 Introduction

1.1 The allocation of Site H95 for residential development 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. This site adjoins the boundary of the Thornhill Conservation Area and lies opposite a group of seventeenth Century Grade II Listed Buildings at Thornhill Hall. The loss of this site and its subsequent development will harm elements which contribute to the significance of these assets.

1.3 Consequently, the allocation of Site H95 as proposed in the Submission Local Plan is considered to 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

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- 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.

1.4 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]
- Provide clear and convincing justification that the harm it would cause to the heritage assets is outweighed by the benefits [NPPF, Paragraph 134].

2 Response to the Inspector’s questions

i) Have the impact of the proposals on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE69) be specified in the Plan?

2.1 On the whole, we would broadly support the methodology that has been used for the Heritage Impact Assessment of this site, particularly the use of an approach which seeks to identify the relative importance of the various parts of this site to the significance of the heritage assets in its vicinity. Whilst the Heritage Impact Assessment has set out a very good evaluation of the historical development of the area and of the majority of the elements which contribute to the significance of its heritage assets, we consider that it has failed to properly articulate the contribution which this undeveloped site makes to the setting of the Listed Buildings at Thornhill Hall and to the Thornhill Conservation Area. As a result, it has underplayed the harm that the loss and eventual development of this site might have upon the significance of these assets. Moreover, we do not

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consider that the harm to the setting of these designated heritage assets is capable of effective mitigation by the measures suggested in the Heritage Impact Assessment.

- 2.2 There are three Grade II Listed Buildings immediately to the south of this site - Thornhill Hall (a hammer-dressed stone building dating from the seventeenth Century added to in the late nineteenth Century) and a pair of stone cottages (again originally dating from the early seventeenth Century but, like Thornhill Hall, much altered in the twentieth century). These buildings form part of a historic farm complex which includes, to the south, a very large seventeenth Century L-shaped stone barn. All of these buildings are closely associated with the original fifteenth Century Manor House of Thornhill Hall which used to stand on the moated site to the west (the remains of which are now Scheduled). The Listed Buildings and the Scheduled Monument lie within a non-Designated designed landscape, Rectory Park. This area forms the southern half of the Thornhill Conservation Area.
- 2.3 Although Thornhill has experienced considerable change over the years, the area to the south and east of this group of Listed Buildings (around Rectory Park) has remained relatively unchanged. However, more modern development has impinged upon the character of the historic core of the village. The development of the former Combs Hill School in the sixties (which now has permission to be redeveloped for residential development (Site H H3379)) together with the widening of the western end of Hall Lane (with its associated footpaths and street lighting) have urbanised the approach to Thornhill Hall from this direction. The buildings, structures and facilities associated with Thornhill Cricket and Bowling Club have impacted upon the rural landscape to the north. The unmetalled, narrow, tree-lined stretch of Hall Lane adjacent to the Listed Buildings and the field that is proposed for development, therefore, represent the last vestige of the rural setting of these buildings. The lane, trees and the field, as a group, make a considerable contribution to the approach to and setting of these Listed Buildings, to the historic farm complex as a whole, and to the character of the adjacent part of the adjacent Conservation Area.
- 2.4 Whilst we would agree with the Heritage Impact Assessment that the loss the trees and boundary walls would result in considerable harm to the setting of these assets, the urbanisation of this area which would result from the loss of the field opposite the Listed Buildings or the widening and upgrading of this part of Hall Lane would also have a marked and harmful impact upon the rural

context and setting of the Listed Buildings and the Conservation Area. Contrary to the conclusions in the Heritage Impact Assessment, it is difficult to comprehend how any housing on Site H95 (a site which is higher than Hall Lane) could be successfully developed in a manner which would not radically harm the rural character of this area and the setting of the designated heritage assets opposite.

3 Conclusions

- 3.1 The Heritage Impact Assessment has failed to properly articulate the contribution which this undeveloped site makes to the setting of the Thornhill Conservation Area or to the Grade II Listed Buildings opposite. As a result, it has underplayed the harm that the loss of Site H95 and its eventual development would be likely to have upon the significance of these assets.
- 3.2 In terms of NPPF Paragraph 134, this is likely to constitute less than substantial harm to the significance of this designated heritage asset albeit at the upper-end of the spectrum of harm. 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 Site H95 should be deleted