

MATTER 44 – HOLME VALLEY SOUTH ALLOCATIONS

Site H597 – land south of Sandy Gate, Scholes

Issue - Are the proposed employment, housing, mixed-use and safeguarded land allocations in Holme Valley South justified, effective, developable/deliverable and in line with national policy?

- 1.1 The allocation of Site H597 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. Sandygate Farm, 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, it has under-valued the contribution which some parts of this site make to the setting of the building. In those parts which it does consider are of 'moderate importance' to building's significance, the measures suggested in the Heritage Impact Assessment do not seem likely to reduce the potential harm which the development of this site might cause to the significance of this heritage asset.
- 1.4 Consequently, the allocation of Site H597 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.

1.5 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 for the harm that it would cause to the historic environment [NPPF, Paragraph 134].

2 Response to the Inspector’s questions

Question ii) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should the proposal seek to provide links to and enhancement to the adjoining PROW, in line with mitigation measures in the Heritage Impact Assessment (LE76)?

2.1 On the whole, we would broadly support the methodology that has been used for the Heritage Impact Assessment of this site. The Heritage Impact Assessment has set out a very good summary of the historical development of the land and has provided an excellent evaluation of the majority of the elements which contribute to the significance of this Grade II Listed Building. However, we have a number of concerns about certain aspects of the assessment.

- 2.2 Firstly, it is considered that it has undervalued the contribution which parts of this undeveloped site make to the setting of the Listed Building. As a result, it is considered that the Heritage Impact Assessment has underplayed the harm that the loss and eventual development of these areas might have upon its significance. The Heritage Impact Assessment considers that that the land adjacent to the farmhouse contributes to the agricultural setting of the asset and is important to understanding the agricultural history of the property. The direct link between the property and the land also adds to the significance of the land. It concludes that this area is of ‘moderate significance’. We would concur with that evaluation.
- 2.3 However, it considers that the remainder of the site make considerably less contribution to the setting of the Listed Building. We disagree with that evaluation. As the Heritage Impact Assessment notes, the field boundaries across this area are virtually unchanged since the First Edition OS Map in 1892. As a result, the relationship between Sandygate Farm and this site is one which has changed little in 125 years. Sandygate Farm is visible in views across this site from the most of Scholes Moor Road, it is also visible in views from Moorlands to the south, and Ryecroft Lane. Given the acknowledgement within the Appraisal that views towards the asset are of ‘high significance’ and that, *“should these views be lost, it would cause substantial harm to the setting of the asset”* [Paragraph 5.3], the development of the vast majority of this site would be likely to harm the setting and appreciation of the Listed farm.
- 2.4 Secondly, we have concerns about how effective the suggested mitigation measures put forward in the Heritage Impact Assessment for the area identified as being of ‘moderate significance’ would be in reducing the harm to the significance of Sandygate Farm. Given that this area contributes to the agricultural setting of the Listed Building, has a functional relationship with it, and has important views across it from the surrounding road network towards the Listed Building, it is unclear how any development on the area identified as being of ‘moderate significance’ could be achieved in a manner consistent with the conservation of this heritage asset.

3 Conclusions

- 3.1 The Heritage Impact Assessment has under-valued the contribution which some parts of this site make to the setting of Sandygate Farm – a Grade II Listed Building. In those parts which it does consider are of ‘moderate importance’ to

building's significance, the measures suggested in the Heritage Impact Assessment do not seem likely to reduce the potential harm which the development of this site might cause to this heritage asset.

- 3.2 Consequently, the development of the Site H597 as currently proposed in 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 Modifications

4.1 It is recommended that:-

- (a) The developable area of Site H597 is reduced extent to simply the field immediately adjacent to the existing housing on Moorlands
- (b) The amount of housing specified in Part 2 of the Local Plan for Site H597 is amended accordingly