

Kirklees Local Plan and CIL Examination

Response from Kirklees Council to Preliminary Note 2 from the Inspector to the Council

16 June 2017

Thank you for providing the opportunity for the Council to provide clarification on a number of your additional questions. In preparing this response the Council has tried to provide clarification in relation to each of the points as requested, rather than a full justification which we might be expected to provide when responding to the MIQ's in due course. Should the Inspector require any further information on any of the points raised at this point we would of course be happy to assist.

1. Huddersfield and Dewsbury Area Action Plans (and Policies Maps)

Role and content

The Area Action Plans would seek to establish a specific vision and specific sub-Local Plan objectives which would be consistent with those set out in the over-arching Local Plan. They would primarily build on the strategic policies set out in Chapter 9 of the Local Plan – Strategies and Policies document.

It would not be the intention to include strategic policies as these are set out in the Local Plan itself. More specific and detailed development management policies would be included which would provide a spatial context for the different parts of central Huddersfield/Dewsbury and the land use issues which need to be addresses. It is likely that the area action plans would be accompanied by Policies Maps setting out land allocations and areas for new opportunities/areas that are likely to be subject to significant change.

Given the geographic extent of the central Huddersfield and Dewsbury areas and the complexity of issues in the town centres it has not been possible to set out in sufficient detail the sub-policies and land use allocations which the area action plans will need in the Local Plan at this stage. These would include the need to bring forward land use initiatives to stimulate regeneration/inward investment and protect areas particularly sensitive to change (including the significant number of heritage assets) together with a specific evidence base to justify doing so.

Geographical Area

The central Huddersfield/Dewsbury areas including their town centres together with connected areas that are likely to be subject to significant change.

Chain of conformity

National Planning Policy Framework, National Planning Practice Guidance, Local Plan Policies, emerging/established evidence base.

(NB: this information has been provided as an Officer response to the Planning Inspector specifically in relation to Preliminary Note 2 from the Inspector dated 7 June 2017. The final decision to prepare such documents is subject to ratification through a revised Local Development Scheme, council approval to proceed on area action planning and does not seek to pre-empt the outcomes of a future engagement/consultation on the role of the area action plans. The council may seek to progress additional area action plans at a later date, where justified in accordance with the National Planning Policy Framework and National Planning Practice Guidance.)

2. **Spatial development strategy**

The Council considers that the purpose of the spatial development strategy is to deliver the vision and objectives of the Local Plan. In practice it is achieved through the outputs of the site allocation process and in development management terms it will be achieved through the implementation of positively determining planning applications on the allocations and through the application of Policy PLP3 (Location of New Development) which will consider windfall development.

The plan does not contain a strict settlement hierarchy to provide the flexibility the plan needs to deliver its objectively assessed needs, with only Huddersfield and Dewsbury being identified specifically as the largest two settlements respectively, and where most development should be delivered.

The council produced an early engagement document called “Kirklees the place to grow” for consultation from 10th November – 19th December 2014 (PC4). This set out a number of questions relating to vision and objectives and location of development, including how to decide where development goes (Approaches 1, 2 and 3). Approach 1 set out a settlement hierarchy approach, Approach 2 based on place shaping/character and Approach 3 being a combination of both. Approach 3 was chosen as the preferred option following both public consultation and sustainability appraisal.

The Council used the initial outputs of the green belt review to help inform the ‘place shaping/constraints/opportunities’ of different settlements and parts of Kirklees. This initial green belt review information can be seen alongside other settlement/place contextual information in the ‘Kirklees the place to grow’ document (PC4) on the sub-area diagrams. The Council developed place shaping/constraints/opportunities evidence alongside the green belt review on one side of the early plan making stages, and settlement sustainability on the other. Evidence on settlement appraisal is set out in the Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17).

Evidence of how the green belt review has helped shape decisions on growth for each settlement is primarily set out in the Green Belt Review (SD19) and the Green Belt Edge Maps (SD20) and then transposed into the Accepted Site Options Technical Appraisals (BP29) and the Rejected Site Options Report (LE4). (This avoids the need to produce complicated mapping overlays of green belt edge outcomes and site options; however the Council has made this information available to the public during the main consultation stages through its online mapping system).

The Council specifically consulted on the Green Belt Edge work at the Draft Local Plan stage to allow comments to be made on how it helped shape decisions on growth and whether the initial outcomes were acceptable or not.

The Green Belt Edge maps show the assessment of each green belt edge in Kirklees. These include sections of the UDP green belt boundary which have been coloured black and red indicating areas where it would be difficult to justify changes to the green belt boundary when considering green belt role and function and topography constraints. This information has informed the evidence base for place shaping and character and also informed individual site option decisions.

A useful example of how the green belt outcomes have had a bearing on decisions for growth is for the larger town of Holmfirth. Evidence of its relative scale, function and size is set out in the Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17) and yet the settlement has a relatively low level of newly proposed housing allocations compared to its size. The Green Belt Edge map for Kirklees Rural West

(SD20) shows the extensive 'black edges' (around Holmfirth) which are derived from an assessment of topographical constraint indicating that development on steep slopes in close proximity to the settlement edge could have an immediate detrimental impact on openness and character and therefore these are not potential locations where settlement extension would be encouraged. These issues were identified in the Place Shaping policies and early engagement evidence. As a result there are very few accepted site options identified on black or red edges as indicated by the Green Belt Review and the scale of housing growth is relatively low compared to a settlement hierarchy approach. Conversely other settlements have greater flexibility to grow in terms of the green belt edge assessment, subject to sustainability and infrastructure planning considerations.

In order to determine whether individual site options were technically deliverable they were assessed separately along with the creation of defendable green belt boundaries (for potential green belt release sites). In many cases this exercise dictated the indicative housing capacity/employment site size for the site option. The site allocation outputs provide a deliverable and developable land supply (in the form of the accepted development options and as set out in evidence in the Accepted Site Options Technical Appraisals (BP29).

With this information in place the Council aimed to produce a deliverable local plan that showed a sustainable pattern of development (as tested through the sustainability appraisal), which is consistent with the NPPF and that has been created from considerations of place shaping and sustainability. The overall outputs of this exercise were brought together in the Draft Local Plan (PC7-PC13) as the Council tested the internal consistency of the plan and applied NPPF/NPPG tests. In relation to soundness tests for the spatial development strategy the Council has focussed and believes the plan to be sound when assessed against the following (*underline is our emphasis*):

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

The soundness of the Kirklees Local Plan in relation to each of the above is detailed in the 'Kirklees Local Plan Soundness Self-Assessment Checklist' (BP2). NPPG offers further guidance on plan-making and states that "Local Plans should be aspirational but realistic". The spatial development strategy evolved through a process which considered each of the above soundness tests and was amended and revised through the Local Plan process from the draft Local Plan to the Publication Draft which reflects the final spatial development strategy in the submitted Local Plan.

At the Draft Local Plan stage the Council prepared an initial Infrastructure Delivery Plan and was able to test the emerging site options and quantum of growth for different settlements against existing planned infrastructure and model potential impacts, for example on local school places and local road network infrastructure. Known

infrastructure constraints which were previously set out in “Kirklees the place to grow” document (PC4) were considered to understand if future planned infrastructure provision could help mitigate any potential impacts. As the district does not have any identified fundamental infrastructure constraints the focus of this exercise was to identify mitigation measures or new infrastructure schemes which would avoid any significant or severe impacts. These are either listed under each site allocation text box in the Local Plan – Allocations and Designations document (SD2) or in the case of key transport schemes listed separately in this document and shown on the Policies Map.

The Council considers that the vision and objectives need to be deliverable. Deliverability has, therefore, been a key concern in shaping the spatial development strategy and has been considered at various stages throughout the evolution of the spatial development strategy. An appropriate strategy and deliverable site allocations are interdependent elements of the Local Plan and, as such, these aspects have been considered and developed simultaneously. The spatial strategy has concentrated growth proposals to the most suitable and deliverable locations within the district (please see BP27 – Kirklees Local Plan Delivery Statement for detailed information).

In terms of overall housing outputs the distribution of new homes, together with completions and commitments information by settlement is set out in Appendix 2 of the Housing Technical Paper (SD23). This shows a strong correlation with the settlement appraisal evidence set out in the Spatial Development Strategy and Settlement Appraisal Technical Paper (BP17). Evidence relating to the distribution of employment land by economic sub-area/settlement has been provided as part of the Council’s response to the Initial note from the Inspector.

3. Storthes Hall (MDGB2134)

The Council can confirm that the southern part of the site already has planning permission for housing (300 units). The proposed allocation includes a further 205 units focussed on the northern part of the site, making a total housing supply figure of 505 units. The site as whole is currently allocated as a major developed site in the green belt in the Kirklees UDP (LE1) under saved Policy D15.

Huddersfield University acquired the former Storthes Hall Hospital in 1993. On the northern part of the site, planning permission was granted for the redevelopment of part of the hospital complex involving extensive demolition and the construction of residential accommodation for 1500 students. This scheme was substantially completed in 1995. Since 1995 this part of the site has been predominately student accommodation and related uses. This area has now been promoted for residential development including redevelopment of the student accommodation to provide general housing. An illustrative masterplan has been submitted (SD10) for the developable area (approximately 6 hectares).

This southern part of the site is also previously developed land and comprises cleared land following the demolition of the former hospital buildings. On this part of the site, planning permission was granted in 2005 (allowed through a planning appeal decision - APP/Z4718/V/06/1198039) for 300 dwellings which form part of a continuing care retirement community. This permission has not yet been implemented but has been subject to a recent reserved matters application (2016/90711, approved 07/07/16) pursuant to the outline permission. Conditions are currently being discharged prior to development commencing.

MDGB2134 as a whole forms a large previously developed allocation in a location which is not attached to a specific settlement and which is washed over by the green belt. The Council does not consider that a housing allocation could be justified in this location as it

would require the land to be removed from the green belt, together with any exceptional circumstances required to do so. This site was a developed site when the green belt was originally established in this part of Kirklees and there has been no material change which would assist with an exceptional circumstance case. As the site can deliver a significant number of new homes for this part of Kirklees and because the Council considers it important to give full consideration to infrastructure planning issues in this area, together with the need to comprehensively masterplan the site, the land is allocated as a major developed site in the green belt together with its own site specific policy.

4. Priority Employment Areas

Given the size and complexity of a district the size of Kirklees, the Council developed a series of employment typical urban areas (ETUAs) as part of the baseline evidence for its early LDF work in 2003. These were the primary source used to inform the Priority Employment Areas (PEAs) study and were updated to capture any expansion/erosion of these sites, sites previously missed in 2003, and to account for new employment areas that have emerged since. This was achieved through a combination of analysing planning permissions (from the Employment Land Supply Review, ELSR, monitoring data) and a desk based visual check – using aerial photographs (see pages 7-8, paragraphs 4.1-4.8 of document BP8: Priority Employment Areas Methodology Paper). The employment typical urban areas were extensive and provide a comprehensive coverage of the employment land in the district. These maps are not currently part of the Examination library but the Council can make these available if required.

Consideration was also afforded to any potential new PEA sites put to the Council by the public or site promoters. Where justified, revisions were made to the PEA designations to include these new options (Site KR26 being an example).

In designating PEAs, consideration was given to the site area and a site threshold of 0.4 hectares was applied, this resulted in 6 ETUAs being rejected as PEAs on the basis of falling below 0.4 hectare. The purpose of this was to ensure a consistent approach with the site allocation methodology (see page 4 of document BP23: Local Plan Methodology Statement Part 2).

Although a site threshold has been applied for allocating/designating sites, it has also been important to ensure potential capacity from sites under this threshold have been accounted for through planning permissions and windfall potential from within the PEAs.

5. Affordable housing trajectory

Thank you for confirming that this information should be made available on the Council's website prior to the publication of the MIQs in early July. The Council will provide a proposed affordable housing trajectory by Friday 7th July 2017.

6. Housing Supply Topic Paper

Thank you for confirming that this information should be made available on the Council's website prior to the publication of the MIQs in early July. The Council will provide an up to date 'Housing Supply Topic Paper' as requested by Friday 7th July 2017.