

- 1 Question a) SM00475 relates to a Scheduled Ancient Monument overseen by Historic England(HE). The local plan boundary for this site is not accurate and is not compatible with the area designated by HE under listing 1005786. Representations were made to KC to amend the boundary, but Council Response is completely irrelevant and relates to a completely different site. This suggests a lack of duty to cooperate and an unsound plan. Are there other historic sites incorrectly designated and comments responded to with incompetence?
- 2 The consultation has been obfuscated by changing site reference numbers midway, not listing sites in a logical order, e.g. numerical. The list of safeguarded sites only includes housing sites not waste sites and is therefore not wholly inclusive.
- 3 Kirklees Local Plan Technical Paper Waste. April 2017 was prepared after the consultation period.
- 4 Question b) WS 16 has been safeguarded for the reason it is an existing strategic waste site and critical to KC waste needs assessment. However, the site is not a municipal site and does not/never has taken waste from the KC area, and is therefore not critical. It is unique in KC as being the only anaerobic digestion plant on the local plan and is on-farm. The waste needs assessment 2016 dismissed agricultural waste as having a nil net effect on waste output. Therefore the sustainability appraisal has not been conducted accurately in this respect and policies do not sufficiently reflect renewable energy enterprises. What has not been understood (largely because no one bothered to ask before this designation was placed in the local plan) is that this is effectively a hybrid plant taking agricultural crops , manures as well as food waste – no amount of safe-guarding will change the fact that the plant is taking less food waste and using more crops as the market for food waste gets more competitive. This is how the plant was designed after observing the industry in Germany which was many years more mature than the AD market in the UK. Hence we do not know how much food waste will be brought on site in a given year , KC cannot argue that these figures can be used in any way to support their plan as they may alter at any time.
5. WS16 has been designated as a waste site, when other farms’ lagoon sites in the area have not been designated. This is inconsistent, unjustified and not sustainable. The site will shortly have PAS110 certification, which means the digestate will not be classified as waste.
- 6 PLP 10 Supporting The Rural Economy, requires KC to ensure proposals would not “adversely affect the management and viability of any farm holding”. However PLP45 Safeguarding Waste Management Facilities and Infrastructure” is in direct conflict with this policy, since the safeguarding of WS16 would sterilise the site and adjacent farm in perpetuity as a waste facility or “like-minded business”.
- 7 WS16 is a renewable energy Anaerobic digestion facility, unique in KC. It has not been included in KC Technical Paper: Renewable and Low Carbon Energy. Nov.2016, and yet is purported to be critical to KC waste needs, so as to need safeguarding.
- 8 Question d) At least 5 representations have been omitted from “Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations and Designations” regarding

WS16. One representation has been omitted re. SM00475. Therefore, KC have not followed statutory requirements. This raises questions as to whether other comments have been omitted.

- 9                    WS 16 designates areas of green belt as waste. KC have stated landowners have all agreed to safeguarding designations. This is not true in this case and therefore does not comply with community involvement.
  
- 10                Question g) NPPF does not require sites to be safeguarded. The safeguarding of the only on-farm anaerobic digestion facility within KC is unnecessary and detrimental to the growth and ongoing viability of the adjacent farm, which are under the same ownership. This is because PLP45 Safeguarding Waste Management Facilities” aims to ensure “sites are not hindered by encroachment of development near to existing sites, which could cause conflict with the existing waste use”. Para 16.15. Surrounded by Green belt it is difficult to foresee any development that could hinder the plant anyway.
  
- 11                    National Planning Policy for Waste 2014 requires KC to consider “potential land-use conflict”. This has not been considered with respect to WS16, which has “commandeered” existing agricultural land within the waste designation and will safeguard surrounding land to a non-conflicting use. This is unsound, and does not accommodate the needs of the local farm.
  
- 12                KC modifications do not apply to WS16.
  
- 13                Proposed modification to delete WS16.

