

## Kirklees Local Plan Examination

### Stage 3 – Policy hearings

#### MATTERS, ISSUES AND QUESTIONS (MIQs)

#### Council Response

##### **Matter 15 – Infrastructure Delivery**

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues. All the documents referred to in this statement are referenced within the main body of the statement.
- 1.2 The modifications proposed in this document have been provided to assist with the discussions at the hearings for this matter and have not been subject to sustainability appraisal testing or public consultation. Should it be necessary to make any of the modifications these will be added to the full schedule of modifications to the Local Plan which will be made available for comment and subject to sustainability appraisal at a later stage of the Examination in Public, subject to the delegated powers agreed by the council's Cabinet.

***Issue – Does the Plan set out a robust framework for infrastructure delivery which is justified, effective and consistent with national policy?***

**[Policies PLP 4 and 19  
Sites TS 1 – TS 11]**

**a) Does the Council's Infrastructure Delivery Plan (IDP) (2015) and Addendum (2016) provide a thorough assessment of needs and costs, and reflect the levels of growth proposed in the Local Plan?**

- 1.3 The Council's Infrastructure Delivery Plan (IDP) (2015) (LE40) and Addendum (2016) (LE40.1) provide an explanation of current and future infrastructure provision and requirements based on a thorough assessment of needs and costs. This is summarised in the Infrastructure Technical Paper (BP11) which also identifies other infrastructure assessments and evidence that has been undertaken during the Local Plan process.
- 1.4 The 2015 IDP (LE40) provides a comprehensive assessment of different infrastructure categories across the district (para 3.1 p.8), considering any potential issues that Local Plan growth may create. The Infrastructure Delivery Programme (LE40 p.120-133 LE40.1 Appendix F) outlines, where known, the relevant schemes, costs and funding sources for required infrastructure based on the discussions and feedback from infrastructure providers relating to the proposed levels of growth in the Local Plan.
- 1.5 The infrastructure assessments involve sharing the growth figures, phasing and mapping with infrastructure providers so that they can model the impacts of proposed growth on their areas of infrastructure, understand whether there are potential capacity issues, and consider proposed mitigation measures. The results of this can be found in the individual sections for each infrastructure category of the IDP and Addendum with resulting schemes feeding in to the Infrastructure Delivery Programme. The

Programme outlines scheme details by level of priority, cost estimates and funding sources and delivery phasing.

- 1.6 The IDP Addendum emphasises the on-going iterative process of infrastructure planning for the Local Plan and provides an update on important infrastructure categories based on the on-going discussions and evolution of the Plan. The IDP will be reviewed on an annual basis.
- 1.7 The Infrastructure Delivery Programme (2015) and Addendum update (2016) set out clearly which schemes are planned in 5 year time periods, including the level of priority, cost and funding sources. Where clarity has not been available from infrastructure providers, the on-going infrastructure planning for the Local Plan will continue to share information and assist delivery. For example, the Local Plan and School Place Planning Team meet monthly to share information about the emerging Local Plan and planning applications, school and nursery capacities and trends. This feeds directly into the Securing Sufficient High Quality Learning and Childcare Places and Securing Sufficient High Quality Learning and Childcare Places documents which are updated annually, and alongside the planning process, direct future infrastructure investment in school and nursery places across Kirklees.
- 1.8 The Duty to Cooperate process involves on-going discussions and the sharing of information about the emerging Local Plan, including cross border infrastructure issues. The Duty to Cooperate Statement (SD14) outlines the details of the discussions with infrastructure providers, bordering local authorities and sub regional bodies including:
  - The Environment Agency
  - Natural England
  - Clinical commissioning groups
  - Integrated Transport Authorities
  - Highway authorities
  - Wakefield, Barnsley, Leeds, Bradford, Calderdale, High Peak, Peak Park, Oldham local authorities
  - Leeds City Region Local Enterprise Partnership

**b) What Transport modelling work has been undertaken and has it taken account of i) the potential impact on the local highway infrastructure outside Kirklees, and ii) cumulative effect arising from growth in other local authorities?**

- 1.9 The Council has used the industry-standard SATURN traffic modelling software to strategically model the transport network (highway and public transport) in order to assess the cumulative transport impact of the land use allocations in the draft Local Plan<sup>1</sup>. The methodology used was based on information available in the Department for Transport's Transport Analysis Guidance (TAG), in particular section M: "Guidance for the Modelling Practitioner and the "Transport Evidence Bases in Plan Making" guidance.<sup>2</sup>

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<sup>1</sup> SATURN (Simulation and Assignment of Traffic to Urban Road Networks) is primarily a multi-function traffic assignment suite with additional facilities for matrix manipulation and demand estimation from counts. It can analyse the road network in response to changes in supply and demand and model in detail delays at junctions.

<sup>2</sup> Department for Communities and Local Government (2015). *Transport evidence bases in plan making and decision taking*. Retrieved from <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>

1.10 Full details of model build information, including methodology, forecast tests undertaken and the results of the model runs can be found in BP 12: “Transport Model Technical Paper” in section 2 of the Local Plan library online.

i) The coverage of the transport model is shown in Appendix A of BP12. The detailed modelled area extends beyond the boundary of Kirklees, serving to ensure that traffic to and from areas outside Kirklees enters and leaves the highway network at the correct points and that the impact on neighbouring local authority’s highway networks is taken account of.

ii) The cumulative effect of traffic generation from growth in other nearby local authorities is taken into account by ensuring firstly that the zoning structure of the model is sufficiently detailed and expansive, as shown in Appendix B (BP12). In addition, into this all neighbouring local authority’s growth is represented either with site-based land use allocations (where known) or by using travel forecast data from the Department for Transport National Trip End Model datasets.

**c) How will the necessary highway capacity improvement schemes in the IDP be funded (beyond those identified in Highways England’s Road Investment Strategy)**

1.11 The transport modelling work identified 30 “most congested” junctions that when mapped resulted in 5 distinct geographic areas where intervention was required. This resulted in schemes TS1, TS2, TS3, TS4 and TS5 as identified in Part 2 of the plan. The methodology can be found in chapters 6 and 7 of BP12 and is expanded on in the Infrastructure Development Plan 2016 Addendum (LE 40.1), paragraphs 4.46 to 4.51.

1.12 These schemes form the basis of Kirklees Council’s element of the recently established West Yorkshire Transport Fund which amounts to £150 million to be allocated specifically for Kirklees. The Kirklees Council Cabinet Paper<sup>3</sup> states that “In July 2014, the Government announced that the West Yorkshire Combined Authority had secured funding to establish a £1bn fund over 15 years.” Table 1 of the same Cabinet Report provides the full list of Kirklees schemes and their proportionate allocation per scheme. The linking of West Yorkshire Transport Fund allocation with local plan growth has ensured that funding for necessary local highway capacity schemes can be secured over and above those specifically reserved for improvement relating to the Strategic Road Network.

1.13 Table 4.3.2 of LE 40.1 shows that other schemes (TS8, TS9, TS10 and TS11) over and above those identified to be funded through the West Yorkshire Transport Fund will be funded through a combination of Local Transport Fund Integrated Transport Block allocations, other central government funding sources (for example for the rail industry or the Strategic Road Network) and from developer contributions. A breakdown of expected contributions can be found in appendix F of LE 40.1 contributions.

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<sup>3</sup> Kirklees Council (2016). *West Yorkshire Transport Fund – Scheme Principles*. Retrieved from <https://democracy.kirklees.gov.uk/documents/s9512/West%20Yorkshire%20Transport%20Fund.pdf>

**d) Do parts 1 and 2 of the Plan clearly identify essential infrastructure needed to deliver development? Are the transport improvement schemes listed in section 10.1 in part 1 of the plan and chapter 7 in part 2 justified by the Council’s evidence base and internally consistent? Are the Council’s proposed modifications SPMM18-SPMM21 necessary to ensure the Plan is sound?**

1.14 It is considered parts 1 and 2 of the plan clearly identify essential infrastructure needed to deliver development throughout the plan period.

1.15 Section 4 of Policy PLP19 clearly identifies national, regional and local transport infrastructure required to deliver development through the identification of schemes TS1 – TS11. Chapter 7 in part 2 of the plan provides further detail of these schemes including details of any local improvement works on the highway network such as junction improvements. In addition, paragraph 10.46 of part 1 of the Plan states: “through its own technical work the council has identified schemes throughout the district required to mitigate the transport impact of the Local Plan within the local road network.” In addition Part 2 of the plan, paragraph 7.1 also states: “The boxes identify strategic and local transport infrastructure to assist with the delivery of the spatial strategy and anticipated growth.

1.16 The transport interventions as a whole are essential to deliver the required quantum of development with minimal impact on the local highway network. The Plan is not specific in the need for essential infrastructure to deliver development, rather it presents a list of interventions that when modelled showed that the quantum of development could be delivered with minimal impact as measured in terms of journey times on key routes within Kirklees District. This is shown in chapter 8 and 9 of BP12.

1.17 The Transport schemes are justified by the Council’s evidence base. Paragraph 7.1 of BP 12: “Transport Model Technical Paper” shows how the spatial analysis of the two forecast scenarios undertaken has resulted in 5 geographically based transport schemes and a further 4 thematic transport schemes, that when modelled show a level of mitigation considered at a district-wide level sufficient to accommodate the proposed traffic impact associated with the Local Plan development proposals.

1.18 There is a slight inconsistency between the named list of Transport Schemes in section 10.1 of part 1 of the plan and in chapter 7 in part 2. On the policies map TS1 runs from Huddersfield to Leeds along the A62 through Cooper Bridge to the Coach and Six junction in Birstall, North Kirklees and also from Cooper Bridge along the A644 to (but not including) junction 25 of the M62. Its proper designation should therefore be a combination of the two names assigned to it in parts 1 and 2 of the Plan and it is proposed to rename TS1 and Section 4 of PLP19 accordingly to A62 Huddersfield to Leeds (including A644 Cooper Bridge to Junction 25 of the M62).

Proposed modification:

Page	Relevant part of the Plan	Tracked change	Reason for change
97	Part 1 PLP 19 s.4	Delete text " <del>A62/A644 Huddersfield to M62 J25</del> " Add text "A62 Huddersfield to Leeds (including A644 Cooper Bridge to Junction 25 of the M62)"	Clarification
207	Part 2 TS1	Delete text " <del>A62/A644 Huddersfield to M62</del> "	Clarification

J25"

Add text "A62 Huddersfield to Leeds  
(including A644 Cooper Bridge to Junction 25  
of the M62)

1.19 SPMM18 and SPMM21 were amongst a number of modifications suggested by Highways England to reflect the updated work they undertook between the drafting of the Plan and its release for consultation. They are not necessary to ensure the plan is sound, but were included for clarification purposes and in the spirit of the duty to co-operate to ensure accuracy.

**e) Is the approach of seeking infrastructure delivery alongside development, as established in Policy PLP 4, justified and effective? What effect will this have on the phasing of development proposals?**

1.20 PLP 4 seeks to ensure that infrastructure provision to support Local Plan growth can be delivered in accordance with NPPF paragraphs 156, 157 & 162. The policy also recognises any potential issues around development viability addressing NPPF paragraph 173. The overall aim of the policy, in alignment with the plan as a whole is to achieve sustainable development.

1.21 The council's intention is that essential infrastructure that is needed is in place at the appropriate time. For this highest priority of infrastructure, it is deemed justified to ensure that any development is acceptable in planning terms.

1.22 Where infrastructure is not essential and needed for certain phases of development, it is judged that the reference to 'where appropriate' and viability that the policy is effective in delivering appropriate infrastructure delivery alongside growth.

1.23 The council's development management processes, including pre-application advice, alongside the updated suite of policies in the Local Plan including the master planning policy (PLP5) provide the early opportunity to address relevant infrastructure for development as set out in the plan.

**f) Is there evidence that the scale of developer contributions, policy burdens and CIL rates will not render development unviable?**

1.24 The Kirklees Local Plan and CIL Viability Study 2015 (CIL1) and Addendum 2016 (CIL2) produced by Cushman & Wakefield provides a robust assessment of Local Plan policies and developer contributions, including the draft CIL charges, alongside any national policy requirements upon the financial viability of development across Kirklees. The methodology of this process is set out in section 4 (p.16) of the Viability Assessment.

1.25 The viability study considers a range of development types and scale to understand the policy and CIL impact on the viability of development across the district, including sensitivity testing of affordable housing rates and variations in the development market to establish a robust, effective and justified policy position set out in the Local Plan and CIL Draft Charging Schedule.

1.26 Section 9 of the Local Plan and CIL Viability Study (2015) (CIL 1) sets out the conclusions of the assessment, stating;

*“The viability analysis indicates that the draft Local Plan policies are broadly compliant with the viability requirements of the NPPF.”*

- 1.27 The Addendum (2016) (CIL2) refreshes the assessment also considering the specific viability of 5 large Local Plan allocations including strategic development sites, concluding that the majority of sites are viable, and that there is headroom, after applying Local Plan policy requirements to apply varying CIL charges across the district.
- 1.28 On balance it is therefore considered that the delivery of the plan is not put at risk by the cumulative requirements of national and Local Plan policies, alongside the consideration of draft CIL rates proposed.