

KIRKLEES LOCAL PLAN

EXAMINATION STAGE 4 HEARINGS

MATTER 27:

STRATEGIC EMPLOYMENT ALLOCATIONS

GREEN BELT RELEASES

**SITE 1832(c): Land North and West of the Three Nuns Pub and the
former Cooper Bridge Waste Water Treatment Works**

Hearing Statement submitted by Erica Amende

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Issue

Is this proposed strategic employment allocation justified, effective, deliverable and consistent with national policy?

Response

The proposed strategic employment allocation for this site E1832(c) is not justified, not effective, not deliverable and not consistent with national policy for the following reasons:

1. Inconsistency with Policy

1.1 The proposed allocation as employment land is not justified because it conflicts with the Council's own policies. Here are three examples:

- i) **Health Policy PLP47** "The Council will create an environment which supports healthy, active and safe communities"

Comment The health outcomes for residents of North Kirklees are the worst in the whole authority, as evidenced in joint Health and Kirklees Council reports over many years. The proposed development will add to this health inequity by increased pollution from traffic, loss of trees and open space, and reduced access to outdoor activity. Three walking routes cross or border the Three Nuns part of this site. All are extremely popular with people across Kirklees and beyond, and are very well used. During construction the routes will be inaccessible and once completed, no-one will want to walk through a large industrial complex instead of attractive fields and woodland.

- ii) **Trees Policy PLP33** "The Council will not grant planning permission for development which directly or indirectly threatens trees or woodland of significant amenity"

Comment North Kirklees has only 3 hectares of woodland per 1000 residents; whereas South Kirklees has 12.4 hectares per 1000 residents. North Kirklees is therefore seriously lacking in tree cover. Accordingly, the Council's most recent Trees and Woodland Strategy concluded there is "evidence of the need for more trees in North Kirklees" and set an objective "to prioritise maintaining the character and make up of ancient woodland". Much of the woodland on and around site E1832(C) is ancient woodland. The newly-published National Environment Plan highlights the need for more tree cover in northern England and plans 'the Northern Forest' along the M62 corridor, which appears to include the land in and around E1832(c). At a sub-regional level, development of the White Rose Forest is already underway, covering the same ground. Allocating E1832(c) for industry means destroying woodland of significant amenity and directly conflicts with these plans and policies.

- iii) **Water: Policy PLP34 Conserving the Environment.** "Proposals will be supported which do not result in the deterioration of watercourses; and conserve & enhance natural geomorphology, ecological value and water quality"

Comment The proposed allocation will significantly harm the existing streams/water courses which run through the Three Nuns part of this site, either through damage during the construction phase, or through reduced water quality by virtue of the existence of an industrial complex, once it is built.

1.2 The proposed allocation of E1832(c) is not consistent with national policy, because it fails to give consideration to two of the three dimensions of sustainable development, as set out in the NPPF. The only role considered in this allocation is the economic one. Social and environmental aspects are ignored. The NPPF states that Local Planning Authorities should set out a positive strategy for the consideration and enjoyment of their historic environments (including heritage assets most at risk) and conserve them in a manner which reflects their significance. The development of an industrial complex at site E1832(c) will achieve the opposite: ironically it is Kirklees Council which represents the greatest risk to the key heritage assets that surround the site. E1832(c) contravenes Kirklees Council's own Historic Environment Policy (ref PLP35) which states that harm to designated heritage assets "will be permitted only where this is outweighed by the public benefits of the proposal". The paperwork contains no facts to demonstrate any public benefit from the allocation; no description of what these public benefits might be; and no analysis of this issue. The public residing in North Kirklees has been unable to identify any benefits from developing an industrial complex on the Three Nuns part of site E1832(c). Since this proposal first emerged in Kirklees' Core Strategy in 2012, the consistent public response has been a wish to retain and nurture the historic environment around Kirklees Priory, and the nationally-significant assets it contains.

2. Failure to demonstrate need for this extent of employment land

Allocation of E1832(c) for employment use is unjustified, because the Council has failed to demonstrate that the amount of land allocated across Kirklees for industry is actually needed. The Inspector's interim report (dated 25th October 2017) highlighted that significantly more land was allocated for employment, than was assessed as necessary. The Council's response to her finding is neither adequate nor convincing. It is undeniable that some green belt land will be required to meet future employment growth, but the total amount is considerably less than the Council's original allocation. Therefore it is appropriate to reduce the original total, and in the process prioritise those pieces of green belt land which have the highest environmental value and are the most important in fulfilling the purpose of green belt as defined by the NPPF. The Three Nuns part of site E1832(c) is far and away the most important green belt site of all the employment allocations, and should be retained as such.

Document 1D.1 (Source of Employment Supply by Local Plan Sub-area) states that 100.32ha (81%) of green belt land is allocated for employment use in North Kirklees compared to just 24ha (19%) in Huddersfield and South Kirklees. This is very disproportionate: it overloads capacity in one part of the Authority and leaves the other

(much larger) part without any meaningful opportunity for employment growth. It is a fact that some existing sites in North Kirklees with longstanding allocation as employment land have not been used as such; they have either remained vacant, or planning permission has been granted for retail or other use (eg. pubs). These include sites nearer to motorway junctions than E1832(c) is to Junction 25 of the M62.

3. Unjustified due to unsound assessment of the site's value as green belt

The land to the north and west of the Three Nuns Pub is an attractive and unspoiled landscape. Since its inception as a nunnery around 1160, its owners (successive Prioresses, and then generations of the Armytage family) preserved the estate, hence the landscape has remained intact and virtually unchanged for centuries. In any part of the UK it would have high environmental and heritage value as green belt. Being in the West Yorkshire conurbation and being in North Kirklees (which is bereft of large tracts of open countryside and woodland), it is priceless. It is a sad but true fact that the type of industrial development envisaged for site E1832(c) would never be proposed for South Kirklees, where the Council values its green belt and ensures its protection.

In making its case for the development of E1832(c), all the Council's reports and documentation downplay the significance and potential of the site as green belt, and omit the significance of its natural and historic environment. The Council's Landscape Character Assessment (ref LE129, dated 2015) gives an objective and positive analysis, but this document is never referred to. An examination of the arguments put forward for successive alternative proposals for this site (E1832, E1832(a), E1834) clearly demonstrates that data and assessments have been manipulated to achieve the desired outcome. It is difficult to avoid the logical conclusion that the Council has decided to develop the land north and west of the Three Nuns pub as justification for various transport infrastructure proposals, regardless of the site's importance as green belt. There appears to be a conflict of interest between the Council's roles as promoter of the site and assessor of its suitability.

4. Unsound due to problems with deliverability

4.1 It cannot have escaped the Council's notice that part of site E1832(c) is in Calderdale.

On the most recent master plan the main (and only?) entrance to the site, plus a number of the proposed buildings, are in Calderdale's territory. Calderdale Council provides a lukewarm and non-committal contribution in a statement of common ground letter (ref SC007), which indicates their concern about the threat to heritage assets. E1832(c) is clearly an allocation involving two Local Authorities, but apart from the short statement of common ground, this cross-boundary factor is not addressed, which brings into question the deliverability of the scheme.

4.2 Further serious questions about deliverability exist in terms of transport infrastructure. Whilst railway lines run close by, the nearest stations (Brighouse and

Mirfield) are over 2 miles distant, so rail access is not viable. This development will rely entirely on road transport. Leeds-Huddersfield buses run along the A62, but apart from them, public transport is poor, thus workforce transport will be by car, in addition to heavy vehicle traffic to and from the site. Using the NAT model, Highways England calculates that a considerable number of additional short car trips will result from the development of E1832(c). It is difficult for a lay person to comment on the detailed information in specialist transport assessments. However, what is clear is:

- The A644 and A62 in the vicinity of Cooper Bridge have for years formed a notorious bottleneck as the only main road connection between North Kirklees and the rest of the borough.
- The increased road traffic generated by E1832(c) will be exacerbated by major housing allocations within two miles of this site: H1747 at Bradley (1,680 dwellings) and H2089 at Mirfield (2,310 dwellings).
- The existing road and motorway network could not cope with the cumulative extra road traffic generated by these 3 allocations.
- When Highways England attended an earlier stage of these hearings they were unable to commit to any of the extensive infrastructure schemes proposed by Kirklees Council or the Leeds City Region, around Cooper Bridge.
- The Secretary of State announced on 18th January 2018 that a new M62 Junction 24a will not go ahead. Thus, all the traffic from H2089 and H1747 wanting to reach the M62 will have to go through the Cooper Bridge bottleneck, past site E1832(c) and along the A644 to junction 25 of the M62.
- Even without the new junction 24a, any road improvements to the Dewsbury to Mirfield section of the A644 and the Cooper Bridge part of the A62 will be very expensive, because the area contains railway lines, a canal and the River Calder.
- In order to reach the M62 at its nearest point (junction 25) from site E1832(c), it is necessary to use the A644, a single carriageway road tightly squeezed between the River Calder and the steep, wooded valley side up to the Kirklees Priory estate. Widening this stretch of the A644 to a dual carriageway will be complex due to the topography, will be very costly, and will result in the destruction of ancient woodland.

Taking all these factors together, one must conclude that allocation of E1832(c) is unsound in terms of deliverability arising from transport issues.

4.3 A further deliverability doubt arises from the nature of the site to the north and west of the A62. In order to create the level areas needed for large industrial buildings, it will be necessary to carve “shelves” out of the sloping site by cut and fill, which will be expensive

and will create a development which has a highly intrusive effect on the surrounding green belt to the north and west of the site. In contrast, the portion of E1832(c) to the south of the A62 (the former Cooper Bridge Water Treatment Works) is a level brownfield site. Industrial buildings on this land would be easier to construct and would be less intrusive.

5. Unsound because exceptional circumstances have not been demonstrated to justify removal of the site from green belt

In determining whether exceptional circumstances exist, the bar must have to be set very high. As a piece of green belt, the part of site E1832(c) north and west of the Three Nuns Pub is so significant, it is identified by Natural England as part of a key green belt corridor in the Calder Valley. This alone should be sufficient to maintain its retention. Alongside its natural environmental value, this part of the site adjoins the nationally-significant heritage assets of Kirklees Priory and its estate, undeveloped since mediaeval times. One would hope that all planning authorities would respect and protect a valuable historic setting of rare integrity, not ruin it by promoting an industrial complex next door.

6. Conclusion

The Council's failure to demonstrate exceptional circumstances warranting removal of the land north and west of the Three Nuns Pub from the green belt is compounded by problems around deliverability arising from topography, transport infrastructure, affordability, and cross-boundary issues. Objectively one must question whether the allocation is actually necessary in order for the Council to meet its employment land requirements.

Thus the proposed employment allocation of site E1832(c) is not sound.

It could be made sound by removing all the land north and west of the Three Nuns Pub from the site, and allocating the former Cooper Bridge Water Treatment Works for employment use.