

Kirklees Local Plan Examination

Stage 4 hearings Other Site Allocations

HUDDERSFIELD SUB-AREA (Matter 30)

MATTERS, ISSUES AND QUESTIONS (MIQs)

Council Response

Matter 30 – Huddersfield: Green Belt releases

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 30. 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 – Are the proposed Green Belt release housing allocations in the Huddersfield Sub-Area justified, effective, developable/deliverable and in line with national policy?

H31 – Land north-west of Woodsome Drive, Fenay Bridge (68 dwellings)

H2684a – Land adjacent Penistone Road/Woodsome Park, Lepton (286 dwellings)

H2730a – Land to the south-east of Hermitage Park, Lepton (312 dwellings)

- a) How do sites H2730a and H2684a relate to each other? Should they be combined in a single text box/policy and a joint Masterplan required?
- 1.3 Sites H2730a and H2684a relate to each other by virtue of the location of the sites adjacent to each other and the requirement for a proportion of the development of H2730a to utilise an access via Penistone Road through adjacent site H2684a. This is due to the Councils view that not all of the proposed capacity of the site can be accessed via Hermitage Park to the north.
- 1.4 In the site text box for H2730a under site specific considerations it is stated that *'The primary access to this site will be via adjacent site allocation H2684a to the south with a secondary access via Hermitage Park.'* Similarly, in the site text box for H2684a under site specific considerations it is stated that *'this site will allow vehicular and pedestrian access to H2730a'*.
- 1.5 It is not considered at the present time that a single text box/policy or joint masterplan is required within the plan. At the present time, there are three landowners involved in bringing the sites forward.

- 1.6 There are opportunities for the sites to be comprehensively planned through policy PLP5. The policy refers to a number of considerations to take into account when designing a masterplan and in this case point i) the timely provision of physical infrastructure, is relevant.
 - 1.7 The two major landowners are in agreement to work together towards the provision of the costs associated with the necessary infrastructure i.e the provision of a new roundabout. This is a point that will be addressed at pre-application stage for the comprehensive re-development of the full capacity of the two sites as and when the sites come forward and an issue that can be addressed via s.106 agreements.
 - 1.8 Site specific mitigation and enhancement considerations are better explored as part of the pre-application/planning application process as this will serve to identify bespoke measures that are specific to the form of development proposed (and which may differ from the options for mitigation/enhancement identified within the Council's own evidence base at this point in time, the role of which has been to provide evidence to justify the allocations in the Local Plan at a proportionate level). In all cases there is a planning policy in Part 1 of the Local Plan which would be relevant to securing these issues, where appropriate. In some cases development will be linked to progress against the Infrastructure Delivery Plan (LE40), which is again where Policy PLP4 (Providing Infrastructure) would be used to determine whether essential infrastructure requirements are being provided and control the phasing of development should that be necessary and appropriate.
- b) How does the proposed new roundabout at Penistone Road/Woodsome Road fit with the Indicative Masterplan for Rowley Lane (December 2016)? What are the implications for site phasing?
- 1.9 It is accepted that there are cumulative impacts on the highway network from both the sites and both major landowners accept that contributions will be required towards the proposed new roundabout at Penistone Road / Woodsome Road. Additionally, both landowners are content to continue with individual discussions with the Council regarding the delivery of site H2730a and H2684a.
 - 1.10 In combination the two allocations provide the opportunity for c. 600 dwellings. There will be the opportunity to serve a limited number of dwellings from H2730a using Hermitage Park and from H2684a using Rowley Lane , but the cumulative impact of the traffic from both sites will require some form of junction upgrade with Penistone Road to access the local highway network as it is considered that the existing priority junction of Rowley Lane with Penistone Road will at some point become over capacity.
 - 1.11 A roundabout is one option to provide that form of junction upgrade with Penistone Road. The Council has requested that the developer undertake some modelling to understand at what point the roundabout would be needed on the basis that the existing priority junction of Rowley Lane with Penistone Road could accommodate the traffic impact of the allocations up to a certain point.
 - 1.12 'With development' scenarios of 100, 150 and 200 dwellings were compared to 2020 base model. The results are as follows. In the 'with development' scenarios it is assumed that there is a junction improvement in place, made possible by the fact that the adjoining land is in the control of one of the site promoters:

Scenario	Number of dwellings modelled	Minor Junction Improvements (yes/no)	Junction Delay (secs)	
			AM	PM
2020 base	0	No	7.83	36.89
2020	100	Yes	10.92	29.73
2020	150	Yes	14.6	36.17
2020	200	Yes	19.37	41.55

- 1.13 The conclusion from the above work is that the improvement on the minor arm can clearly mitigate impact of between 100-150 units; and the impact at the junction is unlikely to be severe until a threshold of circa 200 units, although this will be subject to a final agreement on generation, distribution and assignment at pre-application or masterplanning stage.
- 1.14 Therefore from the work undertaken to date the Council believes that the assessments suggest that subject to improvement works at the Rowley Lane/Penistone Road priority junction, up to 200 dwellings could be developed prior to having a significant impact on capacity at this junction. Therefore, at this point, a major improvement (e.g. the proposed roundabout or an improvement of similar scale) will be required to accommodate development traffic from the remaining site allocations in Lepton.
- 1.15 With regard to development phasing, once development extends into the main site area to the east beyond the former railway line, then this is likely to be the trigger that requires the delivery of the roundabout, as development would then exceed the 200 unit threshold. However, the alignment of the roundabout and access roads through the western parcel of site H2684a (land adjacent to Penistone Road), will need to be agreed/secured during the initial development phase(s).
- 1.16 It should be noted that this work is indicative only and has been undertaken to support the allocations. It should therefore not wholly be relied on at application stage where more detail around the impacts and potential mitigation will be sought, in addition to a robust baseline assessment of the traffic flows at that point in time will be sought.
- c) Is there sufficient provision to ensure that development on sites H2730a and H2684a does not cause unacceptable impacts on biodiversity and local habitats?
- 1.17 As part of the site assessment process for H2730a and H2684a West Yorkshire Ecology considered both the sites and provided comments for each site.
- 1.18 Site H2684a comments relate to habitats of principal importance and habitat networks. They suggested removing the pond, beck and woodland from the developable area equating to 1.387ha from the net site area leaving 8.13ha in order to mitigate any impacts.
- 1.19 In response to these comments, the net area of the site was not reduced as it was judged that the site could be developed comprehensively, but sensitively considering national and local plan policies, in the context of West Yorkshire Ecology's comments.

- 1.20 The site promotor has undertaken an ecological appraisal on the site to support the allocation (SS9). A Preliminary Ecological Appraisal (PEA) was undertaken by JCA Limited on behalf of the site promotor in June 2017. After conducting a thorough site investigation and a detailed Desktop Study, the site was considered to contain habitats of high ecological and low ecological value. The PEA sets out a number of mitigation measures that will/may be required on site. This includes a number of surveys, design-interventions, and buffer zones. A considerable area of trees, hedgerow and foliage on site boundaries and around sensitive areas will be retained as existing, further minimising the impact of development.
- 1.21 A number of reports have been commissioned on the site and these have been considered in conjunction with the Council's Ecology Officer who is in agreement with the conclusions, recommendations and does not foresee any unacceptable impacts on biodiversity and local habitats.
- 1.22 Site H2730a comments specifically relate Local Wildlife Site (Lepton Great Wood) and habitats of principal importance notably hedgerows within the site. They suggested providing a minimum standoff from the Local Wildlife Site of 20m equating to the removal of 1.138ha from the net area leaving 8.94ha in order to mitigate any impacts.
- 1.23 In response to these comments, the net area of the site was not reduced as it was judged that the site could be developed comprehensively, but sensitively considering national and local plan policies, in the context of West Yorkshire Ecology's comments.
- 1.24 In addition, the site promotor for H2730a has commissioned an ecological assessment to support the site allocation, February 2017 (SS9). The indicative masterplan (SS9) clearly shows a woodland buffer along the full length of the eastern boundary of the site, as well as the retention of existing trees and hedgerows within the site with interconnecting green corridors. Larger areas of open space are proposed in the southern part of the site abutting Beldon Brook and in the northern part of the site to the rear of properties off Rowley Lane.
- 1.25 Also, the net area and indicative capacities have been reduced to account for the need to provide a buffer to Lepton Great Wood. The site box for H2730a specifically mentions the need for a 20 m buffer from the adjacent Local Wildlife Site, which should provide prospective developers with a high level of certainty of the LPA's position in this respect.
- 1.26 The site boxes specifically for both sites request the requirement for ecological assessments to be submitted at the planning application stage.
- 1.27 Furthermore, Submission Document SD4 – List of Additional Modifications to the Publication Local Plan AD-MM9 and AD-MM10 includes the insertion of additional wording within the Site Specific Considerations part of site H2684a and H2730a, which states:
- “Avoidance, mitigation and/or compensation measures may be required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.”
- 1.28 This will provide further guidance for in terms of the presence of protected species within the site.

d) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE98) be specified in the Plan?

1.29 The impact of the proposal on the heritage asset (Crow Trees) has been appropriately assessed and addressed in accordance with the NPPF. This approach is set out in the HIA for H2730a (LE98). Section 6 of the HIA, as set out below demonstrates that identified impacts can be mitigated, however it is considered appropriate to allow a range of mitigation measures to be considered at the design stage of the planning application and not be specified in the local plan. As such Policy PLP35 is considered the appropriate mechanism to secure mitigation measures, with document LE98 a reference document at the time of the determination of the planning application.

1.30 The Heritage Impact Assessment for H2730a (LE98) concludes that:

‘6.1 The advice below has been given in order to provide guidance on how the harm to the heritage assets may be mitigated. Each one of these options needs to be explored further as part of the design process for the site but this list is not exhaustive and alternative options should also be considered. Any mitigation / enhancement options need to be discussed and agreed with Kirklees Planning and Development. All development in any area of the site which is deemed to have any significance to the asset, however slight, should be treated as being within the setting of a heritage asset and should be in accordance with policy PLP35 of the Kirklees Local Plan.

6.2 The areas of the site that have been identified as having moderate significance are important to the significance of the asset and require assessment with the assumption that any harm will be less than substantial and can be mitigated. This mitigation is required in order to retain the views of the heritage asset from the footpath and to retain the open agricultural setting.

6.3 Any development in an area of moderate significance needs to be in keeping with the scale, height, massing and alignment of the historic buildings in the vicinity with particular attention paid to the immediate setting of the heritage asset. The design should seek to make use of traditional or sympathetic building materials and techniques and the proposed use of the buildings in should respect the traditional character of the setting of the adjacent heritage asset which is in this case agricultural.

6.4 It is essential to retain the footpath to the west and the boundary between areas 1 and 2 as shown on figure 4.

6.5 Areas of the site which have been identified as having slight significance to the heritage asset have been assessed as providing some contribution to the asset. It is the opinion of this report that despite the slight significance of the area, it is still considered to be within the setting of a heritage asset and as such any proposals for this area should be in keeping with policy PLP35 of the Kirklees Local Plan, as stated above, in order for there to be no harm to the heritage asset.

6.6 Areas of open land which have “negligible significance” have been assessed as having little or no effect on the heritage asset and as such no mitigation is required.

- e) Are the sites available and deliverable in the timescales set out in the Council's housing trajectory¹?
- 1.31 The sites have been submitted by willing land owners through the call for sites process and have no significant constraints to being developed that cannot be mitigated against at the planning application stage; therefore it is considered deliverable in the anticipated timescale outlined in EX30.2.
- f) What effect would the proposed boundary changes and allocations have on the Green Belt and the purposes of including land within it? In particular, how would the existing gap between Lepton and Highburton be affected? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?
- 1.32 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.
- 1.33 NPPF paragraph 80 states that one of the purposes of the Green Belt is to prevent neighbouring towns merging into one another. The Kirklees Green Belt Review (SD19) examined the Green Belt around each settlement for the degree to which it performed a Green Belt role and function. Test 2a of the review methodology considered to what degree Green Belt land played a role in preventing neighbouring towns merging. At paragraph 3.13 the Green Belt Review states "The relative importance of an area's contribution to this purpose depends on the extent of the current separation of built-up areas and the degree to which an extension of development into Green Belt could be accommodated without significantly reducing separation from neighbouring built-up areas. The extent to which features such as slopes, tree cover or roads and railways would screen it so that there would be no significant appearance of merging was also considered."
- 1.34 Accepted options H2684a and H2730a adjoin Green Belt edges AL12 and AL13 where the Green Belt Review has concluded that settlement extension could be accommodated without significantly undermining the role of the Green Belt provided that separation between Lepton and Highburton is maintained. While the southern extent of accepted options H2684a and H2730a reduces the width of the undeveloped gap it does not remove it entirely. While there is undoubtedly an impact on the gap it is not sufficiently significant to fundamentally undermine the role of the Green Belt in this location. The surrounding topography also limits long distance views of the site but it would be seen from the south as an extension of the existing development east of Rowley Lane. Beldon Brook presents a strong new location for the Green Belt boundary and the associated tree cover gives a soft undeveloped edge between development and the open countryside to the south.
- 1.35 Undeveloped gaps along road frontages between settlements are important for maintaining the appearance of separation and development of the western portion of H2684a will remove an undeveloped field east of Penistone Road. However, there is still a significant amount of undeveloped land, particularly to the west of the road, and the existing built form is in the main characterised by treed frontages to properties set back from the road. Apart from the development at Dogley Court/Ashford Manor and other sporadic properties there is little frontage development. This results in the road retaining a distinctly rural character. Development would not therefore result in physical merger and would have little impact on the perception of merger.
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- 1.36 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H638 – land to the north of Tinker Lane, Lepton (30 dwellings)

- a) Is third party land required to make Tinker Lane up to adoptable standards, and can this be achieved?

1.37 Tinker Lane is adopted from its junction with Pond Lane up to its junction with Lower House Lane. The only section that is not adopted is bounded by the proposed allocation and any minimal land that might be required to bring to bring Tinker Lane up to adoptable standard can be sourced from the allocation itself.

- b) Is the site available and deliverable in the timescales set out in the Council's housing trajectory?

1.38 The site has been submitted by a willing land owner and has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.

- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.39 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.40 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H1679 – land north of Fenay Lane, Almondbury (274 dwellings)

- a) Is there sufficient provision to ensure that development does not cause unacceptable impacts on biodiversity and local habitats?

1.41 As part of the site assessment process West Yorkshire Ecology considered the site and provided comments relating to UK BAP priority habitats suggesting the removal of 2.35 from the net site area.

1.42 In response to these comments, the net area of the site was reduced to 7.83ha, and capacity based on the net area, removing any assumption that the sensitive areas will be developed. Development of the site will be considered in the context of national and local plan policies, considering West Yorkshire Ecology's comments. An

Ecological Assessment will be required as part of this process which will ensure any biodiversity issues are addressed accordingly.

b) Would the proposed development facilitate access to adjoining land which currently does not have suitable access?

1.43 The site adjacent to H1679 is H2596. H2596 was assessed and rejected on a number of grounds (Ref. LE4 Kirklees Publication Draft Local Plan Rejected Site Options Report). From a highways perspective it was considered that site access could not be achieved. Access onto Fleminghouse Lane is insufficient in width to accommodate any proposed intensification of use.

1.44 Furthermore H2596 has significant tree cover, including Tree Preservation Orders which is highly likely to prevent comprehensive development of this area. The judgment has been made that the propped green belt boundary, which would result from the allocation of H1679 is justified, and that there are no exceptional circumstances to include the land in site H2596.

1.45 Therefore the Council feels there is no need to consider access to the site from H1679, when H2596 has been rejected.

c) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?

1.46 The site is council owned with a commitment for disposal as part of the corporate asset review process. Once certainty of allocation and removal from the green belt is confirmed, the council is in a position to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.

d) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.47 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.48 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H519 – land north and west of Gernhill Avenue, Fixby (377 dwellings)

a) Has the impact of the proposal on the historic environment been adequately assessed and appropriate mitigation measures put in place?

1.49 The site box for H519 in SD2 outlines that the site is close to a listed building. The site is within close proximity to Grade II listed building Upper Cote farm. The redevelopment of this area has the potential to harm elements which contribute to the significance of this building. The site box refers to the requirement of a heritage impact assessment.

- 1.50 The site was screened out from requiring a HIA by Kirklees internal heritage team, due to development on this site not having the potential to harm assets within the historic environment when taking into consideration the requirements of policy PLP35 Historic Environment at planning application stage.
- b) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?
- 1.51 Site H519 is actively being promoted by the landowner and was submitted to the Council through the call for sites process. Once certainty of allocation and removal from the green belt is confirmed, the landowner is in a position to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.
- c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?
- 1.52 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.
- 1.53 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H94 – land west of Henry Frederick Avenue, Netherton (132 dwellings)

- a) Has the impact of the proposal on the historic environment been adequately assessed and appropriate mitigation measures put in place?
- 1.54 Site H94 is located in an area defined by the Castle Hill Setting Study as 'dominant area' that may have the potential to harm the setting of Castle Hill. Historic England in their Publication Draft consultation comments raised an issue that the impact on historic assets for this site had not been assessed.
- 1.55 The site box for H94 in SD2 outlines that the site may affect the setting of Castle Hill, a scheduled ancient monument. The redevelopment of this area has the potential to harm elements which contribute to the significance of this building. The site box refers to the requirement of a heritage impact assessment to be submitted at the planning application stage.
- 1.56 The site was screened out from requiring a HIA by Kirklees internal heritage team, due to development on this site not having the potential to harm assets within the historic environment when taking into consideration the requirements of policy PLP35 Historic Environment when determining a planning application.

b) Has the impact of the proposal on biodiversity, including Dean Wood Local Wildlife Site, been adequately assessed and appropriate mitigation measures put in place?

1.57 As part of the site assessment process West Yorkshire Ecology considered the site and provided the following comments relating to the Local Wildlife Site. They suggested removing 0.08ha from the net site area.

1.58 In response to these comments, the net area of the site was reduced to 3.45ha, and capacity based on the net area, removing any assumption that the sensitive areas will be developed. Development of the site will be considered in the context of national and local plan policies, considering West Yorkshire Ecology's comments. An Ecological Assessment will be required as part of this process which will ensure any biodiversity issues are addressed accordingly. It is considered the indicative buffer zone is sufficient to protect the woodland edge habitats.

c) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?

1.59 Site H519 is actively being promoted by the landowner and was submitted to the Council through the call for sites process. Once certainty of allocation and removal from the green belt is confirmed, the landowner is in a position to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.

d) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.60 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.61 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H102 – land west of Netherton Moor Road, Netherton (123 dwellings)

a) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE78) be specified in the Plan?

1.62 The site has been considered by Historic England, West Yorkshire Archaeology Advice Service and the Council's Conservation & Design Team. The site has also undergone a Heritage Impact Assessment (LE78).

1.63 The Heritage Impact Assessment identifies that the site may have the potential to affect the setting of Castle Hill, the Honley Conservation Area and also a Scheduled Ancient Monument to the south west of the site, 'cairnfield'.

- 1.64 The conclusion of the report summarises that:
- 1.65 Due to the location of the development adjacent to an existing housing estate the development is unlikely to cause harm to the setting of Castle Hill. There will be some loss of views from Castle Hill monument from Netherton Moor Road and as such there is potential for the development to cause less than substantial harm. It is recommended that the design of the development needs to be carefully considered with the possibility of including viewing areas and vantage points from both inside the site and from Netherton Moor Road.
- 1.66 In addition, despite the high significance of the immediate setting to Honley Conservation Area, the allocation is located a reasonable distance away from the boundary and they retain a large extent of this open land. It is recommended mitigation is put in place which limits the density and massing of the site which will not adversely affect the significance of the conservation area.
- 1.67 It is considered the development will not be visible from the ancient scheduled monument and as such will have no adverse impact on the setting.
- 1.68 The site box for H102 in SD2 outlines that the site may affect the setting of Castle Hill, a scheduled ancient monument. The site box refers to the requirement of a heritage impact assessment to be submitted at the planning application stage. Applicants will be advised to take account of the Council's own HIAs (including options for mitigation/enhancement) when considering the impact of a proposal on a heritage asset. This in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (in accordance with NPPF Paragraph 129). The HIAs will be a material planning consideration in planning decisions. It is not considered therefore that the mitigation measures outlined in LE78 should be included in the plan as proposals will have consideration to the requirements of policy PLP35.

b) Has the impact of the proposal on i) biodiversity and ii) the setting of Netherton been adequately assessed and appropriate mitigation measures put in place?

- i) As part of the site assessment process West Yorkshire Ecology considered the site and provided the following comments relating to the Local Wildlife Site. They suggested the provision of a buffer zone of a minimum of 20m from the woodland and allow to naturally regenerate with scrub.

In response to these comments, the boundary of the site was amended to provide an adequate buffer to Spring Wood Local Wildlife site, and capacity is based on the new site area, removing any assumption that the sensitive areas will be developed. Development of the site will be considered in the context of national and local plan policies, considering West Yorkshire Ecology's comments.

An Ecological Assessment could be required as part of this process which will ensure any biodiversity issues are addressed accordingly.

- ii) A landscape character assessment (LE47) has been undertaken (see methodology BP23) for Kirklees district which has informed the plan and in particular policy PLP32. This policy will be applied at planning application stage whereby any design and layout will have to have regard to the setting of settlements and buildings within the landscape.

i) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?

1.69 Site H102 is actively being promoted by the landowner and was submitted to the Council through the call for sites process. Once certainty of allocation and removal from the green belt is confirmed, the landowner is in a position to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.

c) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.70 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.71 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H660 - land east of Netherton Moor Road, Netherton (155 dwellings)

a) Has the impact of the proposal on heritage assets been adequately assessed and addressed? Should protection and mitigation measures linked to the Heritage Impact Assessment (LE78) be specified in the Plan?

1.72 The site has been considered by Historic England, West Yorkshire Archaeology Advice Service and the Council's Conservation & Design Team. The site has also undergone a Heritage Impact Assessment (LE78).

1.73 The Heritage Impact Assessment identifies that the site may have the potential to affect the setting of Castle Hill, the Honley Conservation Area and also a Scheduled Ancient Monument to the south west of the site, 'cairnfield'.

1.74 The conclusion of the report summarises that:

1.75 Due to the location of the development adjacent to an existing housing estate the development is unlikely to cause harm to the setting of Castle Hill. There will be some loss of views from Castle Hill monument from Netherton Moor Road and as such there is potential for the development to cause less than substantial harm. It is recommended that the design of the development needs to be carefully considered with the possibility of including viewing areas and vantage points from both inside the site and from Netherton Moor Road.

1.76 In addition, despite the high significance of the immediate setting to Honley Conservation Area, the allocation is located a reasonable distance away from the boundary and they retain a large extent of this open land. It is recommended

mitigation is put in place which limits the density and massing of the site which will not adversely affect the significance of the conservation area.

- 1.77 It is considered the development will not be visible from the ancient scheduled monument and as such will have no adverse impact on the setting.
- 1.78 The site box for H660 in SD2 outlines that the site may affect the setting of Castle Hill, a scheduled ancient monument. The site box refers to the requirement of a heritage impact assessment to be submitted at the planning application stage. Applicants will be advised to take account of the Council's own HIAs (including options for mitigation/enhancement) when considering the impact of a proposal on a heritage asset. This in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (in accordance with NPPF Paragraph 129). The HIAs will be a material planning consideration in planning decisions.
- 1.79 It is not considered therefore that the mitigation measures outlined in LE78 should be included in the plan as proposals will to have consideration to the requirements of policy PLP35.

b) Has the impact of the proposal on i) biodiversity and ii) the setting of Netherton been adequately assessed and appropriate mitigation measures put in place?

- i) As part of the site assessment process West Yorkshire Ecology considered the site and provided the following comments relating to the ancient woodland adjacent to the site. They suggested the provision of a 20m stand off from the woodland and plant with lowland mixed deciduous woodland and scrub.

In response to these comments, the net area of the site was reduced by 0.20ha to provide an adequate buffer to the ancient woodland, and capacity is based on the amended site area, removing any assumption that the sensitive areas will be developed. Development of the site will be considered in the context of national and local plan policies, considering West Yorkshire Ecology's comments.

An Ecological Assessment could be required as part of this process which will ensure any biodiversity issues are addressed accordingly and a site specific requirement could provide a 20m buffer adjacent to the ancient woodland to reflect West Yorkshire Ecology comments.

- ii) A landscape character assessment (LE47) has been undertaken (see methodology BP23) for Kirklees district which has informed the plan and in particular policy PLP32. This policy will be applied at planning application stage whereby any design and layout will have to have regard to the setting of settlements and buildings within the landscape.

j) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?

- 1.80 Site H660 is actively being promoted by the landowner and was submitted to the Council through the call for sites process. Once certainty of allocation and removal from the green belt is confirmed, the landowner is in a position to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.

k) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.81 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.82 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

H3350 – land to the south-east of Knowle Road, Kirkheaton (70 dwellings)

a) Is the site available and deliverable in the timescale set out in the Council's housing trajectory?

1.83 Site H3350 is in the same ownership as the adjacent allocations immediately to the north (H439) and to the west (H216). Planning applications have been submitted for both these sites indicating a commitment from the land owner to develop sites in this area. Once certainty of allocation and removal from the green belt is confirmed, the land owner will have the opportunity to progress the development of the site expediently, aligning with the local plan phasing assumptions set out in EX30.2.

b) What effect would the proposed boundary change and allocation have on the Green Belt and the purposes of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

1.84 The full green belt assessment for this site is set out in the appendix at the end of this hearing statement.

1.85 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.

Matter 30: Impact of the allocation on the Green Belt and the purposes of including land within it

Huddersfield

Green Belt Review tests 2 and 3

The edge reference and value reflects the Green Belt Review outcomes (SD19 and SD20)

Tests 2a to 2c are site specific assessments of the degree to which land performs a green belt role and function following the methodology for those tests set out in the Green Belt Review (SD19)

Test 2d defaults to 'green - no impact' in all cases. This follows Stage 1 hearing discussions and is set out in the Council's note; Green Belt Review (SD19) Test 2d Reassessment (ID17). Struck-through text removes reference to the setting of historic assets.

Test 3: One of the purposes of including land in the green belt is “to assist in urban regeneration, by encouraging the recycling of derelict and other urban land” (Green Belt Review page 17). By constraining the potential for the expansion of built-up areas the green belt will direct development pressure towards opportunities to recycle land within urban areas and thereby achieve urban regeneration. The green belt is considered to support this green belt purpose equally throughout Kirklees. Test 3 is not included within the Green Belt Review matrix (Green Belt Review Appendix 1) and the Test 3 column is therefore neutral.

Site Allocation Methodology

Site specific assessment of the ability of the site to present a strong new green belt boundary and its relationship to the existing settlement form, following the assessment methodology set out in BP23 Local Plan Methodology Statement Part 2

		Green Belt Review					Site allocation methodology		
		Test 2				Test 3	Assessment set out in BP29.1		
Option	Edge ref and value	2a: merger	2b: sprawl	2c: encroachment	2d: historic towns	urban regeneration	Suitability of potential boundary	Relationship to settlement	Assessment set out in BP29.1
H31 Woodsome Drive Fenay Bridge	AL10_1	No impact	Well contained	Limited relationship to countryside	No impact		Good	Infill	This site is wholly contained by development on three sides and Penistone Road to the west. The site has limited relationship with the wider countryside and would represent infill between existing built form. Penistone Road to the west would present a strong new green belt boundary.
H2684a Woodsome Park Lepton (south)	AL12_1, AL13_4	Southern extent could begin to impact on gap to Highburton but beck is strong boundary	Large site which sprawls to south but contained by woodland and beck	Countryside characteristics mainly on eastern part of the site	No impact		Short length over former railway does not follow ground feature	Settlement extension	The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.
H2730a Hermitage Park Lepton (north)	AL13_4	Southern extent could begin to impact on gap to Highburton but beck is strong boundary	Large site which sprawls to south but contained by woodland and beck	Countryside characteristics	No impact		Good	Settlement extension. Minor additional land release required.	This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.
H638 Tinker Lane	AL18_2	No impact	Well contained	Limited relationship to countryside	No impact		Good	Settlement extension	This site is a field located between existing residential development to the west and a tract of trees to the east and has strong defensible boundaries to the north and south. As such there is no risk of sprawl and the site has only limited relationship with the wider countryside.

H1679 Fenay Lane	AL7_B, AL8_2	No impact	Well contained but may appear as sprawl on rising land to north	Could be encroachment into long distance views	No impact	
H351 Bradley Villa Farm	AS5_3	Restricted gap to Calderdale	Contained to two sides but open to east and north	Some countryside character but limited by urban features	No impact	
H1747 Bradley Road	AS3_5, AS4_3	Restricted gap to Calderdale	Large site but contained by landform and land use features	Limited countryside character. Impact on woodland to north	No impact	
H519 Gernhill Avenue	AS10_3	Restricted gap to Calderdale	Well contained	Some relationship to countryside	No impact	
H94 Henry Frederick Avenue	CMN12_4	Some impact on strategic gap to South Crosland	Western edge does not project beyond existing settlement edge	Countryside character and relationship with wood to north	No impact	
H102 Netherton Moor Road (west)	CMN9_2	No impact	Contained by agricultural buildings to south	Countryside character	No impact	
H660 Netherton Moor Road (east)	CMN9_2	No impact	Well contained	Countryside character	No impact	

Good	Some rounding off but relationship with built form to the north limited by degree of slope. Additional land release required	This site is contained on three sides by existing residential development, roads and tracts of trees and as such could be regarded as rounding off the settlement in this location. The green belt analysis recognises the presence of steep and prominent slopes but Fenay Lane and Penistone Road provide strong defensible features beyond the current green belt boundary which would serve to prevent sprawl.
Boundary to north present but not strong. Very weak over short section	Settlement extension	This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent, while reducing the width of the gap, would not compromise the strategic role of the green belt. This area retains some character as countryside where new development could be an encroachment, although there is also a close association with the settlement edge.
Good	Settlement extension. Minor additional land release required.	The part of this extensive site that is in the green belt encompasses Bradley Golf Course. The area of the golf course is buffered from the motorway by the significant track of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is extensive enough to allow a buffer with the trees which are a countryside feature best protected by their green belt designation. To the east the site is located on elevated ground where development is likely to be prominent, although the trees to the immediate east will provide some screening from wider views.
Good	Mainly rounding off but does extend built form to west. Additional land release required	The site option is contained by existing residential development to the south and east and by the line of Toothill Lane to the north which could present a new green belt boundary. The western boundary appears to be a strong feature on the ground which would prevent sprawl or further encroachment. The character of this site as countryside is somewhat compromised by its containment and overlooking by existing residential property.
Good	Settlement extension and some additional land release required	The site is contained by landform and trees to the north and by existing development to the south and does not encroach on a significant scale towards South Crosland, although it may be prominent on rising land to the north. The site is an area of countryside and borders Dean Wood Local Wildlife Site to the north but is large enough to incorporate a buffer to protect sensitive environmental habitats. Release of the site would constitute encroachment and would also leave an isolated field between the site and the settlement edge bordering the wood to the north but this should not be removed from the green belt in order to protect its woodland setting.
Short length does not follow ground feature	Settlement extension	This site is contained by existing residential development to the west and by Netherton Moor Road to the east. The existing buildings constituting Hinchliffe's farm and shop are immediately to the south east and so the site appears to be infilling between built form. The site could be released from the green belt without compromising the role and function of the green belt in this location. However, adjacent to 35 Lavender Court it cuts across a field for a short distance and the field boundary that marks the south eastern extent of the site is a very weak feature on the ground.
Good	Settlement extension	This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location.

H3350 Kirkheaton	D3_3, D4_B	No impact	Well contained north and south but open to east	Limited relationship to countryside but prominent to north	No impact		Opportunity to create stronger new boundary to east	Settlement extension	This site is well proportioned and well configured relative to the settlement edge and although it would introduce development on the elevated slope adjacent to Cockley Hill Lane there is existing development already at that level. There is an existing unmarked edge to the green belt adjacent to the undeveloped safeguarded land site and this site presents the opportunity to create a defensible new green belt boundary. The proposed new boundary is well treed which will help to screen new development thereby limiting impact on openness. The degree of containment and settlement form limits this sites relationship to the wider countryside.
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