

For and on behalf of
Reliance RG Ltd

**KIRKLEES LOCAL PLAN EXAMINATION
STAGE 4 HEARING SESSION REPRESENTATION
MATTER 30 – HUDDERSFIELD HOUSING ALLOCATIONS – GREEN BELT
RELEASES**

**Site Ref: H2684a - Land adjacent Penistone Road/Woodsome Park, Lepton
H2730a - Land to the south-east of Hermitage Park, Lepton
HUD23 - Rowley Mills, Penistone Road, Fenay Bridge, Huddersfield, HD8 0LE**

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1.0 INTRODUCTION

- 1.1 This representation has been prepared by DLP Planning Ltd on behalf of Reliance RG Ltd in response to the Stage 4 Examination Hearing Sessions of the Kirklees Local Plan.
- 1.2 This representation addresses **Matter 30** in relation to sites **H2684a** (land adjacent Penistone Road/Woodsome Park, Lepton) and **H2730a** (land to the south-east of Hermitage Park, Lepton (total site area edged red in figure 1)).
- 1.3 RG Reliance Ltd has a land interest in the adjacent site ref: **HUD23** (Rowley Mills, Penistone Road, Lepton). The portion of this designation to the east of Penistone Road is shown in Figure 1 below (edged blue).



Figure 1: Location of HUD23

- 1.4 This representation objects to the inclusion of site HUD23 within the Green Belt and seeks the release of the site from this designation, in order to support the allocation of H2730a and H2684a and create a new, logical and permanent boundary to the settlement.
- 1.5 It is also recommended that H2684a includes a requirement for an extended landscape buffer along the site boundary with HUD23, in order to protect the amenity of future residents and to ensure that the operation of the employment use are not unduly constrained in the future.

- 1.6 Finally in response to the Inspector's questions, the evidence submitted in respect of proposed highways arrangements to sites H2730a and H2684a do not create conflict with existing highways arrangements to businesses on Penistone Road. This is to ensure that the allocations are deliverable and therefore sound.
- 1.7 DLP's earlier representations also set out why HUD23 should be removed from the Green Belt in order to ensure that the future operations and expansion of the use are not constrained, contrary to paragraph 22 of the National Planning Policy Framework (the 'Framework').
- 1.8 This approach is supported by our recommendation that the site be re-designated as employment land, rather than as a Priority Employment Areas (PEA) as currently proposed, as the PEA designation is not justified or effective and is therefore unsound.
- 1.9 This document should be read alongside previous representations on the publication version of the document, as submitted in December 2016.

2.0 Response to Inspectors Questions

Matter 30 – Huddersfield housing allocations: Green Belt releases

Issue – Are the proposed Green Belt release housing allocations in the Huddersfield Sub-Area justified, effective, developable /deliverable and in line with national policy?

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?

- 2.1. The conjoining of these housing allocations, which have been promoted separately based on differing ownerships (H2684a – Farnley Estates and H2730a – Dartmouth Estates), appears a logical approach to securing the comprehensive masterplanning of the wider site area.
- 2.2. A strategic approach will enable site constraints such as suitable offset to neighbouring uses to be appropriately considered. This is particularly important as our client's site to the south of H2684a is an existing employment use with no restriction on operating hours. As a manufacturing business, which continues to evolve, it is necessary to ensure that a suitable acoustic buffer is achieved within site H2684a to take account of current and potential future noise from the production process, including if expansion of the existing business is sought in the future. This will ensure the amenity of future residents of the housing site is protected and that the operation of the Reliance business is not constrained.

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?

- 2.3. The technical information submitted by the two parties during the Examination process includes separate Transport Assessments, which suggest that the sites can be delivered either in isolation or with shared access arrangements.
- 2.4. The Sanderson's Transport Assessment (December 2016) indicates that the majority of vehicle movements created by H2730a will require access through site H2684a, due to constraints presented by alternative access through Hermitage Park.
- 2.5. The assessment suggests that the most appropriate response to ensure sufficient capacity for the new vehicle movements from the sites is to realign Rowley Lane, to bring it through the site, to a new roundabout on Penistone Road. A new crossing over the former railway line in the south eastern corner of this part of the site will then provide a connection through to the remaining element of the allocation and to the Hermitage Park site.
- 2.6. In contrast, the Optima Transport Assessment (December 2016) indicates that all of the vehicle movements from site H2730a can be accommodated via Hermitage Park, subject to highways mitigation measures being implemented at a number of junctions.

- 2.7. Our primary concern in this respect is the impact on site HUD23's existing access point on Penistone Road, particularly in the worst case scenario that the majority of movements to and from the proposed housing allocations are via a new roundabout on Penistone Road. This highways arrangement is in close proximity to the HUD23 access point and HGV vehicles turning right out of the site will be required to cross a south bound lane of traffic exiting the roundabout as well as a right turning lane into the site.
- 2.8. The Inspector should be satisfied that in accordance with paragraph 22 of the Framework, the imposition of this highways arrangement does not detrimentally impact the operations and potential future expansion of this employment use. The confirmation of this position will ensure that the proposed housing allocations are deliverable and therefore sound.

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?

- 2.9. The removal of the proposed housing allocations from the Green Belt, acknowledges an opportunity to secure land for future development in a location where evidence has been provided in the LPA's Green Belt Review (2017) that the release of the site will not affect the ability of wider land to perform a Green Belt role.
- 2.10. The Green Belt Review notes that the chosen boundary lengths are defined by reference to points where the nature of the boundary changes significantly. The extent of adjoining land taken into consideration depends on the features it contains and whether and how such features could form a new boundary
- 2.11. In this respect it is not considered that the approach taken is fully effective. Through review of the circumstances of land adjacent to the proposed housing allocations at Lepton, it is clear that there is an opportunity to remove further, previously developed land from the Green Belt in order to take the opportunity to appropriately round off the settlement in this location.
- 2.12. As set out in our previous representation, Site HUD23 has no overriding physical or environmental constraints that prevent it from being removed from the Green Belt.
- 2.13. In response to the Inspector's questions, the inclusion of the site within an extended settlement boundary would not result in neighbouring towns, in this case Lepton and Highburton, merging or the unrestricted sprawl of the built up area. Site HUD23 is already developed and is screened from the wider countryside by existing landscaped boundary to the south. This boundary follow the same discernible physical boundary feature proposed to demarcate the new settlement boundary to the south of the proposed housing allocations, and as such would maintain a consistent boundary line through to Penistone Road.
- 2.14. Together with proposed housing site H2684a, the site will relate more closely to the urban area and the new Green Belt boundary will be based on defensible existing landscape boundaries to the south and east of the site, safeguarding the countryside from further encroachment.
- 2.15. There are no historic towns in Kirklees and the area is not close to any historic asset, which would be prejudice by the removal of the site from the Green Belt.

- 2.16. 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”. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open, and on a strategic level it does this by directing development into urban areas.
- 2.17. Where land within the Green Belt is previously developed under the terms of Annex 2 of the Framework, the Green Belt Review assumes these sites to have an urban land use. In circumstances where sites include both built form and open areas such as car parking the presence of the current Green Belt designation means that new development that impacts on openness of the Green Belt could be inappropriate, potentially preventing the sites continued development for operational reasons or any future redevelopment.
- 2.18. Such circumstances could apply to site HUD23 and the current green belt designation could be seen to be failing in its purpose to encourage the recycling of land by preventing another use coming forward.
- 2.19. The removal of the site from the Green Belt should be supported to facilitate ongoing use of the employment site but equally as importantly, to ensure that the release of the land to the north and east of the site form a logical extension to the existing settlement, in accordance with the Framework.
- 2.20. The release of Green Belt in this location, which fails to include HUD23 is considered to be unsound, as it is ineffective and does not provide a robust new boundary to the settlement, which will endure beyond the end of the plan period. This issue can be addressed through the modification of the plan to remove site HUD23 from the Green Belt, therefore enabling the new settlement boundary to be regularised.
- 2.21. In respect of the exceptional circumstances that support the Green Belt release, the LPA’s response (EX1) to comments received in respect of Green Belt Strategy & Policies 19.5 and Green Belt Boundary Changes 9.5.17 confirms that “*it is the inability of non-green belt areas to meet the objectively assessed need for housing and employment land that convey the exceptional circumstances required.*”
- 2.22. Importantly, the LPA go on to state that whilst they are supportive of the removal of land from the green belt to accommodate new development options to meet that need, the Council remains committed to the efficient use of previously developed land. As an existing employment site, the removal of hurdles to expansion and future use of site HUD23 would support this approach and the soundness of the plan, in co-ordination with the proposed release of sites H2730a and H2684a.

On the basis of the above, and in addition to our representations seeking the removal of site HUD23 from the Green Belt, to be allocated for employment use, the recommendation in respect of site H2684a is:

- Amend the Proposals Map to show a 10m acoustic buffer zone adjacent to the boundary with site HUD23.
- Amend the Allocations and Designations document to include the red text below:

Proposed Changes to Site H2684a of the Allocations and Designations document

Site Number	H2684a
Site address	Land adjacent Penistone Road/Woodsome Park, Lepton
Ownership	Private
Gross Site Area (Ha.)	9.33
Net Site Area (Ha.)	8.13 - Developable area reduced to retain woodland/remove high flood risk areas
Constraints	<ul style="list-style-type: none"> • Additional mitigation on the wider highway network will be required • Unrestricted employment use to southern site boundary • Noise source near site • Potentially contaminated land • Site lies adjacent to UK BAP priority habitat • Site lies adjacent to Wildlife Habitat Network • Site contains area of archaeological interest • Part/all of site is within a High Risk Coal Referral area • Part of the site is within a high flood risk area
Proposed Allocation	Housing
Indicative Capacity	286 dwellings
Reports required	<ul style="list-style-type: none"> • Transport Assessment • Travel Plan • Contamination report (Phase 1 and 2) • Air quality impact assessment • Noise Assessment • Ecological Assessment • Pre-determination archaeological evaluation • Flood Risk Assessment • Coal Mining Risk Assessment
Other site specific constraints	<ul style="list-style-type: none"> • Requirement to provide sufficient buffer zone, to potentially include suitable acoustic/visual mitigation, to the southern boundary of the site adjacent to the employment use. • Access into the site is proposed from a single access off a new link road which would connect Rowley Lane with a new roundabout junction at Penistone Road / Woodsome Road. • This site will allow vehicular and pedestrian access to H2730a. • Prevention and mitigation needed to reflect Water Framework • Directive requirements. • No residential development to take place within flood zone 3.

Justification:

To ensure that the continuation of the existing employment use within site HUD23 is not prejudiced by the development of housing on land to the north of the site.

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