

## Kirklees Local Plan Examination

### Stage 4 hearings Other Site Allocations

#### HUDDERSFIELD SUB-AREA (Matter 32)

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

#### Council Response

#### **Matter 32 – Huddersfield mixed use allocations**

- 1.1 This statement sets out the council's responses in relation to the Inspector's matters and issues Matter 32. 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 mixed use allocations in Huddersfield justified, effective, deliverable and in line with national policy?***

#### **MX1903 – land south of Blackmoorfoot Road, Crosland Moor (200 dwellings)**

- a) What mix of uses is supported? Should the Plan provide further detail on the type of uses and overall scale/form, reflecting the outline planning permission?
- 1.3 The mix of development capacities on site MX1903 are derived from the planning permission (2014/93099 - *Outline application for phased development comprising up to 200 dwellings with associated infrastructure and open space; retail units (open use class A1); accommodation for potential neighbourhood uses (use class A2/D1/D2/sui generis); restaurant/public house (use class A3/A4); and petrol filling station (sui generis)*) as the most up to date indication of the land owners intentions. The approach in the local plan provides flexibility going forward, consistent with other mixed use allocations in only identifying capacity figures for housing and employment uses.
- b) Has the impact of the proposal on the historic environment been adequately assessed and appropriate mitigation measures put in place?
- 1.4 The site has been considered by Historic England, West Yorkshire Archaeology Advice Service and the Council's Conservation & Design Team. Numbers 303 and 305 Blackmoorfoot Road are Grade II Listed Buildings as part of a larger row of terraces to the north of the site. The site is also identified as an area that affects the wider setting of Castle Hill, being located 2.7km north-west of the Scheduled Ancient Monument. The site box for MX1903 in SD2 identifies these constraints and the requirement for a heritage impact assessment. The extant permission has been

granted considering relevant heritage concerns in the context of contemporary local and national policies.

c) Is the site available and deliverable in the timescales envisaged?

1.5 Site MX1903 has outline planning permission (2016/91337). There has been a Removal/Variation of Condition application submitted in April 25<sup>th</sup> 2016 and decided 5<sup>th</sup> Oct 2017, which emphasises the development progress of the site, and supporting the phasing assumptions set out in EX30.2.

**MX1930 – land north of Blackmoorfoot Road, Crosland Moor (441 dwellings, 44,258 m2 employment)**

**H481 – land north of Blackmoorfoot Road, Crosland Hill (116 dwellings)**

a) What is the relationship between sites MX1930 and H481? Should they be combined in a single text box/policy and a joint Masterplan required?

1.6 Sites MX1930 and H481 are in separate ownership and have been promoted separately. Site MX1930 is currently being pursued at pre-application stage for development of that site alone. This will not sterilise site H481 from coming forward. It is currently considered that it is not justified to suggest masterplanning the two sites together in this context.

b) How was the proposed mix and proportion of uses on site MX1930 determined? Is there evidence that this mix is viable and deliverable? What type/form of employment floorspace is envisaged? What are the early findings from the landowner's financial viability and market potential review, as referenced in the Statement of Common Ground (SC005)?

1.7 The capacity for MX1930 was calculated using the Local Plan assumption for mixed use sites that did not have a submitted masterplan or planning permission, by splitting the net developable area 50/50 for housing and employment and applying Local Plan densities for housing (35 dwellings per hectare) and employment densities based on the assumptions in the Employment Technical Paper, Section 5 (SD22).

1.8 Following the submission of the Statement of Common Ground (SC005) and discussions with the land owner's representatives as part of the Local Plan and pre-application process, the Council has considered the landowners intentions and submitted evidence and proposes a main modification to the site. The proposed modification is to change the allocation from Mixed Use to a Housing Allocation with a new proposed capacity of 700 dwellings up from 441 dwellings and removal of the employment capacity.

c) What is the position regarding current employment uses on the site? At what stage is relocation anticipated, and how will this affect the phasing of development?

1.9 The land owner's representatives are best placed to respond to this question.

d) Does the Plan provide sufficient detail regarding the protection of the non-developable BAP priority habitat area in the northern section of site MX1930?

1.10 As part of the site assessment process West Yorkshire Ecology considered the site and provided comments relating to UK BAP priority habitats. They suggested removing 3.95ha from the net site area.

1.11 In response to these comments, the net area of the site was reduced to 25.30ha, 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.

e) 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 (LE99) be specified in the Plan?

1.12 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 (LE99).

1.13 The Heritage Impact Assessment concludes that there are no significant heritage impacts in relation to the proposed allocation. It is therefore considered that any potential heritage issues can be mitigated considering local and national policies through the development management process.

f) Are the sites available and deliverable in the timescales envisaged?

1.14 The site is considered deliverable as outlined in the anticipated timescale in EX30.2.

1.15 The proposed modification of the site will result in an amendment to the phasing assumptions in EX30.2. The site is being actively pursued for development, currently in for pre-application assessment, with a commitment from the site promoters to submit an outline application in early 2018. In light of this a modification to the Local Plan phasing table is also proposed to reflect the change to the allocation if agreed.

**MX2101 – land east of Southgate, Huddersfield (46 dwellings, 4,655 m2 employment)**

a) How was the proposed mix/proportion of uses determined? Will the identified dwelling/employment provision occupy the whole site, or is there flexibility for other types of uses to come forward?

1.16 The capacity for MX2101 was calculated using the Local Plan assumption for mixed use site that did not have a submitted masterplan or planning permission, by splitting the net developable area 50/50 for housing and employment and applying Local Plan densities for housing (35 dwellings per hectare) and employment densities based on the assumptions in the Employment Technical Paper, Section 5 (SD22). The approach in the local plan provides flexibility going forward, consistent with other mixed use allocations.

1.17 It is not considered appropriate to define the quantum of retail development on this site to maintain flexibility and support the delivery of the allocation.

b) The Council's Hearing Statement on Retail (M7.1) indicates that housing, offices, research and development and leisure uses would be supported on the site, while retail proposals would be subject to a sequential test and impact assessment. Should this mix of uses be reflected in the proposal?

1.18 The information in M7.1 provides information about the land owner's intended form of development of the site. The capacity for MX2101 was calculated using the Local Plan assumption for mixed use site that did not have a submitted masterplan or planning permission at the time of drafting, by splitting the net developable area 50/50 for housing and employment and applying Local Plan densities for housing (35 dwellings per hectare) and employment density based on the assumptions in the Employment Technical Paper, Section 5 (SD22). The approach in the local plan provides flexibility going forward, consistent with other mixed use allocations in only identifying capacity figures for housing and employment uses.

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

1.19 The site has been considered by Historic England, West Yorkshire Archaeology Advice Service and the Council's Conservation & Design Team.

1.20 It is considered that any potential heritage issues can be mitigated considering local and national policies through the development management process.

d) Is the site available and deliverable in the timescales envisaged? When is a planning application anticipated?

1.21 The site is Council owned and has no significant constraints to being developed; therefore it is considered deliverable in the anticipated timescale in EX30.2.

**MX1911 – land south of Lindley Moor Road, Lindley (533 dwellings, 53,125 m2 employment)**

a) Does the proposal provide sufficient clarity regarding the mix of uses and permissions in different parts of the site, and the overall phasing of the scheme?

1.22 To reflect the recent development and planning permissions on the site a modification is proposed to change the capacities for housing and employment use accordingly. This will result in a consequential modification of the housing phasing table, and provide clarity relating to the mix of uses and rate of delivery on the site (See Appendix).

b) Does the proposal provide sufficient detail regarding access points, infrastructure requirements and mitigation measures, particularly in respect of parcels where development has yet to occur?

1.23 A comprehensive masterplan was prepared in May 2011 for MX1911 to guide mixed use development and identify infrastructure requirements and mitigation measures at Ainley Top and Cavalry Arms. Planning application 2011/91519 (now implemented)

was submitted in accordance with the comprehensive framework. Additional planning applications have subsequently come forward as follows:

- 2013/93433 (outline for B2/B8 – not yet implemented)
- 2014/92214 (30 residential units – now implemented)
- 2014/93136 (252 residential units plus B2 / B8 – partly implemented)
- 2016/92055 (109 residential units – not yet determined)

1.24 There are **two** remaining parcels of land which remain to be developed, but the Masterplan has already identified infrastructure requirements and mitigation measures and so it is considered that there is no need for the Local Plan to detail this. It is considered that these remaining parcels can achieve suitable access in the context of the local highway assessment undertaken as part of the Local Plan assessment, which states: “Numerous access points can be achieved including Lindley Moor Road and Crosland Moor Road”.

1.25 It is therefore considered that detail can be worked up at a planning application stage and so it is considered that there is no need for the Local Plan to detail this.

c) Is the site available and deliverable in the timescales envisaged? How do the rates in the Council’s housing trajectory relate to the different land parcels?

1.26 The site is considered deliverable as outlined in the anticipated timescale in EX30.2.

1.27 The proposed revision of the site capacity and phasing will reflect a justified update of anticipated delivery.

#### **MX1906 – land north of Trinity Street, Huddersfield (45 dwellings)**

a) The proposal only refers to residential development on this site. Should a wider mix of uses be referenced, reflecting the fact that the site has planning permission for food retail and is on the edge of Huddersfield town centre?

1.28 The site box for MX1906 in SD2 reflects the capacity as established by the extant planning permission for the site. The housing capacity for the site is reflected, however the other uses are not, as the Local Plan has only allocated housing and employment sites, therefore mixed use sites including other uses in their masterplans or planning permission have not been reflected in the site boxes. The approach in the local plan provides flexibility going forward, consistent with other mixed use allocations.

1.29 It is not considered appropriate to define the quantum of retail development of either of the mixed use sites to maintain flexibility and support the delivery of the allocations. These key gateway sites are therefore mixed use to allow viable schemes to be delivered with an appropriate mix of uses managed through the town centre policies.

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

1.30 The site box for MX1906 in SD2 outlines that the site is close to listed buildings and that part of the site is within a conservation area. The site also includes the Grade II\* former Huddersfield Infirmary building, more recently part of Kirklees College and

now redundant, and Grade II listed statue of King Edward VII. The site box refers to the requirement of a heritage impact assessment.

1.31 For clarity it is suggested that a modification could be made to the constraints section of the site box to reference specifically the on-site heritage assets, to ensure that they are considered sensitively as part of any future development proposal.

c) Is the site available and deliverable in the timescales envisaged?

1.32 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. The site has full planning permission for Demolition of existing buildings and erection of food retail unit (A1) with associated site works, parking, access and landscaping. (2016/93827) Decision (27/06/2016).

## Matter 32 – Huddersfield mixed use allocations - Appendix

### **MX1911 – land south of Lindley Moor Road, Lindley, statement of anticipated delivery and proposed modifications**

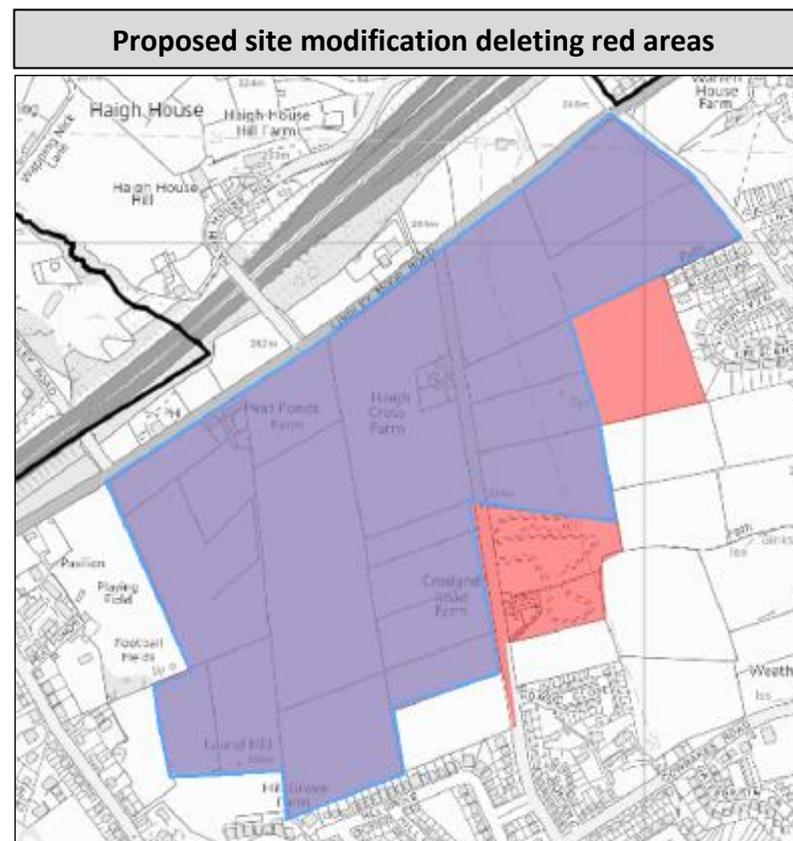
Large areas of site MX1911 are currently under construction therefore the circumstances differ from some of the other sites of a similar scale in the Kirklees Local Plan. As such, this document provides a statement of anticipated delivery and proposed modifications based on new evidence.

#### **PDLP Site Details:**

<b>Site Details</b>	
Site Reference	MX1911
Location/Address	Land south of Lindley Moor Road, Lindley, Huddersfield
Gross site Area	36.92
Net Site Area	25.46 – Power lines and archaeological interest area removed from the developable area
Indicative Capacity	533 dwellings and 53,125 sq.m. of employment capacity.

#### **Proposed Amendment:**

<b>Site Details</b>	
Site Reference	MX1911
Location/Address	Land south of Lindley Moor Road, Lindley, Huddersfield
Gross site Area	32.16
Net Site Area	32.16
Indicative Capacity	443 dwellings and 41,702 sq.m. of employment capacity.



- **Availability and progress with planning applications**

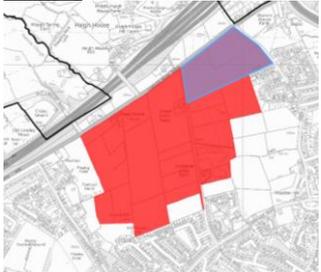
- MX1911 is in a number of different ownerships with planning permissions and pre-application enquiries covering the majority of the site. The following table sets out the planning status of the different parts of the site (shown as Parts 1 – 4). Part 5 identifies those areas of the site that are proposed to be omitted due to further evidence relating to topography and ownership issues affective the suitability, availability and therefore the overall deliverability of these areas.

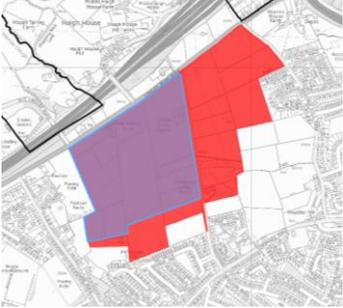
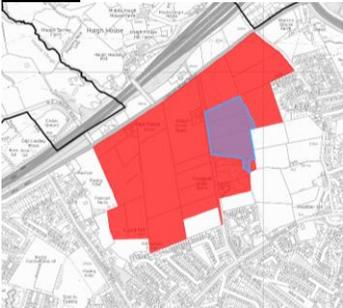
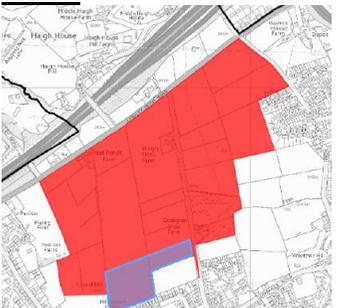
- **Anticipated delivery rates**

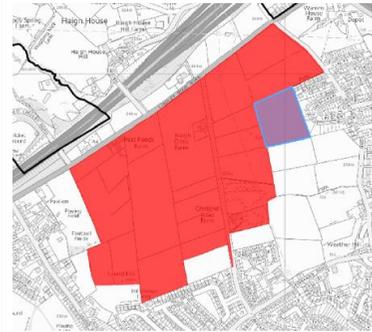
- The first housing completions on this site (Part 2) were recorded for 2015/16 (38 completions) followed by 63 completions in 2016/17. Part 3 of the site is controlled by Persimmon Homes, and there is a pre application enquiry for residential on Part 4.

Year	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31
Annual Delivery	38	63	50	50	50	50	50	50	42							
Cumulative Delivery	38	101	151	201	251	301	351	401	443							

- The two employment units with full planning permission are under construction (Part 2).

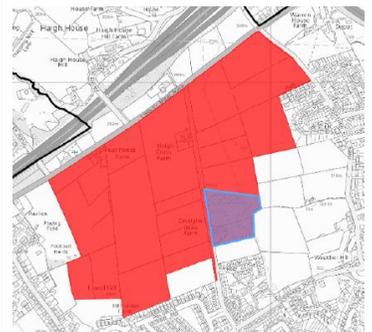
Parts of MX1911	Current planning status
<b><u>Part 1</u></b> 	<ul style="list-style-type: none"> <li>- Outline permission for employment (2013/93433 – Outline application for employment uses (B1b, B1c, B2, B8) - approved 7<sup>th</sup> April 2014).</li> <li>- Capacity: Employment: 22,190sqm (based on Local Plan employment capacity assumption)</li> </ul>
<b><u>Part 2</u></b>	<ul style="list-style-type: none"> <li>- Full application for housing and outline permission for employment: 2014/93136 - Demolition of existing buildings, Outline application for Industrial Development (Class B1c B2 or B8) Plot A - (160,000 sq.ft./14,864 sq.m.) with engineering works to form development plateaux, formation of access from Lindley Moor Road, provision of services and drainage infrastructure. Erection of industrial unit. Plot B - (50,000sqft/ 4648 sq.m.) unit access from Crosland Road. Detailed application (Plot C) for residential development of 252 dwellings with access from Crosland Road, engineering works to create underground</li> </ul>

	<p>drainage attenuation, provision of open space and landscaping - approved 8<sup>th</sup> May 2015 (<b>housing under construction: 58 starts and 38 completions at 31<sup>st</sup> March 2016</b>).</p> <ul style="list-style-type: none"> <li>- Full application for employment: Reserved matters application for erection of industrial unit on plot A (Plot A1) comprising 6039 sq.m. for B2 and B8 uses together with 85 parking spaces, service yard and landscaping – approved 9<sup>th</sup> May 2016 (<b>employment unit completed</b>)</li> <li>- Full application for employment: 2016/92870 Reserved matters application (Plot B) – approved 23<sup>rd</sup> November 2016 (<b>employment unit under construction</b>)</li> <li>- Capacity – Housing: 252 Employment: 19,512sqm</li> </ul>
<p><b>Part 3</b></p> 	<ul style="list-style-type: none"> <li>- Full planning permission (2016/92055 - Erection of 109 dwellings with associated works). Granted 21<sup>st</sup> September 2017.</li> <li>- Capacity: Housing: 109</li> </ul>
<p><b>Part 4</b></p> 	<ul style="list-style-type: none"> <li>- Pre application enquiry for housing</li> <li>- Capacity: Housing: 82 (based on recent pre-application enquiry)</li> </ul>
<p><b>Part 5</b></p>	<ul style="list-style-type: none"> <li>- Proposed omission from the site due to further evidence relating to topography from the developers of</li> </ul>



part 3.

Part 6



- Proposed omission from the site as this portion does not appear to be available for development.