

KIRKLEES LOCAL PLAN EXAMINATION

SITE NUMBER : H597

MATTER NUMBER : 44

**HEARING STATEMENT OF SCHOLLS FUTURE
GROUP**

Changes we seek to the Plan

In our representations made to KMC we have proposed that H597, together with H297 and SL3359 should be designated as Local Green Space. We set out below our responses to the matters the Inspector raises as regards site H597.

General questions

a) **Suitability of site for proposed use / clarity of Plan guidance on requirements and constraints / identification in the Plan of appropriate mitigation measures**

Given the terms of NPPF we believe the site is unsuitable for its proposed use, namely the construction of 144 dwellings. We set out our views on this matter in detail in sections 5 to 16 of the representations we made to KMC in December 2016. We understand that the Inspector has these representations available. We would refer the Inspector to the detail in those representations, but will briefly itemise them here.

NPPF 182 – the site fundamentally fails the tests for sustainable development set out in the policies within NPPF. The fourth bullet point in NPPF 182 is not satisfied. In a letter of 7 June 2007 KMC's Head of Service refused permission to build a single bungalow on Green Belt immediately adjacent to the northern boundary of H597. As well as rejecting the application in terms of Green Belt policy, the writer stated further that (our underlining) :

“The development lies in an unsustainable location and would rely heavily on the use of the private car. As such the development would be contrary to the aims [of the UDP]”

We have had no adequate explanation from KMC as to why site H597 should now be regarded as a sustainable location given that nothing discernable has changed in the location since 2007.

NPPF 17 & 58 – the proposal is at odds with the regard to be had for the character and setting of Scholes – a view supported by the decision of a Planning Inspector in 1996, rejecting an application to build 91 dwellings on the north-east part of what is now H597. The effect of H597 and H297 combined is to increase the size of Scholes by about 25% - and imposes on Scholes 5% of housing growth in the whole Kirklees Rural area (see page 55 of KMC's “Additional

evidence relating to distribution of growth between settlements” – December 2017).

NPPF 17, 30, 34, and 157 – KMC acknowledges that employment opportunities in the Holme Valley are scarce. This, combined with the lack of primary school places in Scholes, and of secondary school places in the Holme Valley generally will inevitably result in more private car traffic, and increase green house gas emissions. It will place additional stress on an already weak local highway infrastructure. There are essential junction improvements required in Holmfirth (and we believe in New Mill) which will not be in place before development takes place, and which are not currently funded.

NPPF 17, and 38 – Tables contained in KMC’s December 2017 document “Additional evidence relating to distribution of growth between settlements” shows only one key amenity in Scholes (the primary school) and gives Scholes a “Total Accessibility Score” of only 10.5. Local amenities are remote, in either Holmfirth or Huddersfield town centre. Due to the local topography access to these amenities outside Scholes is difficult if not impossible on foot or by bicycle. Local doctors’ surgeries are under pressure, and A&E services are now being moved from Huddersfield to Halifax – 14 miles away via Huddersfield town centre.

b) Appropriateness of site capacity taking account of constraints and necessary infrastructure

The absence of, and / or problems with necessary infrastructure confirms us in our views set out at (a) above that the proposal does not represent sustainable development in terms of NPPF policies.

NPPF 157 states that : “Crucially, Local Plans should : plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework”.

KMC’s Strategies and Policies document specifies (policy PLP3) that :

“Developments proposals will be required to reflect the Spatial Development Strategy, Policy PLP1 Achieving Sustainable Development and Policy PLP2 Place Shaping . This means.....(2) Development will be permitted where it

supports the delivery of housing and employment growth in a sustainable way, taking account of the following criteria :....f. co-ordinating housing and employment land delivery with the provision of new infrastructure..”

Highways

KMC’s Strategies and Policies document policy PLP19 (1) requires that :

“...Development will be strategically placed along core networks where available and the developing core cycle network, all of which will be improved and maintained where possible to reduce congestion and reliance on the private car.”

It is notable that no schemes are planned for the relief of congestion for traffic flows out of the Holme Valley - routes used by private car commuters from Scholes and other Valley communities, and which are already congested at peak periods. The 188 new dwellings proposed in Scholes will only increase these difficulties, to the detriment of the thrust of NPPF towards a low carbon economy, and without the type and scale of infrastructure development required by NPPF 157, PLP 3, and PLP 19(1).

It is perhaps a measure of the unsoundness of the PDLP that there is a disconnect between “essential” junction improvements in Holmfirth and the phasing of the delivery of the dwellings contemplated by H297 and H597. Appendix 3 to KMC’s Strategies and Policies document “Housing delivery and phasing table” shows that H297 would be built out in 2016/17 and 2017/18, and that H597 would be built out evenly between 2017/18 and 2012/22. KMC’s Infrastructure Delivery Plan (“IDP”) indicates that there is essential work required at the junction of the A635 and A6024 in Holmfirth in order to support development in the Holme Valley. The IDP, as amended, shows that this work is likely to take place some time in the next five years (originally in 5 to 10 years time) at a cost of £2m-£3m (originally estimated at an unfunded £10m), none of which funding has currently been identified. It thus appears that if H297 and H597 remain in the plan, development will precede essential junction improvement work in Holmfirth required to support local development, and for which there is currently no funding – contrary to NPPF 157, PLP 3, and PLP 19.

We would also note here that KMC's policy PLP 3 represents a significant row-back from DLP policy DLP 3, which stated that :

“Where new infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.”

KMC appears to have cut itself a considerable amount of slack here, and would certainly find itself at odds with the House of Commons Communities and Local Government Committee who stressed in their fourth report of session 2014-15 that in their view development can only be sustainable if it is accompanied by the infrastructure necessary to support it. In other words essential infrastructure should be in place timeously to support development.

School places

NPPF 72 stresses the importance the Government attaches to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities, and directs local authorities to give great weight to the need to create, expand or alter schools.

KMC's PLP 3 states that where infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.

Scholes has a Junior and Infant School. There is a nearby secondary school between Scholes and Holmfirth, and another secondary school in Honley. Neither secondary school has a sixth form, the nearest colleges being in Huddersfield.

There are limited places available at Scholes Junior and Infant School – generally single figures.

If H297 and H597 are both implement, the size of Scholes will increase by somewhere between 25% and 28%.

The IDP assumes that over the next 15 years, in the Holme Valley, there will be no need for any additional primary school places, and that over the same period, in the Holme Valley, Honley, and

Meltham there will be no need for any additional secondary school places. These assumptions lack credibility.

The assumptions appear to be based on a general trend of a fall-off in requirement for such places identified in another Kirklees document. However, the document concerned covers only the period 2015-18 (“Securing Sufficient High Quality Learning and Childcare Places – School Organisation, Planning and Development for 2015-2018”).

The assumptions are also at odds with Department of Education publication SFR 31/2017 “National pupil projections – future trends in pupil numbers : July 2017”. The projections cover the period up to 2026. The overall population in state-funded primary schools is projected to increase by 2.2% by 2026. For state-funded secondary schools the overall increase in population between 2017 and 2026 is expected to be 19.1%. Considering these DoE projections, we have little faith in the credibility of the IDP assumptions.

Moreover, we do not believe it is credible that the construction of 188 new homes in Scholes, an increase of between 25% and 28% in the size of the village, would not create a need for primary school places materially in excess of the current capacity of our local Junior and Infant School – and we would make the same comment about secondary provision in the Holme Valley, Meltham, and Honley area in light of the number of new homes proposed for that area.

In support of this view, we would refer to the table on pages 99 and 100 of the Kirklees document “Securing Sufficient High Quality Learning and Childcare Places – School Organisation, Planning and Development for 2015-2018”. The table shows that as at January 2015 154 children who lived in Scholes attended Scholes J&I school, and that in total there were 215 children in Scholes of primary school age. If we take an extra 188 houses as increasing the size of Scholes by 25%, logical extrapolation would indicate that the new population would include something like 54 (215 x 25%) children of J&I school age. Even using the IDP primary school pupil yield factor of 3 children per 100 houses, the increase in numbers would be about 40. The school simply could not cope with this influx.

Even the above figures may understate the likely number of new children. Given the density of dwellings at about 35 per hectare, it

is likely that the dwellings would attract first-time buyers or young families – a population more likely than most to have or be planning to have young children.

Our strong belief is that the number of children coming into the village as a result of the building of 188 new homes would create a substantial excess of demand over current supply so far as our own primary school is concerned, and likewise for secondary schools in the area.

On this basis H297 and H597 do not comply with NPPF 72 or PLP 3 – unless a substantial number of village children are going to travel elsewhere to school. This latter would be at odds with NPPF 38 and the general thrust of NPPF and DLP to reduce private car commuting and promote the transition to a low carbon future.

Sewage

NPPF 157 states that : “Crucially, Local Plans should : plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework”, and likewise that PLP 3 states that where infrastructure is needed to support new development, the essential infrastructure must be operational no later than the appropriate phase of development for which it is needed.

Many comments have already been made by residents to KMC during the consultation on the DLP concerning the inadequacy of sewerage in Scholes, and we will take them as read.

In 1995 Yorkshire Water wrote to KMC concerning sewerage in the village when a proposal was put forward to develop 92 dwellings on a 2.68 hectare site at the north-east corner of H597 bounded by Sandy Gate and Scholes Moor Road.

It is clear that even in 1995 Yorkshire Water had concerns about the sewerage in the village, concerns which should be addressed and dealt with prior to any designation of H597 for housing development. We are not aware that KMC has any plans to do this.

As regards flood risk, there is evidence that the north-east corner of H597 is susceptible to flooding, at a level sufficient to cast doubt on the viability of H597. We provided photographic evidence of this in our detailed comments on the PDLP.

c) Site availability and deliverability

The site has for many years been used as agricultural for grazing cattle and sheep. We have no knowledge as to whether the site is available, or deliverable within the timescale envisaged in the Plan

d) Green Belt issues

The site is not in the Green Belt.

Site specific questions

i) Adequacy of assessment of the impact on heritage assets / implications of Heritage Impact Assessment LE76 / deliverability of indicative site capacity

We agree with and support the comments made by Historic England under Matter 21 – Natural and Historic Environment Policies. We reproduce below the specific comments they make on site H597 in Appendix 1 to their comments.

H597: Land to the south of Sandy Gate, Scholes We disagree with the evaluation of the contribution which this site makes to the setting of the Grade II Listed Sandy Gate Farm and the mitigation necessary to reduce the harm.

- Sandy Gate Farm is visible in views across this site from the most of Scholes Moor Road, it is also visible in views from Moorlands to the south, and Ryecroft Lane. Therefore, it with perhaps the area immediately adjacent to the housing to the south, most of this area of farmland ought to be identified as being of Moderate Significance in terms of its contribution to the setting of this Listed Building. (
- As the Heritage Impact Assessment notes, the field boundaries across this area have remain intact since the First Edition OS Map in 1892. (

- Given the acknowledgement within the Appraisal that views towards the asset are of high significance and that, should these views be lost, it would cause substantial harm to the setting of the asset, the extent of this site should be reduced to simply the field immediately adjacent to the existing housing on Moorlands

KMC's Heritage Impact Assessment proposes in section 6 some marginal mitigation measures, albeit hedged with statements that the guidance given is provided as guidance, and that each of the options identified would need further exploration – this in a context where the assessment itself at section 5 identifies the access roads, the views towards the heritage assets, and the local boundary walls as all being of “high significance”.

We agree with Historic England that any development should be restricted to “simply the field immediately adjacent to the existing housing on Moorlands.

As to the deliverability of the indicative site capacity, we would refer back to our responses to questions (a) and (b) above, and (ii) below.

ii) Adequacy of assessment of the impact of the proposal on the character and setting of the village

We repeat here what we have said above.

NPPF 17 & 58 – the proposal is at odds with the regard to be had for the character and setting of Scholes – a view supported by the decision of a Planning Inspector in 1996, rejecting an application to build 91 dwellings on the north-east part of what is now H597. The effect of H597 and H297 combined is to increase the size of Scholes by about 25% - and imposes on Scholes 5% of housing growth in the whole Kirklees Rural area (see page 55 of KMC's “Additional evidence relating to distribution of growth between settlements” – December 2017).

Moreover, in addition to the two Heritage Assets considered at (i) above, there are a large number of other listed buildings in the vicinity of H597 as evidenced by the map at section 3.3 of KMC's CD90 Heritage Impact Assessment LE76.

KMC's overall assessment of the impact of the proposal on the character and setting of Scholes is inadequate and flawed – ignoring as it does the objective comments of the 1996 inspector's report.