

Participant Statement – Matter 8

Kirklees Local Plan

On behalf of Mr P and Mr N Crowther

6 September 2017



I. Introduction

This is a Participant Statement prepared by Spawforths on behalf of Mr P and Mr N Crowther in respect of:-

Matter 8 – Approach to site allocations and Green Belt release.

2. Matter 8 – Approach to site allocations and Green Belt release

a) Has the Council undertaken a robust and comprehensive assessment of development capacity within existing urban areas and other areas outside the current Green Belt?

Our client has no comment to make on this matter.

b) Do exceptional circumstances exist which justify the release of Green Belt land to accommodate some 11,500 new dwellings and additional land for employment uses?

Our client considers that it has been demonstrated that there is an objectively assessed need (OAN) for housing and employment land, and that to meet this OAN there is a requirement for release of land from Green Belt.

In this context the Council in its Green Belt Review Supporting Document (Examination Background Document BP25) confirms that the Green Belt has not been reviewed in any detail for around 30 years or more. The Council has previously championed a brownfield first policy, that has delivered development, but the capacity for such land as a resource has not reduced and to meet the OAN, there is a clear need for greenfield and indeed Green Belt sites to be allocated for housing. The allocations are in line with the NPPF requirement that Authorities must meet their OAN and that authorities should be proactive and respond positively to growth opportunities.

The Council has identified a range of sites for both allocation and safeguarding beyond the Local Plan period.

It is considered that the Council has identified the exceptional circumstances that would justify release of land in Green Belt as a principle.

c) What approximate proportion of land in Kirklees which would remain in the Green Belt following the implementation of proposals in the Local Plan?

Our client has no comment to make on this matter.

d) Is the Council's approach to assessing potential sites in the Green Belt for development soundly based and in line with national guidance?

Parts i, ii, iii, iv, v, vi

Our client has no comment to make on these sub-matters.

vii. How have sustainable development requirements and the need to promote sustainable patterns of development been taken into account in decisions on site options, in accordance with paragraphs 84 and 85 in the NPPF? Are there specific examples of sites which scored well in the technical appraisal and Green Belt Review but were rejected for reasons linked to the sustainability of a settlement?

Our client has no comment to make on this matter.

viii. Have all sites which scored well in the site assessment process for housing been allocated for this purpose?

Our client is the owner of land to the west of Mill Lane, Flockton (Site SL2297). The site is currently identified in the Publication (Submission) Draft Local Plan as Safeguarded land.

It is assessed in the Accepted Site Options - Technical Appraisal (Revised July 2017) and scores well (See Appendix A for the site specific assessment extracted from the report). The only key technical issue that is identified, is that of access. However, this does not reflect the fact that there is potential for access through The Paddocks, as the houses in the south of this and paddock land is in the ownership of the owners of site SL2297 (See Appendix B at the end of this statement). The owners have confirmed that a property could be removed to facilitate development of the wider site. The access to The Paddocks is of quality construction and appears to have the identified visibility splay identified by the Council in their assessment. Other access solutions can also be considered in greater detail in due course, but for the purposes of soundness, the site can be accessed in a way that is in the control of the site owner.

The site is therefore accessible and could come forward sooner to meet the needs of the district.

Site SL2297 is located in a sustainable settlement based on the A637 Barnsley Road, which is used as a key arterial route from the M1 Junction 38 through to Huddersfield. As indicated above access can be gained to the land, and there are no known technical impediments to development. Therefore the site is available, suitable and achievable and so is deliverable and developable for residential development to go towards meeting the development needs of Kirklees.

To be clear, should the site not be considered for allocation in this plan period, our clients support the identification of Site SL2297 as being removed from Green Belt and identified as safeguarded land.

We would also advocate that the Plan is monitored and that the Council commits to a review, particularly in respect of housing delivery, at which point appropriate sites may be considered.

Our client can provide additional detail during the site specific hearing sessions scheduled for late 2017/ early 2018.

e) Is the Council's approach to other proposed changes to the Green Belt boundaries, including those arising from the digitising exercise, small site assessment, consequential changes and proposed additions, justified and robustly based? Have exceptional circumstances been broadly demonstrated?

Our client would simply state that there is a minor amendment to the southern boundary for Flockton to reflect existing garden boundaries. This is to correct an existing anomaly. This sound in this regard. A new Local Plan represents the only route to correct such anomalies and therefore it is necessary and sound for the Council to address these where identified.

f) The Plan identifies a number of safeguarded sites on land not currently within the Green Belt. Is this approach justified and in line with national policy and guidance?

Our client has no comment to make on this matter.

g) What evidence is there to demonstrate that safeguarded sites which have been assessed as unsuitable or undeliverable for housing development over the Plan period will be capable of delivery for this use in the longer term?

Our client is the owner of land to the west of Mill Lane, Flockton (Site SL2297). The site is currently identified in the Publication (Submission) Draft Local Plan as Safeguarded land.

As we identify above, the site appears to score well in the Accepted Site Options - Technical Appraisal (Revised July 2017) (See Appendix A for an extract). The conclusion is that the site is not deliverable due to access constraints.

Again, as we identify above and at Appendix B, the site owners are also the owners of properties to the immediate north of the allocation on The Paddocks and access can be made available through this route, which links to a decent point of access on the A637 Barnsley Road, a key route through the village.

Given the assessment of the site and in the context of the housing need for Kirklees (which is a minimum), the site is capable of delivery now and certainly acceptable for safeguarding in principle.

Our client can provide additional detail during the site specific hearing sessions scheduled for late 2017/ early 2018.

Appendix A

SL2297	Site is in Green belt	Y	Green/Brownfield	G	Settlement Position	E	Gross Area (Ha)	1.44
Land to the west of, Mill Lane, Flockton					Employment Floorspace		Housing Capacity	50
Transport		Third party land required for access. 2.4m x 43m visibility splays required. Not clear how these can be achieved from this site.						
Public Health		The site is within a ward that does not have significant concerns relating to health indicators and land use planning.						
Education		Decreasing trends for primary and modest decrease in secondary. No immediate need for additional capacity.						
Historic Env		No objections raised.						
Flood/drainage		Site is within EA flood zone 1.						
Env Protection		Site is not contaminated but a phase 1 contamination report is required.						
Biodiversity		No objections raised.						
Other constraints		Part or all of the site lies within a high risk coal referral area.						
Open space	N/A							
Green belt		This is a reasonably well related and well proportioned site that could present a settlement extension to the south of Flockton. It is contained by road and trees to the east and west and by a field boundary to the south which would prevent sprawl, although there would be little to screen the new development from the wider countryside.						
Green belt edge		This is an extensive area of green belt that maintains separation between villages. The existing settlement pattern and land use features present opportunities for settlement extension and rounding off although sprawl to the south should be avoided.						
Exceptional Circumstances	This site is required to meet longer-term development needs stretching well beyond the plan period and as such exceptional circumstances exist to amend the green belt boundary in order to facilitate future development. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns and the role and function of the green belt it is deemed that in this instance the benefits of facilitating future development on the site outweigh any adverse effects on the green belt.							
Conclusion	This site is not deliverable or developable during the local plan period. There is a reasonable prospect that the constraints on this site could be overcome to allow the delivery of new homes beyond the end of the local plan period. Third party land would be required for site to be accessed from adopted highway and it is not clear how access could be achieved to deliver housing during the plan period.							

Appendix B

SL2297 - Land to the west of, Mill Lane, Flockton

