



31 August 2017
Consultee ID:
Matter 8

Kirklees Local Plan Examination

Matter 8 – Approach to Site Allocations and Green Belt Release

This statement is prepared by WYG Planning Limited (WYG) on behalf of our client Strata Homes (Yorkshire) Limited ('Strata' or 'our client').

WYG submitted representations on behalf of Strata in relation to the Publication Draft Kirklees Local Plan in December 2016 which focused on the decision of Kirklees Council to include as a housing allocation a site known as land between Richmond Park Avenue and Sunnyside Avenue, Roberttown (Local Plan SHLAA Ref No H442).

This response seeks to address the key issues to be discussed at the forthcoming Examination Hearing concerning Matter 8. Please refer to our Hearing Statements to other matters which provides further details on our client's interest in this site.

Our response is structured such that it follows the questions posed in the Matters and Issues Agenda and should be read in conjunction with the representations we have previously submitted on behalf of our client.

Issue – Is the Plan's approach to identifying site allocations (housing, employment and mixed use), safeguarded land and Green Belt releases soundly based and in line with national policy?

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?

As identified in Background Paper 25 Para 6.1 there has been careful scrutiny of the existing and future supply of both housing and employment land within the urban area of Kirklees. This identifies that the settlement capacity has been robustly assessed and it has been concluded that the development needs of the borough cannot be met within the existing settlement boundaries. This conclusion relates in part to the physical capacity and availability of deliverable land. It also relates to the lack of sites that have the ability to deliver a diverse and range of housing sites to attract a range of housebuilders. These factors are crucial elements for Kirklees to achieve its housing and economic growth ambitions.

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?

We consider that the need to accommodate future housing and employment development beyond the extent of defined urban areas has been established and is sound. The Borough's future development needs can only be met through allocation of land both within the urban areas and through the release of Green Belt.

The Green Belt Review Supporting Document (Ref BP25) considers that exceptional circumstances include:

- The need to meet the objectively assessed need for both housing and employment land arising during the Plan Period;
- There is insufficient capacity within urban areas and outside of the Green Belt to accommodate or of such objectively assessed need;

- Promoting sustainable patterns of development across the district through Green Belt release.

The Green Belt encompasses the urban areas with tightly drawn boundaries and it is noted that none of the housing requirement is proposed to be accommodated by neighbouring authorities. Whilst from the evidence base all relevant non Green Belt alternatives have been robustly assessed and there are insufficient deliverable sites that are available, suitable and achievable within the existing urban area and as such, the Council have moved on to consider development options that involve Green Belt release but ensuring that development options are rejected on Green Belt grounds while including those where the benefits of meeting objectively assessed needs are outweighed by the harm that would be caused to Green Belt purposes.

It is also recognised in the Green Belt review supporting document that in the past 11 years almost 85% of all housing completions within Kirklees have been on brownfield land which reflects the 'brownfield first' policy in previous national planning guidance and the Council's restricted approach to greenfield development. Based on these two factors, the suitability and deliverability of development land outside of Green Belt has significantly declined which again reduces the opportunity to identify relevant non Green Belt alternatives.

The sites have been identified for release are in appropriate locations across the plan period as they represent a clear pattern of allocations that are in accessible locations and can make the best use of infrastructure provision and services, but also be close to areas of population to ensure that sustainable patterns of travel can be established.

It is considered that:

- The significant economic needs and growth requirements alongside a linked employment requirement would lead to substantial economic, social and environmental benefits for Kirklees;
- The existing urban areas cannot accommodate the employment and housing needs, exacerbated by the historic constraints and the brownfield first approach;
- The proposals will provide sustainable patterns of development that will make the best use of transport infrastructure and are also accessible to the work force as part of sustainable patterns of travel

In this regard, it is concluded that exceptional circumstances to justify alterations of Green Belt boundaries exist.

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

We consider this is an issue for the Council to address.

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

- i. Is the approach in the Green Belt Review, based on the assessment of Green Belt edge site, robust and justified?**

We consider that the Green Belt Review was undertaken in the context of a clear methodology that considered the Green Belt boundary and land beyond the boundary and scored them appropriately. In our original representations we expressed concern that the focus appeared to be associated more with the Green Belt edge and it was unclear as to how consideration had been given to adjoining parcels of land. However, we consider that the explanation set out in the Green Belt Review Supporting Document (Ref: BP25) adequately demonstrates at Section 8 that each development option abutting the

settlement edge has had a two part Green Belt Assessment resulting in an edge assessment RAG rating and an overall site assessment RAG rating.

In other Green Belt Reviews, Local Authorities have often chosen more general areas (rather than specific sites) to assess the purposes of Green Belt beyond existing settlement. However, it is sometimes the case that these general areas do not reflect development opportunities and became unrelated to the purposes of the assessment. We therefore consider that the two part Green Belt Assessment undertaken by Kirklees provides a more focused approach to consider and justify the removal of Green Belt within the context of the range of development options that have been considered through the Local Plan consultation process.

The supporting document allays our previous criticism that there appears to be a separation between the Green Belt Review and the site selection test. We are comfortable that there is a strong alignment between undertaking a Green Belt Review and ensuring that individual sites are assessed within the context of accommodating future housing and employment growth needs.

Individual site assessments ensure that the review is considered to be more robust than considering general areas as these sites can provide clear parameters and boundaries by which an assessment may be made with more objective considerations. For example, Site H442 is aided by its distinct extent surrounded by built form on three sides and the location of the road network as a physical barrier to the wider Green Belt.

- ii. As part of the overall site allocations methodology, is there clear evidence to show that site options not captured or full appraised in the Green Belt Review have subsequently been fully assessed against Green Belt purposes?**

We have no comments on this question.

- iii. Is the 'gateway' approach in the Green Belt Review justified? (whereby failure to meet Test 1 meant Test 2 on Green Belt purposes was not engaged, and failure to meet Test 2a meant no further assessment against other Green Belt purposes)**

In order to ensure that 'deliverable' sites are identified and assessed, it is considered that initial sift of the Green Belt edges is an appropriate approach to adopt. It is unlikely that land which falls within the constraints identified would be deemed suitable and deliverable and therefore it is not appropriate that this land remains in the assessment process and can be dismissed at an early stage in the process.

In terms of Test 2a it is clear that the Council have given increased priority to the purposes of whether land would result in the merging of a strategic gap between settlements which is clearly an important consideration given the characteristics of the district and the planmaking objectives the level plan is seeking to uphold. In the context of the plan making process as well as the existing development patterns within Kirklees in general, we considered the Council are justified in focusing on this purpose of Green Belt in the first instance before examining the other purposes of Green Belt.

It should also be appreciated that this set of tests related to the Green Belt edge only. However, in accordance with the Site Allocation Methodology all Green Belt sites still underwent a separate Green Belt assessment which ensures an appropriate 'safety net' or doublechecking to override and review any potential issues arising from the 'Gateway' approach.

Our only criticism is that Green Belt Review supporting document refers to strategic gap between *settlements* at Test 2a whereas the Framework at Paragraph 80 specifically focuses on preventing neighbouring *towns* merging into one another as one of the five purposes of Green Belt. Strictly speaking, the term 'settlement' in the context of the Green Belt Review could be judged to be too ambiguous.

iv. Are the other assessment tests in the Green Belt Review justified and soundly based? To what degree are the identified topographical, physical, and environmental constraints absolute, and were site-specific solutions or partial development options taken into account? Is test 2d consistent with Green Belt purposes as defined in the NPPF and as they relate to Kirklees?

From the evidence it is clear that the other purposes of Green Belt besides the prevention of the merging of settlements allows the scoring within the assessment matrix to be weighted in favour of the degree to which land is deemed to check urban sprawl. We consider this is a sensible approach to adopt as within the context of plan making objectives this is a key consideration for Kirklees to assess and therefore should be given due weight in the scoring process.

Test 2d should only relate to the purpose of assessing whether Green Belt preserves the setting and special character of historic towns. It is noted that there are no historic towns recognised within Kirklees as confirmed by the Council in the supporting document (Ref: BP25 at Para 7.5.4). The purpose of this Green Belt test is very specifically identified within the Framework and if there are no historic towns then there is no reason for the Green Belt Assessment to consider this aspect within the scoring system. We therefore do not agree with the Council's approach to review the Green Belt edge and provide a score where Green Belt land preserves the setting of identified historic assets. This was not the intention of applying this purpose of Green Belt.

v. To what extent has the process of assessing Green Belt sites taken account of the extent of remaining gaps between different settlements and the maintenance of separate settlement identity, and emerging proposals in neighbouring authorities that would reduce these gaps.

We wish to comment in terms of the Green Belt release for Site H442. Other areas may be considered on their merits in terms of taking account of the extent of remaining gaps between different settlements.

In regards to Site H442 we have submitted detailed comments and information to set out our supporting the case for the site's release from Green Belt. The Green Belt Review confirmed that the site provides an appropriate location for Green Belt release. The Green Belt Review acknowledges that the Green Belt in this location prevented the coalescence of Roberttown and Liversedge but these two settlements are already joined and so its continued protection against settlements merging had only limited value in terms of the perception of reducing the gap. Given the existing circumstances and characteristics of the relationship between the two settlements we consider this is a reasonable conclusion for the Council to reach in this particular case.

Based on the supporting information we have provided to promote Site H442, the Council have been able to make a more informed decision within the process of assessing the site in Green Belt terms and this has also led to the adjoining Liversedge Cricket Club being removed from Green Belt and instead this area is proposed to be designated as Urban Greenspace. This demonstrates the Council is willing to consider the removal of Green Belt in the context of securing defensible boundaries that would endure beyond the Plan Period whilst also having regard to the extent of reducing gaps between key settlements.

vi. Is it clear how site development options were identified?

We consider this is an issue for the Council to address.

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?

The Local Plan and evidence bases sought to consider development potential and allocate sites that are in appropriate sustainable locations across the plan area. As a consequence of the Council conducting a site specific two part Green Belt assessment, this has ensured that not only have the purposes of Green Belt being transparently and consistently examined but also key aspects of sustainability have ensured an appropriate focus on these key elements when considering site options that conform with the principles of the Local Plan.

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

We consider this as an issue for the Council to address.

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?

We consider this as an issue for the Council to address.

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

We consider this as an issue for the Council to address.

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?

We consider this as an issue for the Council to address.