

Updated Planning Statement
Employment Development, Former North
Bierley Waste Water Treatment Works,
Oakenshaw

November 2017

Turley

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Executive Summary

This Planning Statement accompanies the outline planning application for employment development over a total of 23.6ha at the site of the former North Bierley Waste Water Treatment Works, Oakenshaw, as well as an area to provide a car park to serve the Woodlands C of E Primary School.

The proposed development on the former Waste Water Treatment Works is within Kirklees District, while the proposed car park will be on a separate parcel of land within Bradford District. As such, this is a cross-boundary planning application.

This Planning Statement provides a justification for the proposed development in terms of need, alternatives, harm to the Green Belt, the previously-developed nature of the site and any other potential harm arising in respect of air quality, flood risk, drainage, ground conditions, noise and vibration and transport.

It is considered that the definitional harm to the Green Belt is outweighed by the very special circumstances of:

- need;
- a lack of non-Green Belt sites to meet that need;
- the compromised nature of the site in terms of its fulfilment of Green Belt purposes;
- contribution to socio-economic aims; and
- contributing to the recycling of previously-developed land.

Taking the above into the planning balance, it is considered that the proposed scheme is acceptable in this location.

1. Introduction

- 1.1 This Planning Statement has been prepared on behalf of KeyLand Developments in support of an outline planning application (reference 2016/60/92298 and 16/06164) for redevelopment of 23.6ha at the site of the former North Bierley Waste Water Treatment Works, Oakenshaw.
- 1.2 Since the submission the application has been amended to remove residential development so that the scheme is for employment development only. Specifically, the application proposes a maximum of 35,284sq m of employment space for B1(c), B2 and B8 uses on 7.08ha; and 0.36ha (0.88 acres) of car park providing 36 car parking spaces for Woodlands C of E Primary School.
- 1.3 The proposed development on the former Waste Water Treatment Works is within Kirklees District (application reference 2016/60/92298), while the proposed car park will be on a separate parcel of land within Bradford District (application reference 16/06164). As such, this is a cross-boundary planning application.

Background

- 1.4 This site was identified as a key employment site in the Kirklees Core Strategy, which was subsequently withdrawn in 2013 due to issues with housing land supply and the duty to co-operate. No new sites have come forward which have met the need which resulted in this site being identified as a key employment site.
- 1.5 The site is identified as a draft employment allocation (reference E1985a) in the *"Publication Draft Local Plan – Allocations and Designations"* DPD which has been the subject to Examination in Public during October 2017. The Publication Draft Local Plan – Strategy and Policies, identifies a requirement for 165ha of net additional employment land.
- 1.6 This site is a previously-developed and now disused waste water treatment works, which currently lies in the Green Belt. Kirklees is characterised by historically tight Green Belt boundaries, challenging topography and a limited number of sites which are situated to make best use of the District's key transport infrastructure, most notably the M62.
- 1.7 The area has not benefitted from new land allocations since the adoption of the Unitary Development Plan, which was adopted in 1999. This is a considerable period of time for a large part of the West Yorkshire conurbation to be constrained by a lack of suitable development sites.

The Scheme

- 1.8 This application proposes a mixture of employment uses (over approximately 7.08 hectares).
- 1.9 The principal aim of this development is to provide new accommodation for the north Kirklees/South Bradford manufacturing arc, a collection of complementary engineering, manufacturing and design businesses with a strong reputation for delivering gears,

valves, pumps, turbos, chemicals and textile products. It also responds to the wider employment market and lack of good-quality land supply, as well as the general need for more housing in the area.

- 1.10 This application has been submitted prior to the formal allocation of the site in order to ensure that further growth, in line with the Kirklees and Leeds City Region Economic Plans, is not constrained by a lack of suitable property. Moreover, it will lead to the delivery of much-needed employment development and therefore a necessary element of the scheme if the site is to deliver the jobs and investment which it has been identified for in the emerging plan.
- 1.11 The site has a number of constraints, including the existing waste water treatment works, pumping station, mine shafts and adits, power lines, a gas pipe and a requirement to safeguard land for an improvement to the M62/M606 junction. This has resulted in a challenging viability equation. The high abnormal costs must be balanced with adequate returns. This has led to the applicant adopting an iterative process to scheme design, which allows a balance to be achieved between minimising harm to the openness of the Green Belt whilst securing a viable development.
- 1.12 The proposed scheme has also been subject to discussions with both Kirklees and Bradford Councils since 2014. This has involved ongoing liaison with Kirklees Council's Officers, the submission of representations to Kirklees Council's emerging Local Plan, pre-application discussions, meetings with key stakeholders and a public exhibition. Feedback received during the application determination period has been considered and has resulted in a reduction in the development area and the removal of residential development from the scheme.
- 1.13 A detailed review of the public exhibition and relevant discussions is set out in the Statement of Community Involvement which accompanies this planning application submission.
- 1.14 Under the Environmental Impact Assessment (EIA) Regulations, no Screening Opinion has been sought for the development proposals. This is because the Applicant accepts that the proposed development constitutes EIA development. As such, an Environmental Statement (ES) is voluntarily submitted along with this planning application.
- 1.15 The remainder of this document is structured as follows:
 - Section 2 describes the site and its surroundings;
 - Section 3 provides the relevant planning history;
 - Section 4 sets out the planning policy context;
 - Section 5 provides a background to the scheme and a description of the proposed development;
 - Section 6 provides an assessment of the need for the development;
 - Section 7 assesses alternatives;

- Section 8 considers the viability of the scheme;
- Section 9 assesses the scheme against Green Belt openness and the purposes of the Green Belt;
- Section 10 assesses 'any other harm' to the Green Belt;
- Section 11 sets out the very special circumstances considered applicable in this instance;
- Section 12 provides a summary and conclusion.

2. Site and Surroundings

- 2.1 The site comprises approximately 23.2ha of land at the former North Bierley Waste Water Treatment Works (WWTW), which is situated to the north-west of the M62 and to the east of the M606, between Oakenshaw and Cleckheaton. It also comprises a small parcel of land (0.35ha) along Mill Carr Hill Road, to the north of the main body of the site. This creates a total site area of 23.6ha.

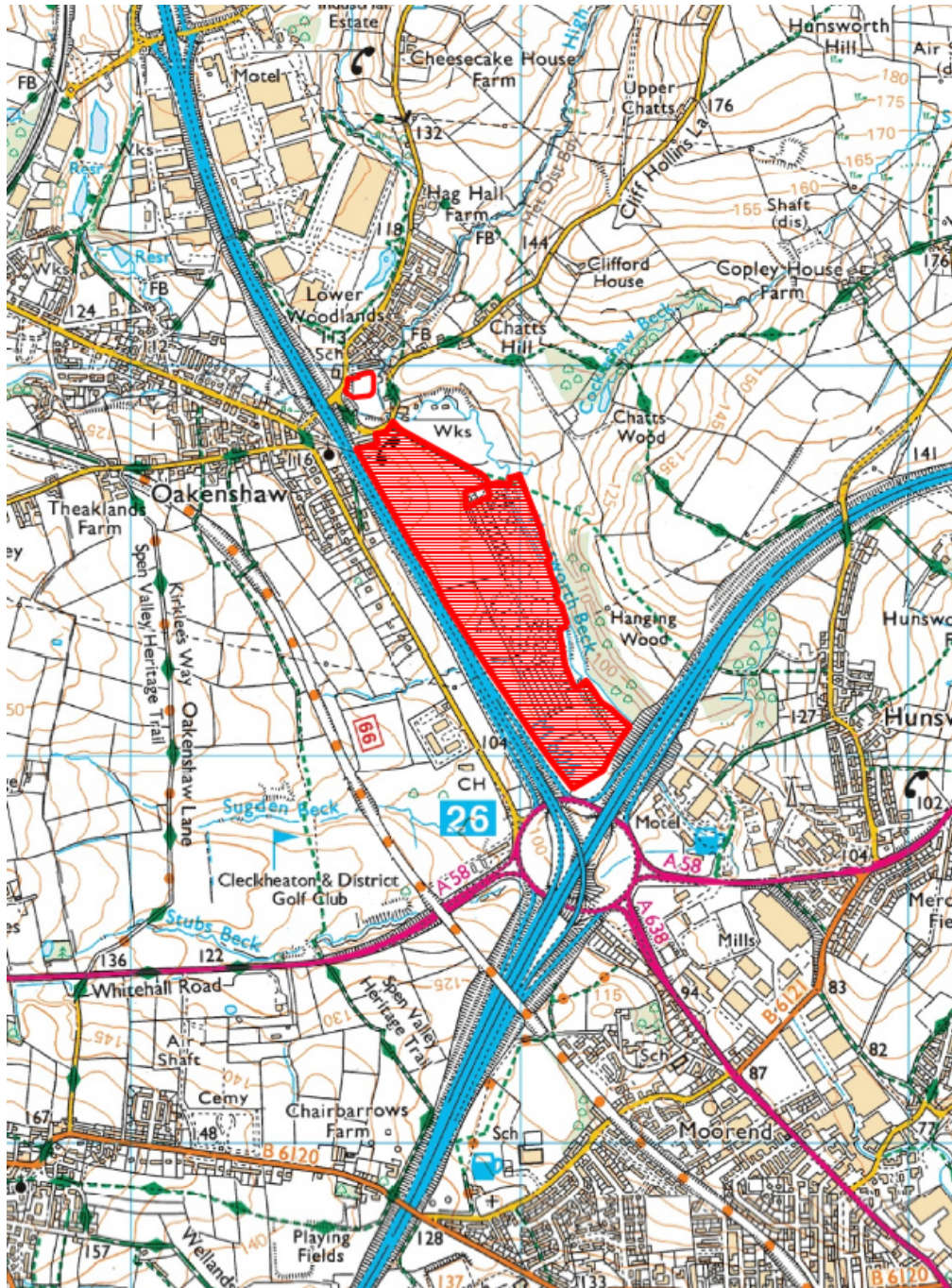


Figure 1: Site location plan showing the application site in context

- 2.2 The village of Oakenshaw is to the north-west of the site, with various dwellings along Bradford Road (to the west of the M606). Residential properties are also to the north of the site, along Cliff Hollins Lane and Mill Carr Hill Road. The Woodlands C of E Primary School is also located in this area, which shares the site's access point off Bradford Road/Mill Carr Hill Road.
- 2.3 The site is accessed from Cliff Hollins Lane to the north of the site, which is, in turn, accessed from Bradford Road (Junction 26 of the M62).
- 2.4 The site lies in close proximity to several key commercial developments which currently provide accommodation to businesses in the manufacturing arc. These are the Euroway estate, which lies to the north; West 26, which lies to the south; and Low Moor, which lies to the north-west. Whilst the 'arc' has a wider geographical base, these more local developments have historically provided for the design, manufacture and distribution of components (or Original Equipment Manufacture - 'OEM' - businesses). These traditional locations are now highly-constrained in terms of available property, quality of property and room to expand.



Figure 2: Aerial photograph of the site looking north-west towards Oakenshaw, Euroway and Low Moor



Figure 3: Aerial photograph of the site looking southwards across the site, to West 26

- 2.5 The total developable area of the site is approximately 13.6ha in two parcels, with the larger parcel within the boundary of Kirklees District and the smaller parcel along Mill Carr Hill Road within the boundary of Bradford District. Both parcels are within the Green Belt, as shown on the adopted Kirklees Unitary Development Plan and Bradford Replacement Unitary Development Plan Proposals Map extracts. Hanging Wood, a Site of Wildlife Significance is situated to the east of the site.
- 2.6 The topography of the site is such that it gently slopes down from the north to the south, with motorway embankments to the south and west. Agricultural fields in an undulating landscape exist to the east of the site.
- 2.7 The Kirklees Unitary Development Plan includes a requirement to safeguard land in the south of the site for an improvement to the M62/M606 junction.
- 2.8 The site is in an accessible location via sustainable modes of transport, with the site being accessible by a range of modes other than the private car. The pedestrian network in the vicinity of the site is generally good quality, while bus stops are located on Bradford Road within 400m of the site access, for northbound and southbound travel.
- 2.9 The Environment Agency's online flood maps show that most of the application site is within an area at the lowest risk of flooding from rivers or the sea. However, Hunsworth Beck runs partly within the eastern part of the site, which is considered to be within an area of flood risk (zone 3). In addition, the smaller parcel of land within Bradford District is also within an area of flood risk (zone 3).

Existing development

- 2.10 One of the key features of the site is the existing development, which served the waste water treatment needs of the South Bradford area for over 100 years before it was made redundant in 2011.
- 2.11 This has left a legacy of structures which already have an impact on the openness of the site. These include:

Table 2.1: Existing Site Structures

Type	Location	Footprint (m ²)	Height (m)	Volume (m ³)
Building 1	Above ground	391	7.25	2,835
Building 2	Above ground	436	7.81	2,453
Tanks	Above ground	27,250	-	16,000
Tanks	Below ground	(included above)	-	4,000
Hard standing	Above ground	8,255	-	-
Total	-	36,332	-	25,288

- 2.12 This existing volume of development is relevant when considering the quantified effect of development on openness, which is discussed further in subsequent sections of this report.

3. Relevant Planning History

- 3.1 The following planning applications relating to the site have been identified from the Council's online planning application database (Public Access):

Application Ref	Description of Development	Decision Date	Decision
2009/92648	Construction of new GRP kiosk	05 11 2009	Approved
98/92234	Erection of cabin to house pollution monitoring equipment	06 08 1998	Approved
95/91920	Erection of detached precast concrete building for storage of monitoring equipment	04 07 1995	Approved

- 3.2 Although the table above shows that the site has some planning history, the approved applications are of a minor nature and are ancillary to the established use of the site as a Waste Water Treatment Works.

4. Planning Policy Context

4.1 This chapter identifies the planning policy considered to be of relevance to the application. An overview of the National Planning Policy Framework ('the Framework') is given, followed by a review of the relevant saved and emerging planning policies contained within the Development Plan for both Kirklees and Bradford Districts.

4.2 A detailed assessment of the proposals against relevant policy is set out in the following chapter.

National Planning Policy Framework (the Framework)

4.3 The Framework was published on 27 March 2012 and sets out the Government's planning policies for England, with the presumption in favour of sustainable development (paragraph 14).

4.4 The Framework is a key output resulting from the Government's Plan for Growth, published in 2011, and its proposals to reform the planning system by removing barriers to growth for businesses and equipping the UK to compete in the global race. The Framework sets the planning agenda for supporting and pro-actively driving sustainable economic growth.

4.5 It establishes and operates on the basis of a presumption in favour of sustainable development, which requires;

- the approval of development proposals that accord with the development plan without delay, or
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

4.6 The underlying justification for this policy approach is the promotion of sustainable development, defined across economic, environmental and social dimensions.

4.7 Key extracts from the Framework relevant to the development proposed in this application confirm:

- In performing an economic role, the planning system should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure (paragraph 7);
- Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in

people's quality of life. This includes widening the choice of high quality homes (paragraph 9);

- Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth (paragraph 17; core planning principle 3);
- The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future (paragraph 18);
- The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (paragraph 19);
- To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century (paragraph 20);
- In preparing Local Plans, local planning authorities should:
 - support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (paragraph 21, 3rd bullet point);
 - plan positively for the location, promotion and expansion of clusters or networks of knowledge-driven, creative or high-technology industries. (paragraph 21, 4th bullet point)

4.8 In respect of delivering homes, chapter 6 seeks to 'boost significantly the choice of housing' (paragraph 47), consider housing applications in the context of sustainable development (paragraph 49), and deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50).

4.9 The Framework reiterates previous national policy relating to the Green Belt and confirms (at paragraph 79) that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also confirms the five purposes the Green Belt serves, which are to:

- check the unrestricted sprawl of large built-up areas;

- prevent neighbouring towns merging into one another;
 - assist in safeguarding the countryside from encroachment;
 - preserve the setting and special character of historic towns; and
 - assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.10 Paragraph 87 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.11 Paragraph 89 states that the construction of new buildings in the Green Belt should be considered as inappropriate, although one of the exceptions to this is 'limited infilling' or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 4.12 In respect of viability, paragraph 173 refers to plan making, but offers important advice on the principles of considering viability. It notes that pursuing sustainable development requires careful attention to viability. It also notes that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
- 4.13 Section 11 of the Framework places importance on conserving and enhancing the natural environment. Paragraph 109, amongst other things, seeks to prevent development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.
- 4.14 Paragraph 111 encourages the re-use of previously-developed land, while paragraph 123 states that decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 4.15 The remainder of the Framework contains a number of detailed policies grouped into themed chapters. Those relevant to the proposals are:
- Promoting sustainable transport
 - Requiring good design
 - Meeting the challenge of climate change, flooding and coastal change

- 4.16 The Framework also clearly expects local authorities to adopt a positive and proactive attitude to decision-taking and foster delivery of sustainable development that delivers growth and improves economic, social and environmental outcomes. Authorities should pursue solutions with applicants and decision-takers (at all levels) should approve applications for sustainable development where they can.
- 4.17 Paragraph 66 of the Framework expects applicants to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this will be looked on more favourably.
- 4.18 Paragraph 187 states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
- 4.19 Paragraph 190 states that the more issues that can be resolved at pre-application stage, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.
- 4.20 Paragraph 215 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

National Planning Practice Guidance (NPPG)

- 4.21 On 6 March 2014, the Department for Communities and Local Government (DCLG) launched the NPPG, a planning practice guidance web-based resource to assist practitioners.
- 4.22 Amongst other things, the NPPG provides advice on how LPAs should consider viability in planning applications. It acknowledges that viability can be important where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible. (Ref ID: 10-001-20140306).
- 4.23 It sets out some key principles, including that LPAs should encourage the effective use of brownfield land, and that to incentivise the bringing back into use of brownfield sites LPAs should take a flexible approach in seeking levels of planning obligations to ensure that the combined total does not make a site unviable (Ref ID: 10-026-20140306).
- 4.24 It also notes that assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. It cross references the NPPF advice that, where safeguards are necessary to make a development acceptable in planning terms,

and those safeguards cannot be secured, the planning permission should not be granted for unacceptable development (Ref ID 10-019-20140306).

- 4.25 It advises that a competitive return to developers and landowners should be secured. It notes that there is no rigid approach to this, but a competitive return for the land owner is the price at which a reasonable landowner would be willing to sell their land for the development, in comparison with the other options available (Ref ID 10-024-20140306).

Summary of National Planning Policy and Guidance

- 4.26 The Framework places great importance on supporting sustainable economic growth, setting out the purposes of the Green Belt. It notes that one of the exceptions to 'inappropriate development' is the redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 4.27 It also states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.28 Both the Framework and the NPPG encourage the effective use of brownfield land, noting that a flexible approach should be taken in terms of viability by LPAs to incentivise bringing brownfield sites back into use.

The Development Plan

- 4.29 The majority of the application site is within Kirklees District. As such, the relevant development plan comprises the 'saved' policies of the Kirklees UDP, which was adopted in March 1999. It is important to note that the Kirklees UDP was prepared prior to the introduction of the LDF system introduced by the Planning and Compulsory Purchase Act 2004, so the weight attributed to the relevant policies must be considered in the context of their consistency with the Framework.
- 4.30 Kirklees Council is also in the process of preparing a new Local Plan. The previous draft Core Strategy development plan document (DPD) was withdrawn in 2013 due to fundamental issues with housing land supply and the duty to co-operate. However, consultation on the new Local Plan took place between November 2015 and February 2016, with consultation on the Draft Strategy and Policies DPD and Draft Allocations and Designations DPD. Consultation also took place on the Green Belt Review and Outcomes Report and Rejected Site Options Report.
- 4.31 A small part of the site lies within Bradford District (ie the proposed car park on Mill Carr Hill Road). It is therefore appropriate to review the development plan policies for Bradford that are relevant for this element of the scheme. This currently comprises the 'saved' policies of the Replacement Unitary Development Plan (RUDP), which was adopted in October 2005.
- 4.32 Consultation has begun on the new Bradford Local Plan and the draft Core Strategy DPD is at a relatively advanced stage, having been through a Main Modifications consultation from November 2015 to January 2016 following the Publication Draft. The

draft Land Allocations DPD is, at the time of writing, at its Issues and Options consultation stage and can only be afforded very little weight.

- 4.33 In this context, the saved and emerging policies considered to be of relevance to this application are set out below. Other relevant planning guidance is also referenced.

Kirklees Unitary Development Plan (adopted March 1999)

- 4.34 The Unitary Development Plan (UDP) sets out Kirklees Council's policies and proposals for the use and development of land and buildings. The plan was adopted on 1 March 1999. As a result of a Direction issued by the Secretary of State for Communities and Local Government, from 28 September 2007 some of the policies in the UDP continue to have effect ('saved policies') and some do not as they were not saved.

- 4.35 At the time of this planning application, the UDP constitutes the statutory development plan for Kirklees.

- 4.36 The site is within the Green Belt, as shown on the adopted Kirklees Unitary Development Plan proposals map extract below. Hanging Wood, a Site of Wildlife Significance (annotated 'SWS' on the Kirklees UDP proposals map below) is situated to the east of the site, while the red colouring of the M62/M606 junction signifies a 'Department of Transport Highway Scheme.'

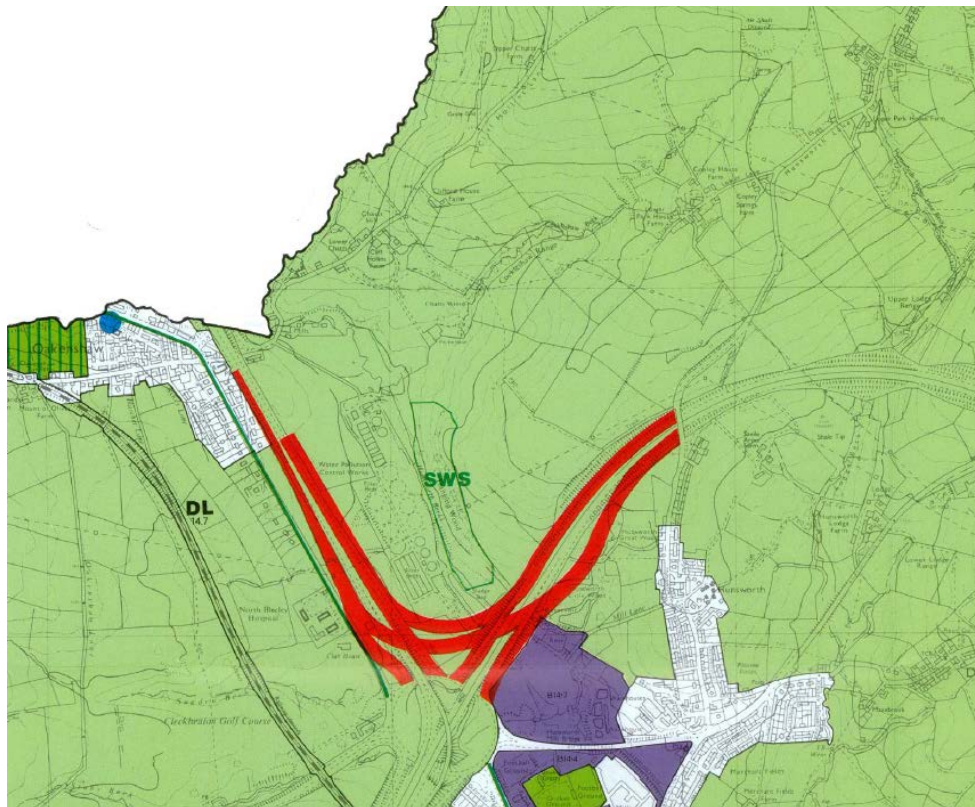


Figure 4 (above): Extract from the adopted Kirklees Unitary Development Plan Proposals Map showing the application site

- 4.37 The entire application site lies within designated Green Belt. The relevant Kirklees UDP policy for development in the Green Belt (Policy D8) was not saved, so the national policy position applies in Kirklees.

Economic impact

- 4.38 In respect of the economic impact of the proposals, **Policy G1** seeks to strengthen and broaden the District's economic base, increase employment opportunities, improve infrastructure and secure the re-use of land and buildings, amongst other things.
- 4.39 **Policy DL1** encourages derelict and neglected land to be brought into beneficial use to assist in the regeneration of the District, while **Policy DL2** seeks schemes for the reclamation of derelict land to improve the visual environment or deal with serious contamination and revitalise and regenerate areas.
- 4.40 **Policy B1** identifies the provision of land to accommodate the requirements of existing Kirklees businesses and the establishment of new businesses as an element of meeting the employment needs of the District.

Housing

- 4.41 In respect of housing provision, **Policy H1** seeks to meet the housing needs of the District by (amongst other things) providing land for a range of house types by allocating sites of various sizes and in different types of locations, having regard to local patterns of demand.
- 4.42 **Policy BE12** sets out separation distances to safeguard residential amenity.
- 4.43 **Policies H10** and **H12** seek the provision of affordable housing, acknowledging local need and the viability of the overall development.
- 4.44 **Policy H18** seeks the provision of public open space for housing development on sites of more than 0.4 hectares. Off-site provision or improvements to established public open space will be acceptable as an alternative where there is land with potential as public open space or established public open space readily accessible to the site.

Open land

- 4.45 **Policy D1** is not normally permissive of development proposals which would lead to a loss of valuable open land within towns or of open countryside.

Viability

- 4.46 With regard to viability and developer contributions, **Policy R6** requires new areas of public open space, either on site or in a readily accessible location, or upgrading existing public open space, when development is proposed which gives rise to a need.

Design and access

- 4.47 In respect of design and access, policies **G4**, **G5**, **BE1** and **BE2** seek developments to have a high standard of design to contribute to a built environment with a sense of local

identity and be visually attractive, promote safety and a healthy environment, and are energy efficient with equal access opportunities.

Transport and highways

- 4.48 In respect of transport and the highway network, **Policies T1, T10, T16 and T17** are relevant in that they promote a safe, integrated transport system, seek development to be adequately served by the existing transport network and by public transport, and make provision for safe pedestrian and cycle routes.

Other relevant saved policies

- 4.49 Other relevant policies include those relating to ecology, tree preservation and landscaping (**Policies NE4, NE9 and EP11**). **Policies BE21 and BE23** require access for people with disabilities and crime prevention measures to be incorporated into new developments. **Policies EP4 and EP6** relate to noise generation from development schemes (or in proximity to development schemes) and **Policy EP30** makes reference to planning conditions for development proposals that involve prolonged construction work.
- 4.50 **Policy G6** requires development proposals to be considered having regard to available information on the contamination or instability of the land concerned.

Replacement UDP for Bradford District (adopted October 2005)

- 4.51 The Replacement Unitary Development Plan (RUDP) sets out Bradford Council's policies and proposals for the use and development of land and buildings. The plan was adopted in October 2005. As a result of a Direction issued by the Secretary of State for Communities and Local Government, from 28 September 2007 some of the policies in the RUDP continue to have effect ('saved policies') and some do not as they were not saved.
- 4.52 At the time this planning application was submitted, the RUDP constituted the only statutory development plan for Bradford. However, many of the policies have been deleted following the adoption of the Core Strategy in August 2017.
- 4.53 A small part of the site lies within Bradford District (ie the proposed car park on Mill Carr Hill Road). The review of the saved policies of the RUDP is therefore limited to those that are relevant to this particular element of the scheme.

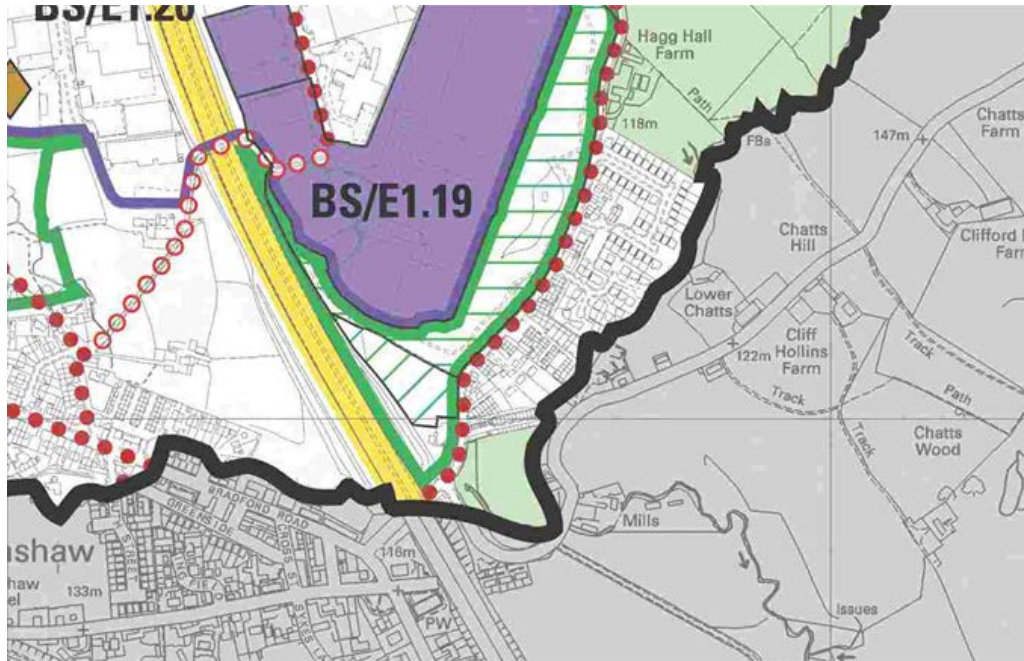


Figure 5 (above): Extract from the adopted Bradford Replacement Unitary Development Plan Proposals Map showing the application site

4.54 As shown on the proposals map extract above, the site is within designated Green Belt.

4.55 **Policy GB1** relates to the Green Belt, and states that

“Except in very special circumstances, planning permission will not be given within the green belt as defined on the proposals maps for development for purposes other than: (1) agriculture and forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries;

or

(2) for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land in it.”

Bradford Local Plan

4.56 The Bradford Core Strategy was developed in August 2017 and replaces a large number of saved RUDP Policies.

4.57 The site-specific Land Allocations DPD is at its relatively early Issues and Options stage and is not considered to carry weight in the decision-making process.

Adopted Core Strategy

4.58 Of relevance to the small parcel of land within the Bradford District, **Policy SC5** of the Core Strategy sets out a hierarchy for the location of development. It gives first priority to the re-use of deliverable and developable previously-developed land and buildings, provided that it is not of high environmental value and the more efficient and effective use of existing developed areas within the City of Bradford and Principal Towns/Local Growth Centres/Local Service Centres. Second priority is given to other greenfield opportunities within the settlements. Third priority is given to Local Green Belt releases

to the built up areas of settlements in sustainable locations. Fourth priority is given to larger urban extensions in sustainable locations.

- 4.59 **Policy SC7** deals with the Green Belt, and reiterates its role in supporting urban renaissance and transformation, keeping settlements separate, and the concentration of development, as well as conserving countryside. It states that the revised Green Belt boundary will provide long term protection for at least 15 years from adoption of the Core strategy.
- 4.60 **Policy EC1** seeks to create a more successful and competitive district economy, while **Policy EC2** supports the delivery of at least 2,897 new jobs annually in the District in the period to 2030.
- 4.61 **Policy TR2** sets out the parking policy, in particular noting that car parking should help manage travel demand, support the use of sustainable travel modes, meet the needs of disabled and other groups whilst improving quality of place, and also take a design-led approach to parking which is well integrated within the overall layout so that it supports the street scene and local character, and creates a safe and pleasant environment even in parking areas.
- 4.62 **Policy EN7** deals with flood risk and seeks to manage flood risk pro-actively, including by requiring space for the storage of flood water within Zones 2 and 3a, ensuring any new development in areas of flood risk is appropriately resilient and resistant, requiring that all sources of flooding are addressed and that development does not increase flood risk elsewhere, minimise run-off from new development, and consider the use of SUDS in a manner that is integral to site design, achieves high water quality standards and maximises habitat value.
- 4.63 **Policy EN8** deals with environmental protection and seeks proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution to incorporate measures to provides a high standard of protection for health, environmental quality and amenity.
- 4.64 **Policy DS1** promotes good design.

Emerging Policy

Kirklees Local Plan

- 4.65 The Kirklees Local Development Framework (LDF) Core Strategy was withdrawn in 2013. However, the Core Strategy Proposed Submission Document (2012) included the application site as a new employment site which is under 30ha. Whilst the LDF was abandoned, this was for reasons unrelated to the promotion of the land for employment uses. Rather than undermining the case of the release of employment land from the Green Belt, this has simply hampered economic growth by continuing a trend of the non-release of land suitable for modern employment purposes.
- 4.66 The Draft Strategy and Policies DPD and Draft Allocations and Designations DPD of the Kirklees Local Plan have been subject to an initial consultation exercise between November 2015 and February 2016.

- 4.67 The Local Plan is at an early stage and can therefore only be attributed limited weight in the decision-making process. However, the key themes and policies of relevance to the application are set out below.

Draft Strategy and Policies DPD

- 4.68 The Draft Strategies and Policies development plan document (DPD) sets out the vision for the plan and sets out a number of high level policies designed to guide the overall development strategy and future development management decisions.

- 4.69 The 'Vision for Kirklees' section of the DPD refers to the need to allocate new employment sites in order to aid the economic growth of the District, as set out in the City Region Strategic Employment Plan and the Kirklees Economic Strategy. It states that:

“Kirklees will be ideally placed to encourage inward investment and stimulate economic growth. This will be achieved through the provision of new prime employment land, sites of strategic importance for employment with a focus on manufacturing and engineering including Cooper Bridge and Chidswell and safeguarded employment land which, as a whole, provide the opportunities to grow businesses, improve economic resilience and increase the district's ability to compete with other areas.”

- 4.70 The spatial development strategy references the need to meet employment needs, including the aspirations of the Leeds City Region Strategic Economic Plan and Kirklees Economic Strategy. It also recognises that there is a need for new prime strategic employment locations.

- 4.71 The supporting text to the spatial development strategy recognises that securing sites with key locational characteristics is the primary factor necessary to ensure successful economic development. This can only be achieved, in the current context, by releasing land from the Green Belt, as the land in close proximity to the key transport infrastructure in the District tends to be both greenfield and Green Belt. Clearly, if an opportunity exists to make best use of previously developed land in these highly accessible locations, that opportunity should be taken.

- 4.72 With regard to the economy, the land supply calculations include land in Primary Employment Areas (PEAs), and the draft DPD suggests allocating additional land beyond that required when the PEA sites are taken into account.

- 4.73 In respect of specific policies, **Draft Policy DLP2** provides a broad spatial framework to the location of development, noting that development will be permitted where it supports the delivery of housing and employment growth in a sustainable way (subject to certain criteria).

- 4.74 **Draft Policy DLP3** requires the provision of infrastructure as part of development proposals.

- 4.75 **Draft Policy DLP4** seeks the preparation and submission of masterplans for particular types of development proposals.

- 4.76 **Draft Policy DLP6** gives priority for development proposals to the efficient use of previously-developed land in the most sustainable locations. This includes despoiled, degraded, derelict and contaminated land, provided it is not of high environmental value.
- 4.77 **Draft Policy DLP7** deals with place-shaping, and seeks proposals to integrate new development into the area, protect or enhance a sense of place and create safe places to live and work.
- 4.78 **Draft Policy DLP9** seeks to accelerate economic growth through the development of skilled and flexible communities and workforce.
- 4.79 **Draft Policy DLP11** deals with housing mix and affordable housing. It requires housing proposals to have a broad mix of housing suitable for different household types, and seeks an element of affordable housing in developments of more than 10 homes.
- 4.80 **Draft Policy DLP19** is particularly important for the application site, as it states that *“The provision of improvement works to M62 Junction 26 will have positive effects on the functioning of the junction which will aid access to the site. These works will have an impact on the amount of land available for development on this site although the policy is supported in terms of the principle of improving this junction.”*
- 4.81 Other relevant draft highway policies are **Draft Policy DLP20** (sustainable travel), **Draft Policy DLP21** (highways and transportation) and **Draft Policy DLP22** (parking).
- 4.82 **Draft Policy DLP25** promotes good design.
- 4.83 **Draft Policies DLP28** and **DLP29** deal with flood risk and drainage.
- 4.84 **Draft Policies DLP31, DLP33** and **DLP34** seek to protect and enhance the natural environment.
- 4.85 **Draft Policies DLP51** (air quality), **DLP52** (environmental quality) and **DLP53** (contaminated and unstable land) are also relevant to this proposal, given the nature and location of the proposed development.
- 4.86 **Draft Policy DLP55** deals with development in the Green Belt. It reiterates the Framework’s stance that inappropriate development in the Green Belt will not be approved except in very special circumstances in accordance with national policy. In particular, development proposals in the Green Belt should:
- a) retain its character and openness;
 - b) be designed to take into account and seek to enhance the landscape character of the area and be of a high quality of design and materials appropriate to its green belt setting;
 - c) result in a good standard of amenity for new and existing users;
 - d) retain and where possible enhance visual amenity and biodiversity;

- e) retain and where possible improve existing opportunities for outdoor recreation and access; and
- f) where possible result in the improvement of damaged or derelict land.

4.87 **Draft Policy DLP61** is generally supportive of infilling and redevelopment of brownfield sites, subject to criteria including that the development does not result in any detrimental cumulative impact on the openness of the Green Belt. It goes on to say that the design and materials should have regard to the relevant design policies in the plan, to ensure that the resultant development does not materially detract from its Green Belt setting.

Draft Allocations and Designations DPD

4.88 Site E1985, relating to the '*Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Cleckheaton,*' is included as a draft employment allocation in the emerging Local Plan. This is the application site.

4.89 The draft allocation sets out its gross area as 23.13 hectares, with a net developable area of 15 hectares, as part of the site has been removed due to it being an area of priority habitat (parts of the eastern and southern boundary immediately adjacent to the woodland) and affected by a high pressure gas pipeline and a high voltage power line.

4.90 It identifies an indicative capacity (for employment purposes) of 49,000sq m of floorspace.

4.91 The DPD's site assessment also sets out the constraints of the site, along with a general report/commentary about the suitability of the site. The constraints are set out as follows:

- Site affected by high voltage power lines
- Part of the site is within a Coal Mining Area
- 43m stopping sight distance required for site access junction (30mph speed limit).
- The access road will require widening into the site as well as improvements to its junction with Cliff Hollins Lane
- Additional mitigation on wider highway network may be required
- Part of the site is within flood zones 2 and 3a
- Sequential approach to the location of employment development required within this site to avoid high flood risk areas where possible
- Detailed surface water drainage and surface water flood risk investigation required
- Within the outer zone of a hazardous material facility
- High pressure gas pipeline crosses part of the site

- Risk of contamination
- Affected by Hanging Wood Local Wildlife Site to the north [east] of the site
- Land to be safeguarded for M62/M606 widening scheme
- Landscape character assessment has been undertaken for this site which should be considered in the development masterplan
- Prevention and mitigation to reflect Water Framework Directive requirements

4.92 These constraints have been taken into account in the development of the proposed scheme and are discussed in greater detail at Section 10 of this Planning Statement.

Other relevant guidance

Leeds City Region Strategic Economic Plan 2016-2036 (2016)

4.93 The Leeds City Region Strategic Economic Plan (2016) sets out the economic vision for the City Region as a whole and is a key document in terms of informing the overall strategy to be taken in the Local Plan.

4.94 The vision of the SEP is to unlock the potential of the City Region, developing an economic powerhouse that will create jobs and prosperity.

4.95 The SEP is assessed in more detail in Section 6 of this Planning Statement.

Kirklees Economic Strategy (2014)

4.96 The Kirklees Economic Strategy (KES) sets the district-wide vision for economic performance.

4.97 The KES clearly sets the requirement for the release of high quality, accessible sites in order to meet the growth needs of the district's businesses.

4.98 The KES is assessed in more detail in Section 6 of this Planning Statement.

Draft Local Plan Technical Paper: Employment (2017)

4.99 The Employment Technical Paper notes that the KES target is to achieve 75% employment rate by 2020. This matches Kirklees' historic high point for employment and is designed to reflect normal economic growth, plus the effect of policies designed to improve employment rates.

4.100 The technical paper is assessed in more detail in Section 6 of this Planning Statement.

Planning policy summary

4.101 National and local planning policy is supportive of sustainable economic development. However, strong justification is required for development within the designated Green Belt.

4.102 As such, the key policy issues for the proposals are considered to be the impact of the proposed development on the Green Belt (ie whether the proposals constitute harm to

the Green Belt and, if so, the very special circumstances that justify the development), and landscape, highways impact, residential amenity, ecology, ground conditions, flood risk and drainage and design. These issues, along with other material considerations, are considered in the supporting documents, the accompanying ES and in the following chapters of this Planning Statement.

5. The Proposals

Background to the scheme

- 5.1 KeyLand Developments is a subsidiary of Kelda Group and a sister company of Yorkshire Water. KeyLand Developments' aim is to regenerate Yorkshire Water's redundant operational sites across the region.
- 5.2 The former North Bierley Waste Water Treatment Works (WWTW) has a total site area of 23.2ha. It has been identified by KeyLand Developments as an opportunity to provide much-needed new accommodation for businesses in the North Kirklees–South Bradford manufacturing arc that require good accessibility to the motorway network.
- 5.3 The site is within the designated Green Belt and, whilst proposed for allocation in both the now withdrawn Kirklees Core Strategy and more recently the Kirklees Draft Local Plan, it will remain within this designation until a new local plan is adopted.
- 5.4 The Green Belt status of the site has informed the evolution of the proposed development, which is described later in this section of this Planning Statement. However, it is considered that this harm is limited, as the site is previously-developed and already compromises the extent to which its Green Belt purposes are fulfilled.
- 5.5 Current policy is highly restrictive of new development in the Green Belt, due to its effects on the openness of the Green Belt. The site already has an element of built development, which, in turn, has an existing effect on openness. Paragraph 89 of the NPPF considers the redevelopment of brownfield sites in the Green Belt to be “appropriate” development, provided that the redevelopment would not
- have a greater impact on the openness of the Green Belt than the existing development, and
 - undermine the purposes of including land within the Green Belt.
- 5.6 KeyLand Developments have therefore adopted an iterative approach to designing the scheme. Given the nature of the site, which has widely-dispersed low height development, the approach adopted has first been to examine building volumes and use this as the basis for a policy compliant application.
- 5.7 The existing site has 25,288m³ of built volume (both above and below ground), alongside 8,255sq m of hardstanding. In terms of the total footprint of the existing structures, this has been calculated as 36,332sq m.
- 5.8 The starting point for considering an appropriate redevelopment of this site was therefore to consider the costs of demolishing the existing structures against the likely returns from a commercial development within these parameters. The intention would be to significantly reduce the dispersal of development around the site, and to focus this built volume into a smaller commercial scheme.
- 5.9 Based on a building height of 10m, the existing built volume would allow an equivalent development with a footprint of 2,528sq m (27,211 sq ft).

Alternative options

- 5.10 Given that a Green Belt policy-compliant scheme will not deliver a viable development, KeyLand have examined a number of alternative options, all of which are centred on maintaining the employment focus of the development.
- 5.11 In total, 14 development options have been considered through the iterative process of trying to find a viable scheme. As many of the schemes were very similar in nature, two options have been selected for formal viability assessment, although it is helpful to consider four of these options, which assists in understanding the journey of the scheme from a smaller policy-compliant scheme to the current application proposals.

Option 5

- 5.12 Option 5 was not subject to a formal viability assessment. It was developed in response to the highly-questionable viability of the Green Belt policy compliant option. It was developed at an early stage, while the team were still investigating site constraints, and so does not fully reflect the extent of constraints which are now known on the site.
- 5.13 The premise of this early scheme was to understand the viability position with a full development of smaller scale industrial units. It provided a mix of units ranging from 325sq m (3,500 sq ft) to 6,410sq m (69,000 sq ft), along a central spine road extending across the entire site to the M62 at the south.
- 5.14 The scheme provided 48,402sq m (521,000 sq ft) of B Class accommodation over a developable area of 14ha (35 acres).



Figure 6: Option 5

- 5.15 The Option 5 scheme shows the maximum extent of a smaller unit development that could be accommodated on the site.

5.16 However, it was discounted for the following reasons:

- The scheme does not account for the improvement works to the M62/M606 junction, as the southern end of the site would be sterilised by this scheme.
- The southern end of the site, it was since discovered, was subject to shallow mining and is more difficult to develop due to adverse ground conditions.
- The extent of the development had the effect of increasing site servicing costs, by requiring a spine road to run along the entire length of the site (the site is around 1km in length).
- The focus on smaller units had the effect of increasing build costs, due to the extra fit out requirements and extra materials required for dividing walls.

5.17 It was considered, taking into account these factors, that this scheme would not be deliverable in practical terms, so a formal viability assessment was not progressed.

Option 8

5.18 This option was subject to a formal viability assessment. This scheme addressed the issues identified in Option 5: it provided land for the motorway improvement, reduced the extent of the development (helping with both servicing/development costs and the extent of development in the Green Belt), and focused on slightly larger units (again reducing build costs).

5.19 This scheme delivered 47,566sq m (512,000 sq ft) on a developable area of 13.4ha (33 acres).

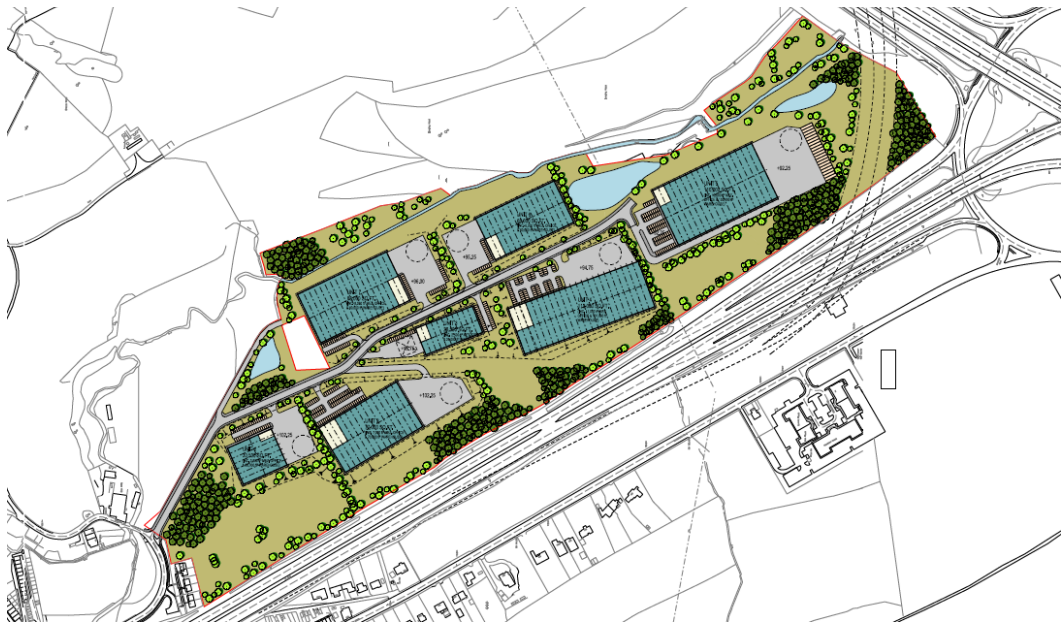


Figure 7: Option 8

5.20 However, the accompanying Viability Appraisal, prepared by Dove Haigh Phillips, notes that a combination of site constraints (including natural topography, overhead

pylons, underground pipelines and the abnormal costs associated with both demolition/remediation and ground conditions) meant that this option generated a negative result. As such, this option was rendered unviable for development and was therefore discounted.

Option 13

- 5.21 Option 13 was derived following a number of other options. The key change from the previous iterations was the inclusion of 3.6ha (9 acres) of residential development (c.120 homes).
- 5.22 This change generated additional income from the higher use value of the residential development.

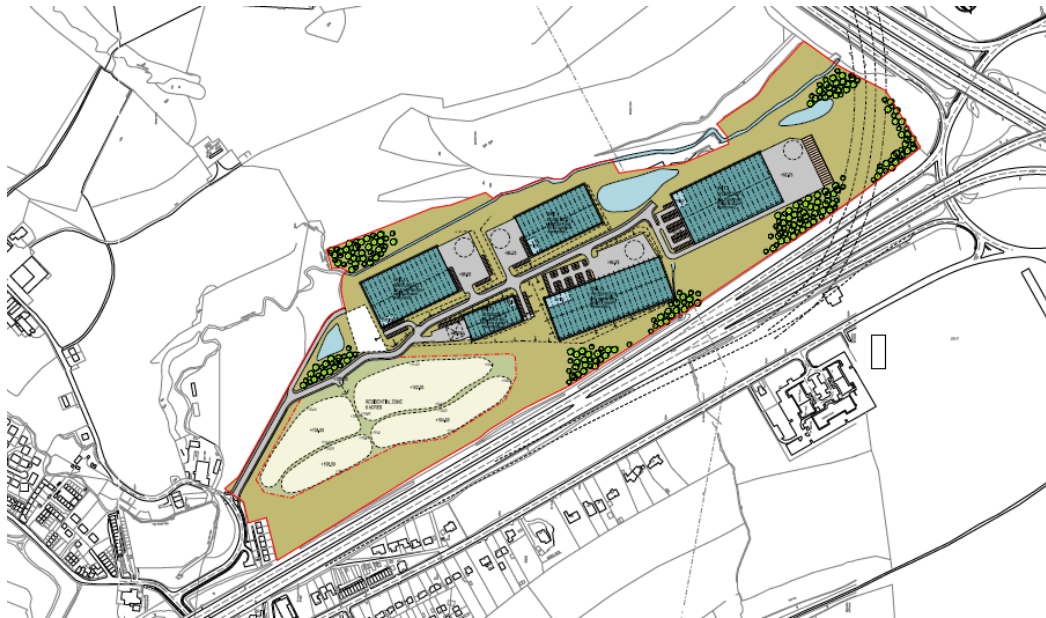


Figure 8: Option 13

- 5.23 The indicative masterplan proposed approximately 38,833sq m (418,000sq ft) of employment space and approximately 120 residential units on a developable area of 12.9ha (32 acres).
- 5.24 This scheme was discounted due to the necessity to incorporate a larger buffer between the proposed residential development and the M606 motorway for amenity reasons. This resulted in the reduction in the number of dwellings to be accommodated within the site and a larger gap retained to accommodate a future additional lane for the M606.

Option 14 (the original application scheme)

- 5.25 Following consideration of Option 13, above, the scheme was amended. The key changes from Option 13 are:
- The reduction in the quantum of employment floorspace to a maximum of 38,090sq m (410,000sq ft);

- The reduction in the total number of proposed dwellings from approximately 120 to approximately 101 units due to the proximity of the M606;
- The addition of a new school car park providing 36 spaces on 0.36 of land. This arose following public consultation and is a direct result of local concerns about conflicts between school children and employment traffic during school pick-up and drop-off times. This addition is considered necessary as it represents the safest method of ensuring that the development does not affect road safety in the vicinity of the site.

5.26 The scheme therefore delivers up to 38,091sq m (410,000sq ft) of employment use on 9.94 Ha, approximately 101 residential units no 3.25 Ha and a 36-space car park on 0.36 Ha to serve the Woodlands C of E Primary School in Bradford District.

5.27 This scheme was the subject of viability assessment, which was included in the original submission summarised in the Planning Statement.

5.28 The application ~~was~~ applied for in outline. The parameters plan is extracted below:



Figure9: Option 14 (The Original Application Scheme)

5.29 The proposed development will be limited to certain development parameters, including a total employment floorspace of 38,091sqm, 101 residential units, building heights of 18m for employment zone and 9m for the residential zone. The parameters plan also fixes structural landscaping in key locations around the site, as indicated by the green annotation.

- 5.30 The scheme made allowance for the 'Department of Transport Highway Scheme' which is shown UDP proposals map around the M62/M606 junction. The southern and western areas of the site have been excluded from development areas to accommodate that scheme.
- 5.31 The school car park, which is situated within Bradford District, is included in the application as it is intended to mitigate effects directly arising from the employment use, and to a lesser extent the residential use. Whilst this component of the scheme is in a different Local Authority area, and does not have a contiguous application boundary with the main area of the site, it is included as it is an inherent part of the scheme's response to safety concerns around changes in traffic movements in the vicinity of the school. The applicant considers these developments to be inherently linked and has submitted a cross boundary application to reflect the fact that they should not be determined separately.
- 5.32 An element of land within the main parcel of the application site is excluded from the application boundary. This land is to be retained by Yorkshire Water as it remains a functioning part of the water transit and treatment system which occupies the eastern boundary of the site.
- 5.33 The application includes a landscaped buffer around it's perimeter, including surface water attenuation ponds at the north and along the eastern boundary.
- 5.34 Vehicular access to the employment and residential zones will be taken from Cliff Hollins Lane. Access to the car park will be taken from Mill Carr Hill Road.

Revised Planning Application Proposals

- 5.35 Following the submission of the planning applications to KMBC and BMDC, feedback has been received from Highways England, the District Valuers Office, and other consultees. In response to this feedback, the applicant took the decision to remove the residential development from the scheme and move the employment further away from the Chainbar roundabout. In addition the market for employment development particularly along the M62 Corridor has strengthened substantially improving the viability of an employment only scheme.
- 5.36 The figure below shows the latest parameters plan which includes 35,057 sq m of employment land and the new school car park. Structural planting drainage attenuation and access points are also included. The retained operational land for Yorkshire Water is also shown.

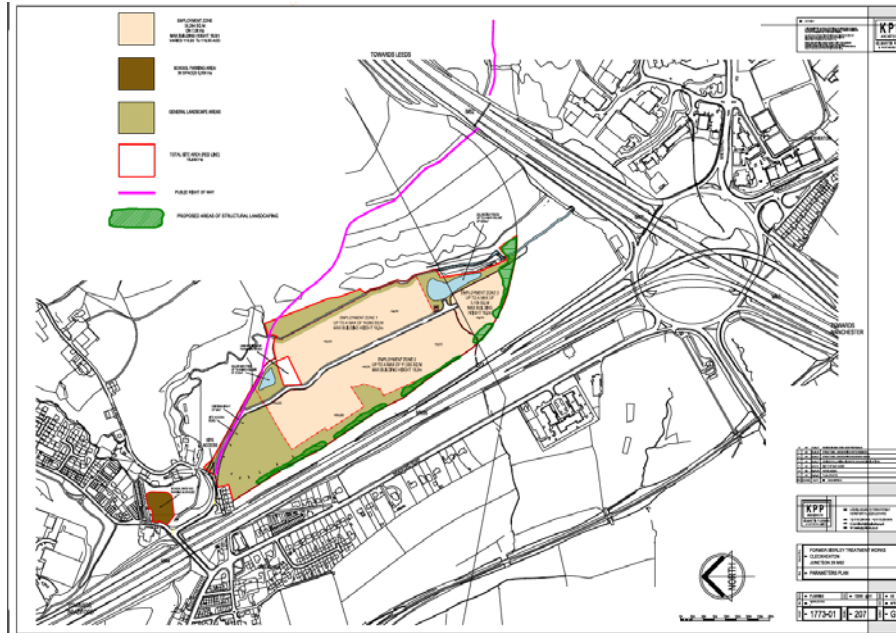


Figure.10: Parameters Plan Revised Proposed Development

5.37 The following table shows the key development parameters including maximum floorspace, building heights and drainage ponds for the original scheme and the revised proposals. It compares the original scheme to the revised proposals.

Table 5.1 Development Parameters Comparison

Use	Original Proposals (2016)			Revised Proposals (2017)		
	Area (Net)	Max Floorspace	Max Height	Area (Net)	Max Floorspace	Max Height
Employment Zone 1		14,865 sq m	18m AGL	14,865sqm	18m	AGL
Employment Zone 2		11,613 sq m	18m AGL	11,696sqm	18m	AGL
Employment Zone 3		11,613 sq m	18m AGL	3,158sqm	18m	AGL
Total	9.94ha			7.08ha		
Residential	3.25ha	101 units	9m AGL	3.25ha	0 units	NA
School Car Park	0.356	36 spaces	-	0.356	36 spaces	-
Drainage Attenuation Ponds						
Residential area		2125m3		2125m3		

Employment area	6235m3	6235m3
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- 5.38 It is considered that this scheme will ensure a viable employment scheme is secured to meet the identified economic and market needs, and the Council's economic growth strategy.

6. Need

- 6.1 As the site is located within the Green Belt, it is necessary to demonstrate that there are very special circumstances which justify the harm of the development on the Green Belt.
- 6.2 In this case, the applicant considers that the one of the critical factors to consider is the need for the development.
- 6.3 The applicant considers that there is an overriding need to deliver new employment floorspace in the short-term. This need must be met now; waiting for the allocation of new land through the emerging Local Plan process would simply have the effect of continuing to suppress economic activity in the area.
- 6.4 This section of the Planning Statement sets out the evidence upon which this conclusion is based.

Unitary Development Plan and Core Strategy

- 6.5 The Kirklees UDP was adopted in 1999 and provided land allocations for the period 1 April 1993 to 1 April 2006. This plan was not subject to a formal review, as it was intended to be replaced by the Kirklees Local Development Framework (LDF).
- 6.6 The key document in the LDF was the Core Strategy. The application site was proposed to be a strategic employment allocation in the Kirklees Core Strategy, although this plan was withdrawn in 2013.
- 6.7 There has therefore been no new employment land allocated for 23 years (1993 to present) in Kirklees and the current land supply, whilst not all developed, was not intended to meet needs from 2006 onwards, a period of some 10 years.
- 6.8 The land supply in Kirklees is therefore old, limited, and unlikely to be suitable to meet the requirements of modern businesses.
- 6.9 The Emerging Local Plan has progressed to the Examination in Public Stage, and is seeking to allocate 8ha of land at the application site for employment. However, this plan is not expected to be adopted until later in 2018.

Leeds City Region Enterprise Partnership Strategic Economic Plan

- 6.10 In this general context of supply constraint, the Leeds City Region Enterprise Partnership Strategic Economic Plan (SEP) (May 2016) ("the SEP") seeks to deliver over 35,000 additional jobs and £3.7bn of annual economic output by 2036. It also seeks to address issues with skill levels, productivity, earnings and environmental sustainability.
- 6.11 The SEP recognises Kirklees' leading engineering and textiles businesses as assets of regional importance. The previous 2014 SEP provided greater detail on the nature of Kirklees precision engineering sector, noting innovative manufacturing as a key industry sector, with particular strengths in textile manufacturing and component manufacture, including gears, valves and turbochargers. These areas of specialism remain the relevant areas of expertise.

- 6.12 The SEP also notes that Kirklees' priorities include providing much-needed space for businesses to grow. It sets out a series of City Region spatial priority areas for Kirklees, including employment growth areas at Cooper Bridge, Moor Park Mirfield, and at the nearby sites at Staithgate Lane in Bradford, and Clifton Business Park near Brighouse. The SEP objectives for these employment areas are to deliver up-front infrastructure and to ensure that businesses locating in these areas have the correct environment to grow and invest in the city region. These areas are considered to be important elements of the plan to promote sustainable and balanced job growth.

Kirklees Economic Strategy

- 6.13 The Kirklees Economic Strategy (KES) also notes that Kirklees has one of the biggest concentrations of manufacturing in England, with world leading expertise in gears, valves, pumps and gaskets, along with process and systems engineering which cut across markets for energy, water, auto-motives, defence, food production and the low carbon economy¹.
- 6.14 However, Kirklees also faces challenges, including a relatively low economic output, below average skills, unemployment and disadvantaged communities².
- 6.15 Kirklees, therefore, has a successful brand, acknowledged skills and expertise, sitting alongside low economic indicators. In this context, the sustained constraint on employment land supply needs to be reversed in the right locations to support and grow from the existing levels of success demonstrated in the manufacturing sector.
- 6.16 On this basis, the KES prioritises precision engineering and innovative manufacturing, but seeks to strengthen these in both depth and excellence³. It seeks £500m of additional GVA and increased investment, innovation, exports and embedded local supply chains. In order to achieve this, a substantial increase in high quality employment land needs to be unlocked⁴.
- 6.17 The KES notes that the engineering and manufacturing sectors are also pronounced in neighbouring Bradford and Calderdale and that the sector locally is a priority for the Leeds City Region⁵. The KES aims to make Kirklees the heart of a growing manufacturing and engineering cluster which will see the sector grow at twice the rate of the wider economy, targeting the creation of 3,500 jobs by 2020⁶.
- 6.18 The actions to achieve this ambition include taking forward an M62 manufacturing hub concept, linked to supply chains, inward investment, exports and innovation; as well as developing strategic employment sites to stimulate jobs and growth, with a focus on manufacturing and engineering⁷.

¹ Para 3.1

² Para 3.1

³ Para 4.1 Priority 1

⁴ Para 4.3 Headline Initiatives

⁵ Para 5.1

⁶ Para 5.1

⁷ Para 5.1

6.19 Furthermore, the KES notes that businesses locate to Kirklees for good access to transport, quality, size and affordability of premises and an attractive environment⁸. It states that:

“Ensuring a good supply of employment land is critical to long term economic growth and to the district’s ability to maximise its locational advantage. Many of our businesses tell us that they need more land to grow. It is vital that they are not forced to look outside the district to find the space that meets their expansion ambitions”⁹

6.20 The KES clearly sets the requirement for the release of high quality, accessible sites in order to meet the growth needs of the district’s businesses. The KES was released in 2014 and, at that point, the document suggests that businesses had consistently informed the Council of a need to grow. In the context of the constrained land supply noted above, this is unsurprising.

6.21 It concludes that:

“New strategic employment sites are needed to increase the volume of land available for employment and key business sectors. This will unlock significant opportunities for new investment and employment and will strengthen the Leeds City Region manufacturing arc that flows through South Leeds, Dewsbury, Batley, Huddersfield, Brighouse and South Bradford”¹⁰

6.22 The KES clearly links the future success of priority sectors with strong accessible locations and a lack of current land supply to meet the needs of that sector. This offers the foundations of the identified need to support the development of the application site before it can be formally released from the Green Belt through the Local Plan process.

6.23 Draft Local Plan Employment Technical Paper 2017The Employment Technical Paper notes that the KES target is to achieve 75% employment rate by 2020. This matches Kirklees’ historic high point for employment and is designed to reflect normal economic growth, plus the effect of policies designed to improve employment rates¹¹.

Jobs Forecast

6.24 It is intended to meet the 75% target primarily through growth of the engineering and manufacturing sector,¹² which it is envisaged can increase employment by 1.5% (to 69.2% of total employment). This is around 1/5th of the increase in employment needed to hit the 75% target¹³. Other sectoral growth will be seen in the creative, cultural and digital sector, health and social care, leisure, tourism and sustainable food businesses¹⁴.

6.25 The jobs forecast adopted in the plan is based on the output of the Regional Econometric Model, modified to assume a 75% employment rate to reflect the aspirations of the KES.

⁸ Para 8.1

⁹ Para 8.1

¹⁰ Para 8.1

¹¹ Para 2.16

¹² Para 2.21

¹³ Para 2.23

¹⁴ Para 2.25

6.26 This scenario sees growth of 23,000 FTE jobs by 2031¹⁵ and limits a decline in manufacturing¹⁶, resulting from increased mechanisation, which was more pronounced in the baseline forecast.

Land Requirements

6.27 In terms of translating the job forecast into a land requirement, the total jobs forecast for manufacturing is set to decline as a result of reducing labour intensity¹⁷. However, based on the KES objective and the results of the employers’ survey, the study concludes that if GVA growth in manufacturing is to be achieved, then new prime sites will need to be released. On this basis, 55.5ha is proposed for release for manufacturing¹⁸.

6.28 The total land requirement to provide 23,000 jobs, based on this adjusted calculation, is 175.1ha¹⁹. This comprises the following sectoral land requirements²⁰:

Land Use	Requirement (Ha)
Construction	15.5
Finance & Insurance	0.7
Information & Communication	1.5
Manufacturing	54.9
Professional service	8.1
Public Services	17.0
Transport & Storage	25.0
Wholesale	52.5
Total	175.1ha

6.29 The 54.9ha for manufacturing is based on a proportion of the two sub-regionally important sites at Cooper Bridge and Chidswell, both of which are intended to help deliver the strategic objectives for manufacturing and engineering.

6.30 However, it is noted²¹ that there will be a need for a mix of uses on these sites in order to support the primary objective of growing the advanced manufacturing/precision engineering sector. On this basis, storage and distribution, R&D and ancillary office elements will also be required on these sites.

6.31 This suggests the need for more, equally well located, land to come forward in support of the advanced manufacturing/precision engineering sector.

¹⁵ Para 4.25

¹⁷ Para 5.6

¹⁸ Para 5.7

¹⁹ Table 2, para 5.3

²⁰ Paraphrased from Table 2, Para 5.3

²¹ Para 5.9

6.32 It is also clear that the B8 use classes (Transport, Storage, Wholesale) account for a large proportion of the land required (79.9ha).

Take-Up and Supply

6.33 Historically, take-up levels have been relatively low and development in Kirklees has largely been on a relatively small-scale. The last major development was in Dewsbury and amounted to 6.25ha, with most development currently being small extensions and minor new builds.

6.34 There are two extant permissions, at Lindley Moor and Mirfield. Both are in outline and both will see an element of residential development in order to financially enable the employment uses to come forward²².

6.35 Along with other sites across the District, there is a committed supply of land which equates to around 2 years of historic take-up rate²³.

Quality of Land Supply

6.36 There are issues in terms of the suitability of supply. There is a lack of supply of sites that are of a sufficient size for business needs. The employers' survey suggests a need for more land which:

- is in close proximity to motorway junctions;
- avoids congestion;
- has access to a workforce;
- has expansion opportunities;
- has parking provision, and;
- is an attractive environment²⁴.

6.37 North Kirklees, where the application site sits, is dominated by industrial demand, with proximity to the M62 being a critical factor which offers the greatest opportunity to attract strategic demand²⁵.

6.38 The technical paper notes that whilst Kirklees' current employment stock does provide an important resource for the existing SME stock, it is also restricting economic growth for the area²⁶.

6.39 The current land supply:

“offers few opportunities to help achieve the overarching economic objectives for the District....

²² Para 6.8

²³ Para 6.10

²⁴ Para 6.19

²⁵ Para 6.23

²⁶ Para 6.25

... There has been little significant development in recent years, however, this does not imply a market failure but is more an indication that the right opportunities to bring about more significant development do not currently exist.”²⁷

- 6.40 A further study by Bilfinger GVA²⁸ surveyed local property agents. All of the agents interviewed considered that there is a lack of well-located high quality employment sites²⁹ and that this reflects national trends, where there is a strong preference for quality sites benefitting from good connectivity, particularly to the strategic road network³⁰.
- 6.41 The survey of agents also concludes that there is local and regionally-led latent demand for land and property, but that it is difficult to quantify as there are few, if any, “oven-ready” sites³¹.
- 6.42 The technical paper concludes that the objectively assessed need for jobs is 23,200 FTE, which will require a land supply of 175ha, with a focus afforded to precision engineering and advanced manufacturing. It notes that:

“Some large flat sites, with good access to the motorway junctions and proximity to a skilled workforce will be required to deliver on these objectives”³²

Employment Land Requirement

- 6.43 The land supply and requirement position in the Draft Local Plan Technical Paper is put forward as:

	Hectares
Requirement	175
Completions (April 2013- present)	-15
Commitments	-15
Employment permissions on non-employment allocations	-3
10% Flexibility	+14
Windfall from Primary Employment Areas (PEA)	--48
Residual Required	108
Amount to be allocated (net)	167

- 6.44 This shows that a total amount of 108ha of land is required to meet the objectively assessed need, taking into account land carried forward from the earlier plan and committed schemes. It suggests that 165ha is taken forward for allocation in the emerging Local Plan.

²⁷ Para 7.1

²⁸ The Kirklees Employment Market Strength Assessment, 2015

²⁹ Para 7.2

³⁰ Para 7.2

³¹ Para 7.3

³² Para 8.1

- 6.45 The difference between the residual requirement and the amount proposed for allocation is a result of the inclusion of 60ha of supply from the Primary Employment Areas
- 6.46 These are existing employment areas which are either largely or completely developed out.
- 6.47 As such, they present a limited opportunity for new land to be developed. Many of the sites do offer potential for small new buildings, or small scale expansion of firms adjacent to gap sites within the PEA and so should form a part of the overall supply. However, many do not share the locational advantages of potential new sites in the area.
- 6.48 Whilst the following assessment is Turley's view of the PEA's the conclusions on each is reflected in the Councils Methodology Paper : Priority Employment Areas (2016):
- Site B&S3 (Oakwell Industrial Park, Centre 27 Birstall, 63.41ha) is proximate to the M62 / M621 and has a vacant site with potential for a separate access onto an estate road. However, it is at the rear of the park and is some 2.3ha in size. At 40% site density it could accommodate a unit of roughly 100,000sqft (around 10,000sqm), although it is triangular in shape which would limit site efficiencies considerably, meaning that a smaller unit would only be achieved in reality. This is an example of a good available site, in a modern context within the PEA. It could feasibly serve local expansion needs but its contribution would be limited and in line with the normal performance of the employment market in Kirklees. It has been on the market for some time.
 - Site B&S11 (West 26 / Stubs Beck Lane, Cleckheaton, 11.56ha) is in an excellent and high profile location, at the junction of the M62 and M606, on relatively flat land with good access to markets and a labour force. This would meet the locational requirements set out in the agent's survey undertaken as part of the plan evidence base. However, there is currently no accessible land within the PEA boundary which could accommodate new development. Expansion opportunities are limited. There is landscaping and scrubland between the built development and the motorway junction roundabout which could feasibly accommodate additional development, but it would need to be accessed through either existing development or directly off a busy roundabout with a sub-optimal access arrangement (eg a left in / left out only access). This land has also been visible to the market for some time
 - Site HUD5 (Mamas & Papas, Colne Bridge, Leeds Road, 6.25ha) is in a good location, just off Leeds Road with good access to the M62 via Cooper Bridge. There is vacant land in two areas: one within the curtilage of one of the Mamas & Papas buildings between the warehouse and car parking, which is only really suitable for a very small scale extension, more car parking or some smaller ancillary building associated with the existing operation. The second area is roughly square and around 1ha in size. At 40% site density, this could accommodate a 4,000sqm/43,000sqft building.

Again, this is a small building in a good and well-known location. However, similar to the sites above, it is clearly not adequate to deliver the kind of step change in offer which is needed to transform the market.

- Site B&S1 (Grange Road Industrial Estate, Batley, 14.22ha) is removed from the motorway network but has moderate access to the M1 Motorway via Ossett in Wakefield District. It has one vacant area which is roughly rectangular and bounded to its east and west by industrial development and its north and south by residential development. It has no road frontage but there is a dirt track which runs between Mill Forest Way and Fort Ann Road, which is not suitable for vehicular access. This site is 0.65ha and at 40% site density could accommodate a building of around 2,600sqm/28,000sqft. Given the access constraints, this building capacity could only feasibly be used as an extension to the adjacent building. Again, this theoretical hectareage could only serve small scale a local/churn-based need.

6.49 As can be seen, the PEA sites in good locations are sites which are well-known in the current market and, given the age of the current land supply, do not present a new resource for businesses seeking new accommodation for an expansion or relocation to a prime position. Whilst they add a theoretical capacity to the land supply in the District, they are clearly not suitable to drive forward a transformational policy approach which looks to increase the overall employment rate to 75%.

6.50 In summary, we consider that the PEAs are:

- (i) Not a reliable source of supply. Many are constrained, small and in remnant locations within the wider sites following development of the better parcels of land;
- (ii) Most suited to the expansion of existing businesses, particularly those within the PEA already. Some are so constrained that they can only meet a direct extension need, whilst others may be suited to smaller businesses in new units, but are still fundamentally constrained sites even within the better located PEAs;
- (iii) Offer nothing new to the market. These are not new employment sites. They have been available to the market for a considerable period of time. Their lack of development suggests that whilst they theoretically exist as supply, they are not likely to be taken up quickly or enthusiastically by the latent demand identified in the evidence base. If they were attractive to that demand, they would have been taken already;
- (iv) Unlikely to help drive the economic change sought by the Council's Economic Strategy. For the reasons set out above, the PEAs will not meet the need for new, strategically located and good quality sites identified as what is needed in order to drive Kirklees' economy forward. The market needs fresh top quality sites, rather than a theoretical supply based on old sites which may be suitable for employment use, but which are not the best available to meet modern requirements. The need for new strategic sites is

consistent with the evidence base, and an initial analysis of several opportunity sites in the PEAs supports this view.

- 6.51 On this basis, we consider that the decision to recognise their existence in the technical paper and plan is correct, but this source of supply cannot be relied on to stimulate the growth which is needed to drive the Kirklees economy towards a 75% employment rate.
- 6.52 A greater choice of top quality sites to meet industry requirements for large flat sites with good access to the motorway network and a skilled workforce is needed. The proposed allocation of 66ha of additional land is considered to offer this choice and flexibility to the market.

Forward Planning Evidence Base Conclusions

- 6.53 It is clear that Kirklees has an existing supply of employment land which is available and in some cases subject to extant permissions. However, that supply is generally old and either does not meet modern requirements or has simply not been delivered. It is known supply to the market and does not offer a new opportunity for economic growth.
- 6.54 The lack of good quality land supply has constrained economic growth. Low take-up has not been a result of a market failure, but reflects the fact that the right kind of land is not available to meet current business requirements. New land is required to address this need.
- 6.55 Market research has suggested that new sites need to be close to the motorway, relatively flat, close to an appropriate workforce, avoid congested routes and be set within an attractive environment, which would include providing for expansion and adequate car parking.
- 6.56 There is a supply of substandard land which will not meet these needs³³. It remains appropriate to retain this land for employment purposes as it will allow for the “normal” functioning of the local market. It will not, however, achieve the objectives of the Economic Strategy.
- 6.57 To allow enough land to come forward to achieve the economic transformation envisaged in the Kirklees Economic Strategy, additional land is considered to be needed.
- 6.58 The adjusted economic modelling suggests that this need amounts to 175ha in total, with around 54.9ha of this land dedicated to precision engineering and advanced manufacturing; and around 77.5ha dedicated to distribution and logistics space.
- 6.59 These markets are linked and reliant, in part, upon each other. They also share locational requirements.
- 6.60 It is clear that there is an economic need which is not currently being met. It is also clear that this need has not been met for some considerable time. Whilst agents’ surveys have not quantified the latent demand in the market, there is consistent messaging from

³³ See our analysis of PEA sites above.

qualitative survey work that a lack of suitable land supply is a considerable barrier to economic progress.

- 6.61 The Core Strategy sought to address this long standing need, but was withdrawn as a result of housing issues. This has served to further delay the delivery of a new land supply. The draft Local Plan is seeking to address that now, although it is clear that new land will not be formally released for around circa 1 year to 18 months from the time of writing³⁴.
- 6.62 We consider that this need has been unmet for a considerable number of years as the UDP allocated land up until 2006, now some 10 years ago. In this context, we conclude that there is a need for an early release of land to meet economic development needs in the short term.

Market Demand

- 6.63 The evidence included in the forward plan for the area has been supplemented by a review of the market for new floorspace in this sector and local area. This market review has been undertaken by Dove Haigh Phillips. It concludes that the market has reached a point in the economic cycle where it no longer suffers from an over-supply of buildings or serviced sites.
- 6.64 The majority of the empty units which were built immediately before the recession in 2008-2012 have now been absorbed by an upsurge in demand. The market is now operating on the traditional route of “build to suit” or pre-let / pre-sale agreements, where developers provide buildings according to known occupier requirements. In order for the market to operate in this way, there needs to be a supply of available and deliverable sites which are suitable for strategic employment needs.
- 6.65 Banks and other property lenders remain cautious about lending on property (whether already built or for development), and as such only prime sites will be able to attract funding for future development. In future, only sites with the key attributes which appeal to occupiers will continue to attract interest from end users and it is likely that a two tier market will emerge, with secondary sites being unable to deliver appropriate accommodation for new high quality enquiries.
- 6.66 The report considers that North Bierley is well-placed to compete with other favourable locations due to its excellent transport links, availability of an economic labour pool and perception of good value for leasehold and freehold property terms. It notes that despite difficult market conditions over recent years, Junction 26 of the M62 and the area around North Bierley has continued to attract a number of key occupiers to the region.
- 6.67 against a backdrop of difficult market conditions and a general reduction in occupier’s requirements, the area has performed well over the past 5 years. A number of key occupiers close by include;
- M&S – 1,000,000 sq ft

- PB Foods – developed their own premises on a 10 acre site
 - Various new occupiers in trade units to the southern side of Chain Bar
- 6.68 The report notes that there are a number of current occupiers in the market with known requirements. There is also potential demand from indigenous occupiers seeking accommodation suitable for expansion in Kirklees. There are no buildings or sites which can accommodate these requirements, even with existing market churn as existing vacant buildings are not suitable.
- 6.69 At present, a number of occupiers across West Yorkshire are seeking to relocate or expand in the region, although there is now a lack of available stock which is suitable for current tenant requirements. As a result of this, occupiers are renewing their leases on a flexible basis in order to allow relocation in the next 3-5 years when economic conditions are expected to be more positive and there is an availability of suitable stock. Consequently, there is a need for site to be available which can quickly respond to meet this anticipated demand.
- 6.70 Based on recent market activity and the current market supply the report considers that there will be activity in the sector in the short term, and occupiers will gravitate towards the sites which can deliver new buildings in a short timescale. It notes the availability and Enterprise Zone status of two sites, at Lindley Moor (Summit Park) and Mirfield (Moor Park) which will meet some of this demand.
- 6.71 Dove Haigh Phillips have presented the current application proposals to suitably experienced and qualified developers with the financial and managerial resources to fulfil this role at the subject site. To date fifteen local, regional and national companies have made firm expressions of interest in the opportunity to invest in the site.
- 6.72 The following three (un-named) local occupiers have also asked to be kept informed of opportunities to acquire new accommodation on site, subject to planning.
- “Company A” – A food manufacturer currently based within 5 miles of the site seeking a five acre site for new production facility.
 - “Company B” – A floor covering distributor with two smaller facilities seeking to consolidate onto a single larger facility.
 - “Company C” – An electronics distributor focussing on expansion into the online market with existing facilities in Kirklees and the Midlands.
- 6.73 The report concludes that there are a number of occupiers which have active requirements in the market and that the existing supply of buildings to suit modern requirements is low. Some availability does remain although this is not a result of over-supply. In certain instances the accommodation on offer is compromised and is difficult to let or sell unless at eventual discounted terms. There have also been some buildings returned to the market due to business failure.
- 6.74 Market confidence exists from developers with the resources and experience to invest in up front enabling infrastructure services and site works to deliver occupier packages on

a phased basis. A number of enquiries have also been secured from occupiers interested in substantial sectors of the proposed development if planning approval is granted.

- 6.75 The market report also considers that the site is in a sustainable location with established infrastructure, and has the ability to deliver buildings suitable for current market requirements. It concludes that there are no other sites within Kirklees which are directly adjacent to a motorway junction, which could provide this opportunity, and that this site is a logical extension of the employment sites both to the south and north of Chain Bar roundabout.
- 6.76 The market report supports the findings of the work undertaken and confirms that there is current and likely future demand for space on this site in addition to the other sites which are already available and well known to the market.

Need for Car Park Development

- 6.77 The application also proposes a new car park, which also sits in the Green Belt in Bradford District. This has been included as issues were raised during public consultation around road safety and the vulnerable nature of some road users in the area.
- 6.78 The car park has been provided to serve the Woodlands C of E Primary School. The school currently has no car park for use by parents to drop off / pick up. The frontage of the school is protected by “keep clear” markings and single yellow lines which prohibit parking at school opening and closing times.
- 6.79 Parent parking is undertaken on street along Mill Carr Hill Road and Cliff Hollins Lane. High levels of parking from the school gates, back past the M606 overbridge have been observed. Similarly, parking most of the way down Cliff Hollins Lane, almost to the proposed site access point has been observed.
- 6.80 This results in children walking along Mill Carr Hill Road and also crossing the road from Cliff Hollins Lane to Mill Carr Hill Road.
- 6.81 Once the development is complete, the composition of traffic using these two roads will change, increasing the number of HGVs. It is considered that this will increase the risk of conflicts between development generated traffic and vulnerable road users. Public consultation feedback, including consultation with the school Governors and Head Teacher, has also suggested a concern that this change would increase the risk of accidents.
- 6.82 The options to reduce this risk were to provide a car park or to extend parking restrictions and provide new crossing points. The option of increasing the level of parking controls was not considered appropriate for the following reasons:
- There is a lack of alternative suitable location for parent parking, should they be displaced from the current on street locations;

- Displacing parent parking could create unexpected issues elsewhere on the network;
- The nature of the vulnerable users is that they can be impulsive which increases the risk profile of retaining road crossings;
- The provision of a car park is safer.

6.83 It is concluded that the car park option is a preferable means of managing the potential conflict between school children and HGVs.

6.84 The car park is therefore needed to ensure that the development does not increase the risk of accidents in the vicinity of the site by removing vulnerable road users from the routes that would be used by HGVs destined for the site.

7. Alternatives

7.1 Section 6 of the original Planning Statement recognised a need to identify new land for development which meets the following criteria:

- Close proximity to motorway junctions;
- Avoids congestion;
- Access to a workforce;
- Expansion opportunities;
- Parking provision; and
- Attractive environment³⁵.

7.2 It is necessary to identify 108ha³⁶ of new land to meet requirements for the plan period (54.9ha for precision engineering and advanced manufacturing and 77.5ha for logistics and distribution). Taking into account the limited contribution the PEA sites are likely to make to securing economic transformation, the plan will seek to allocate 175ha.

7.3 This section of the Planning Statement first examines the sites which are being put forward to meet that need in the emerging Local Plan. It then examines additional sites which may offer an alternative to those sites in terms of their impact on the Green Belt, or their attractiveness to the market. Finally it examines which of the sites are most suitable for an early release, given that Section 6 concluded that there is a need for land to be released quickly in order to address a long standing lack of supply in the market, which has presented a barrier to economic progress.

7.4 The draft Local Plan proposals maps have been reviewed to establish where the larger employment and mixed use sites are relative to the key motorway junctions in Kirklees. These are:

³⁵ Taken from Para 6.19 of Employment Technical Paper,

³⁶ See Table 6 of the Employment Technical Paper

Site	Use	Reference	Hectares (Employment)	Status
Chidswell	Mixed	MX1905	35 ³⁷	Greenfield, Green Belt
Cooper Bridge	Employment	E1832	33	Greenfield /Brownfield, Green Belt / Unallocated Urban land
North Bierley	Employment	E1985a	8	Brownfield / greenfield; Green Belt
A58/ M606, Cleckheaton	Employment	E1831	25	Greenfield, Green Belt
Slipper Lane, Mirfield	Mixed	MX1929	6 ³⁸	Greenfield, Employment Allocation
Lindley Moor	Mixed	MX1911	8 ³⁹	Greenfield, Employment Allocation
Clayton West	Employment	E2333a	15	Greenfield Green Belt
Total			145.53	

7.5 A location map is provided on the following page.

³⁷ Local Plan Publication Draft Strategy and Policy – Spatial Development Strategy

³⁸ Based on 21,382sqm using formula in footnote 37

³⁹ Based on 62,964sqm using formula in footnote 37



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This drawing is for illustrative purposes only and should not be used for any construction or estimation purposes. To be scaled for planning application purposes only.

No liability or responsibility is accepted arising from reliance upon the information contained within this drawing.

- Application Site
- 1 Chidswell
- 2 Cooper Bridge
- 3 A58/M606, Cleckheaton
- 4 Slipper Lane, Mirfield
- 5 Lindley Moor

- 6 Howden Clough Road, adjacent to Birstall Retail Park, J27 M62
- 7 Whitehall Road West, Hunsworth J26 M62
- 8 Bradford Road/ Sykes Lane, Oakenshaw, J26 M62
- 9 Oakenshaw Lane, Oakenshaw, J26 M62
- 10 Brighouse Road, Ainley Top, J24 M62
- 11 Land to the Rear of New Hey Road, Mount, J23 M62
- 12 Land at Clayton West

- Draft Local Plan Sites – Strategic Sites
- Draft Local Plan – Proposed Allocations
- Committed Site
- Other potential sites

Client:
Keyland Developments

Project:
Former North Bierley Waste Water Treatment Works

Drawing:
Key site locations plan

Project Number:
KEYY2008

Scale:
1:50,000 (A3)

Drawing Number:
14_

Status:
Final

Revision:
14_

Date:
Nov 2017



- 7.6 This total amount of employment land to be met by new large scale employment sites is not adequate to meet the entire identified need for the District. However, the table above only presents those sites which are in close proximity to the motorway corridor and it is not the purpose of this statement to review the entire employment land supply. The above sites are those which are proposed for allocation which have the potential to meet the needs identified in Section 6 of this report. They are close to the motorway network, would offer good potential for modern accommodation in an attractive setting and most are new, or relatively new, to the market.
- 7.7 The applicant has also reviewed the land available around the motorway junctions to determine whether there are other options which have equal or better potential to meet the identified need.
- 7.8 Other potential sites have been identified at:
- Howden Clough Road, adjacent to Birstall Retail Park, J27 M62 (Site 1)
 - Whitehall Road West, Hunsworth J26 M62 (Site 2)
 - Bradford Road / Sykes Lane, Oakenshaw, J26 M62 (Site 3)
 - Oakenshaw Lane, Oakenshaw, J26 M62 (Site 4)
 - Brighouse Road, Ainley Top, J24 M62 (Site 5)
 - Land to the rear of New Hey Road, Mount, J23 M62 (Site 6)
- 7.9 Each of these sites is greenfield and within the Green Belt.
- 7.10 Analysis of sites in Primary Employment Areas (PEAs) is provided in Section 6⁴⁰ and is not repeated here. The remaining sites set out above are reviewed further below.

Extant Permissions

- 7.11 There are two sites with recent employment permissions which will add to the supply and which are also available now to meet immediate needs. Both of these sites are greenfield but are employment allocations in the current saved UDP.
- 7.12 As these sites have implementable permissions, they can potentially meet immediate needs before land is allocated in the plan, and, as such, may suggest that an early release is not justified.

Slipper Lane

- 7.13 This site is a UDP employment allocation (ref B9.2). It has therefore been allocated for a considerable period of time and is not a new prospect for the market.

⁴⁰ Paragraph 6.45

- 7.14 The site secured outline planning permission in 2014 (reference 2014/90688). The permission provided for a mix of housing (166 homes) and employment uses (17,233 sqm/185,500sqft). The draft allocation provides for 6ha of employment uses.
- 7.15 As one of the UDP allocations, the site has a history of planning permissions being secured. In 2008, permission was secured for a Care Village and B1/B2 uses. A second application for B2/B8 uses was approved in 2012, for a sub-regionally based gearing business. The care village/employment development permission was renewed in 2013. The site has a history of non-delivery of permissions over the last 8 years, although the current permission requires the housing development to cross subsidise infrastructure works to help bring forward the employment development.
- 7.16 The employment development has access approved, but other reserved matters are yet to be submitted. The S106 requires the following works to be delivered on the employment land, before construction of the first house on the site: delivery of site accesses, earth works to level the site, site remediation and servicing to development plots.
- 7.17 This will assist in marketing the site and will make it more attractive to occupiers looking for a building in the short term. This site is quite likely to cater for an element of latent demand. However, in terms of scale, the site is limited in its own right (17,234sq m/185,500sq ft) and the size of units achievable are also limited. The illustrative masterplan shows a range of smaller units, the largest being 4,646sqm (50,000sq ft), although there is potential for a larger unit on the site. This site will cater well for smaller businesses, start-ups and businesses looking for better quality buildings or an improved environment.
- 7.18 This site benefits from permission and commitments to deliver infrastructure works. As such, it is likely to provide a short term supply for immediate needs, at the smaller end of the market.
- 7.19 There remains a need for short and medium term opportunities for larger buildings marketed at already successful and growing businesses.

Lindley Moor

- 7.20 This site is also a UDP employment allocation (ref B8.1). It has therefore been allocated for a considerable period of time and is not a new prospect for the market.
- 7.21 Part of the UDP allocation B8.1 (which is largely the same as proposed allocation MX1911 in the emerging Local Plan) secured planning permission in 2015. The permission was in outline for 19,510 sqm (210,000 sqft) of employment development. Full permission was also sought for 252 dwellings. The scheme was subject to a S106 agreement which would secure access improvements, highways works, diversion of pylons, drainage works and cut and fill of the employment land. The inclusion of housing on the employment land was justified on the basis of higher value uses being needed to deliver the employment development.
- 7.22 The illustrative masterplan shows 2/3 units, one of 4,645sqm (50,000sqft) and the other(s) at 9,290 sqm (100,000sqft) + 5,574sqm (60,000sqft) or a combined 14,864 sqm (160,000sqft).

- 7.23 This permission has potential to deliver in the short term and can offer a larger building for any businesses needing to expand from an already strong base.
- 7.24 This site also therefore benefits from permission and commitments to deliver infrastructure works. As such, it is likely to provide a short term supply for immediate needs, at the small and medium end of the market. However, based on the illustrative masterplan, the site is only capable of supporting one larger building, which is a very limited supply given the weight attached to growth in advanced manufacturing and the need for large releases of land for intensive logistics developments.
- 7.25 A proportion of the allocated site, to the east, is not subject to this permission. It is likely that this area has been excluded as it presented challenges to the development team, either from a technical or landowner perspective. If this remnant area of the site was capable of quickly being developed to meet employment needs, it is highly likely that it would have been included in the current permission area. Rather, it has been allocated for 17 years and has not come forward. Whilst it remains an area of land that should be pursued for employment development, it is not likely to deliver in the short term.

Committed sites pipeline

- 7.26 The review of the Slipper Lane and Lindley Moor sites above show that there is a committed supply of land which is broadly capable of meeting immediate needs. This suggests that there may be no urgency in release of land, such that any applications on other allocated or strategic sites ought to be delayed pending adoption of the Local Plan.
- 7.27 However, a review of the pipeline of recently consented sites which meet the relevant site selection criteria set in the draft Local Plan technical paper suggests that on the basis of average take up, these consents will provide only a fraction of the land needed to ensure a steady supply of good quality employment land to the market.
- 7.28 The Local Plan technical paper notes⁴¹ that 9.7ha of land has been taken up on average every year since 2004-5. This is a “policy off” average, which reflects the average performance of the market over a 10 year period. Notably, at least 8 years of the monitoring period of 2004-2014 was after 2006, which is the end point of the UDP’s planned land supply.
- 7.29 A 9.7ha take up represents a development footprint for this type of development⁴² of some 40,000sqm (430,556sqft). These two sites have consent for a total of 36,742sqm (395,487sqft) of space. These sites therefore represent only 91% of a single year’s supply.
- 7.30 However, this calculation represents take up in a “policy off” scenario and notably covers a period when the supply of prime sites has been significantly limited, thus limiting the potential for take up through supply constraint. These factors in turn would significantly decrease the percentage supply these sites offer.

⁴¹ Table 3 at paragraph 6.3

⁴² 10Ha = 10,000sqm x 10 at 40% site density = 40,000sqm pa / 430,556sqft pa

- 7.31 The emerging plan runs from 2013, which is now years ago. 8ha of land was taken up in the 2013-14 monitoring period⁴³. Monitoring figures for 2014-15 are not in the technical paper, but it is clear that there is already a shortfall against the plan period delivery.
- 7.32 The Local Plan is not likely to be adopted for 18 months, in late 2018. This is 5 years after the plan start date meaning that some 45.5ha of land needs to be released and developed to simply keep pace with the average annual rate for the plan period up to adoption.
- 7.33 Clearly, this will average out when larger sites are released when the plan is adopted, although it does suggest that in order to avoid a future shortfall, which would damage economic progress and realisation of the plan's objectives, it is necessary to consider releasing some additional land in the short term and before the plan is adopted.
- 7.34 It also suggests that two sites, which have struggled to deliver, , is far from adequate to meet the needs of the District's primary opportunity for economic growth.
- 7.35 Furthermore, this analysis is set in the context of there being no employment land allocation in Kirklees since 1999.
- 7.36 In addition, the sites currently proposed for allocation also have a lead time to deliver development, which needs to be taken into account in delivering a pipeline of sites which can meet market needs.
- 7.37 The committed development sites are not adequate to meet the needs of the advanced manufacturing/logistics sector in the run up to the adoption of the plan. There remains a need to secure further opportunities which can begin addressing constraints before the plan is able to formally allocate sites.

Draft Local Plan Strategic Sites

- 7.38 In order to meet the identified need, the draft local plan Allocations and Designations DPD identifies several new strategically located employment sites. These include sites at Cooper Bridge (46ha, site E1832) and Chidswell (117ha, providing 1.3msqft of employment as well as 1,535 homes, MX1905). These sites are noted in the SEP as being of strategic importance and should therefore be priorities for development.

Cooper Bridge

- 7.39 The employment site at Cooper Bridge (46ha) is a very well-located site with good access to the motorway and in the right area to benefit from proximity to businesses serving the South Calderdale – North Kirklees - South Bradford manufacturing arc. It is well placed to serve the needs of businesses which are expanding or new start-ups in the areas priority sector. It has the potential to provide exactly the kind of accommodation noted as being required, namely new premises in close proximity to the motorway and workforce, in a high quality environment and with little congestion. This site would clearly help to meet the need identified in the supporting evidence.

⁴³ Table 3 para 6.3 Local Plan Technical Paper.

- 7.40 However, whilst it is likely to provide for a proportion of the 44.5ha identified need for precision engineering and advanced manufacturing (Class B1b, B1c, B2 Uses), it will also need to provide accommodation for businesses offering support service to that sector.
- 7.41 Cooper Bridge is also likely to provide accommodation for logistics and distribution buildings which are related to this key growth sector and for which there is an extensive identified need in its own right. It will also be attractive to more general Use Class B8 provision, given the lack of larger flat sites at this end of the West Yorkshire conurbation.
- 7.42 These distribution uses are less dense and will therefore require more land within the overall allocation. However, such support uses are critical to the success of a well-functioning cluster of engineering and manufacturing activity. Successful businesses require efficient logistics to secure components, consolidate and assemble components and export them to the end user. Without such support the businesses in the cluster will be less efficient and therefore less attractive.
- 7.43 The site is well-contained by recognisable features and topography, and has the potential for boundaries to be further strengthened without impacting on site capacity due to wider land ownership. The release of the site will not result in the erosion of a strategic gap in the Green Belt and will not lead to the unconstrained sprawl of development in the countryside by virtue of its boundary features. The release of this land would not undermine the functioning of the wider Green Belt and, in the context of the identified need, we consider this to be a justified release of land.
- 7.44 Cooper Bridge also has constraints. It is partially previously developed, but is largely greenfield and requires highways improvements to be undertaken using, in part, public funding sources. Whilst this site is recognised as being sub-regionally important, it is likely to have a reasonable lead-in time to development.
- 7.45 In our view, whilst it is an important site in the context of the plan, in terms of its ability to meet an immediate employment need we consider that it is not likely to deliver a meaningful supply of land in the next 1-5 years.

Chidswell

- 7.46 The site at Chidswell is a major strategic release of 117ha. However, the majority of the site will focus on delivering housing development. The plan envisages around 122,500 sqm (1.3m sqft) of employment floorspace.
- 7.47 This site is relatively well-contained by existing development and well-defined field boundaries/woodland blocks. It is entirely greenfield. It does represent a large release of land and thus will inevitably change the settlement pattern and reduce the separation distance between Chidswell and Tingley. However, it will not result in coalescence or unnecessary sprawl into the countryside, in the context of the identified need for housing and employment land. The release of this land would not undermine the functioning of the wider Green Belt and, in the context of the identified need, we consider this to be a justified release of land.
- 7.48 The emerging plan notes that third party land is required to deliver access. Aerial photography reveals that the eastern and northern edges of the site, which would offer

the best accessibility to the motorway (M62, J28 at Tingley) are lined with residential properties. This will be a constraint not only for access, but also on whereabouts in the site the employment development will be best located. Protecting existing residential amenity, whilst avoiding creating amenity impacts for new residents on the site and placing the employment uses in the most accessible position within the site, will be a difficult balance to achieve on this site.

- 7.49 As the site has a focus on housing, which will provide better returns and help to fund the wider infrastructure needed on the site, this may have the effect of delaying implementation of the employment areas. Whilst recognising the importance of this site for the plan period, we consider that it is also likely to have a reasonable lead time before development can take place. On this basis, we consider that it is unlikely to deliver meaningful employment space in the next 1-5 years.

Strategic Sites Overview

- 7.50 Given the period that has elapsed since new land has become available, the likely latent demand and the priority being given to the precision engineering and advanced manufacturing sectors in the evidence base for the emerging plan, it is our view that further sites, which are capable of delivering in the shorter term, need to be considered for release in the short term.

Draft Local Plan: Proposed Allocations

- 7.51 There are also two employment allocations proposed for allocation in the draft Plan. These are at land at the A58/M606, Cleckheaton (24ha, Site E1831) and North Bierley (23ha, Site E1985).

A58/M606, Cleckheaton

- 7.52 This site is located just off the M62/M606 junction and, as such, is in an excellent location. It is also accessible to a strong workforce in Kirklees, Bradford and Calderdale. This site is greenfield and whilst it is 24.5ha, an area is affected by a high pressure gas pipeline, so the developable area has been estimated in the plan at 11.72ha.
- 7.53 This site has a number of lower level constraints which appear to be capable of resolution. It is a high performing site in terms of the land requirement criteria and is a suitable option for release for development.
- 7.54 The site is well contained by the A58, M606 and existing development, albeit that development remains in the Green Belt. Its development will reduce separation distances between Cleckheaton and Scholes, but it will not result in their coalescence or unnecessary sprawl into the countryside. The release of this land would not undermine the functioning of the wider Green Belt and, in the context of the identified need, we consider this to be a justified release of land.
- 7.55 However, whilst the site is well contained by defensible boundaries, the site is greenfield and thus should not be preferred for an early release over the application site.

Clayton West

- 7.56 This is a new proposed allocation (ref 2333a) for circa 15ha of employment land, adjacent to a proposed housing allocation. The site is located on the far eastern boundary of the district and is therefore potentially accessible to the M1 motorway.
- 7.57 This site has a number of issues to be addressed. It is sited close to Bretton Hall (registered Park and Garden and listed building) and therefore heritage issues need to be fully addressed. In addition, flood risk (partly within Flood Risk 3), noise and air quality, drainage and landscape impact will also need to be further assessed.
- 7.58 As this site is located on the far eastern boundary of the District, and close to the M1 motorway rather than the M62, the market it will serve is different to the other large scale sites being promoted through the draft Local Plan Site Allocations.

North Bierley

- 7.59 This is the application site which is considered in this document. A full analysis of the site's location and characteristics is set out in the following sections of this Planning Statement.

Other Potential Sites

Howden Clough Road, adjacent to Birstall Retail Park, J27 M62 (Site 1)



- 7.60 This site is approximately 17ha and is bounded by the existing Centre 27 Business Park, Norquest Business Park, Howden Clough Industrial Estate and a watercourse. It is greenfield and occupies the gap between this established industrial area and the Kirklees boundary. It is well-contained on all sides and would not reduce distances between settlements or result in future pressure to extend into the Green Belt around the site.
- 7.61 However, the site slopes steeply, is largely wooded and is crossed by overhead pylons. Access to the motorway would need to be achieved through the existing Industrial Estate, via Nab Lane, Pheasant Drive and the A62.

7.62 It is our consideration that this site is not considered to be a suitable release at this time, as the topography would offer a major barrier to development.

Whitehall Road West (A58), Hunsworth J26 M62 (Site 2)



- 7.63 This site is bounded by the M62, Whitehall Road West, woodland and existing housing areas off Hunsworth Lane. It is greenfield and approximately 19ha. It is sloping agricultural land with well-established and treed field boundaries at its southern end close to Whitehall Road West. To avoid taking access through a residential area, access would be needed directly off the A58.
- 7.64 The site would not result in a loss of separation distance between settlements and is relatively well contained by recognisable features on the ground.
- 7.65 However, the site is adjacent to approximately 74 houses on its western edge and, whilst the A58 is a major highway, traffic from the site would need to pass through Hunsworth to access the motorways. This is not considered to be ideal, especially given the existence of other sites without such a constraint.
- 7.66 This site is not considered to be suitable for release at this time.

Bradford Road / Sykes Lane, Oakenshaw, J26 M62 (Site 3)



- 7.67 This site is approximately 16ha and is bounded by a disused railway embankment, houses on Bradford Road, houses on Sykes Lane and the Cleckheaton Golf Club. It is greenfield, relatively flat and well contained by existing features. It is crossed by overhead pylons.
- 7.68 Access would need to be taken either from Sykes Lane, which is narrow and shared by several dwellings, or directly from Bradford Road, close to Woodlands Park (a small office complex).
- 7.69 The site is adjacent to around 40 homes and, as such, we consider this has the potential to cause more amenity issues than other equally well located sites. This site is also entirely greenfield and therefore should not be preferred over a release site which has a proportion of brownfield land.

Oakenshaw Lane, Oakenshaw, J26 M62 (Site 4)



- 7.70 This site is also approximately 16ha and located immediately adjacent to site 3 above. It is greenfield and bounded by the disused railway, Oakenshaw Lane and the Cleackheaton Golf Club. It is crossed by overhead pylons. It is well contained by recognisable features and would not significantly reduce the separation between settlements in the area.
- 7.71 Access would need to be taken from Oakenshaw Lane. At its north, the Lane is shared with a farm, and crosses the railway cutting in a narrow cobbled bridge which is unlikely to be suitable for commercial traffic. At its south the lane is a dirt track directly accessing the A58. It would require major upgrading works to be used as an access point for commercial traffic and this would involve acquiring additional land along a considerable length of the Lane.
- 7.72 Achieving a suitable access to this site would be extremely difficult.

Brighthouse Road, Ainley Top, J24 M62 (Site 5)



- 7.73 This site is greenfield, with an area of approximately 7ha, and is bounded by Brighthouse Road, woodland and Burn Road. It is dissected by Grimescar Road and, as a result, forms a smaller triangular area and a broadly rectangular section. It slopes gently to the south. It is crossed by overhead pylons.
- 7.74 The site has good accessibility to the motorway as well as access to both Huddersfield and Halifax. It could accommodate smaller units but is unlikely to accommodate any larger scale distribution development. It is well contained and would not reduce settlement separation distances.
- 7.75 Part of the eastern area of the site slopes steeply and accommodates overhead pylons, which means that it would be difficult to re-grade without moving the pylons. The remaining area is around 5.5ha. Theoretically, at 40% site coverage, this could accommodate a building of 22,000sqm (236,800sqft), although the need to re-grade the site to achieve a level platform would be likely to reduce the developable footprint.
- 7.76 Whilst this site would be capable of contributing to supply, it is quite constrained and it is notable that other sites with similar constraints at Lindley Moor have had to rely on cross subsidisation to deliver employment space. This suggests that similar market return/cost balancing issues may well exist on this site.
- 7.77 This site is a good potential release site, although it could only accommodate either a single moderate sized unit, or a range of smaller units.

Land to the rear of New Hey Road, Mount, J23 M62 (Site 6)



- 7.78 This site is located to the rear of dwellings off New Hey Road. It would need to take access off an existing farm track, through a small gap between existing dwellings, or off Rey Gate, though an existing farm. Neither of these options is likely to deliver an acceptable standard of access.
- 7.79 The site is greenfield, approximately 11.5ha, and slopes steeply down from the houses on New Hey Road.
- 7.80 This site is not likely to be feasible to access and is also likely to have other abnormal costs associated with re-grading the site for development.

Conclusions

- 7.81 It is clear that a number of alternative sites could be brought forward to meet the need identified in the plan period. It is also clear that a number of additional sites, which have been identified as potential alternatives to those sites, do not perform better in terms of Green Belt function or have other practical delivery issues which suggest that they should not be favoured for an early release. None of these alternative sites represents a reasonable alternative to the sites proposed for allocation.
- 7.82 The analysis has also shown that there is a pipeline of good-quality committed development. However, these represent just under a year's supply of land, when the plan is already more than 3 years into its plan period. The policies in the new plan would increase the amount of land needed on an annual basis and the committed supply would only represent about a third of a year's supply.
- 7.83 The District has not seen a new supply of employment land for nearly 17 years. Whilst there is a small committed supply of good quality land, it is not adequate to meet needs until the plan is adopted and during the early stages of the plan period when other more complicated sites are seeking permission and undertaking enabling works. There is clearly a need to release more land now in order to ensure that the economic objectives

of the emerging plan, Kirklees and City Region Economic Plans, are not undermined by a lack of delivery during the plan's early stages.

7.84 The following sections of this Planning Statement set out in more detail our assessment of the application site.

8. Green Belt Openness and Purposes

- 8.1 The application site is situated in designated Green Belt. The preceding chapters of this Planning Statement consider the need to release more land to meet development requirements, as well as the various options for accommodating that need.
- 8.2 This section looks in more detail at the extent to which the site contributes to the purposes of the Green Belt, including a review of the revised boundaries proposed in the emerging Local Plan. It also considers effects on openness and the harm arising to the Green Belt by reason of inappropriateness.
- 8.3 Section 10 considers a range of other factors which amount to consideration of “any other harm”. Section 11 draws the balance between the benefits of meeting the identified need in the short term on this site; harm to the Green Belt by reason of inappropriateness; and any other harm. It also summarises what we consider the very special circumstances which justify the development in the Green Belt.

Assessment of harm to the Green Belt

- 8.4 The entire application site lies within designated Green Belt. The relevant Kirklees UDP policy for development in the Green Belt (Policy D8) was not saved, so the national policy position applies in Kirklees.
- 8.5 Saved policy GB1 of the adopted Bradford RUDP follows the national policy position in that it restricts development in the Green Belt to agriculture and forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries, or for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, except in very special circumstances.
- 8.6 This long-established cornerstone of national policy is now set out at paragraphs 87 and 88 of the Framework, and states that:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

and that:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

- 8.7 Paragraph 89 also notes that the partial or complete redevelopment of previously developed land is not inappropriate development, provided that the redevelopment would not have a greater impact on openness or the purpose of including the land in the Green Belt.

Effect on openness - harm by definition

- 8.8 As described in Section 5 of this statement, the site has a wide range of existing structures which already have an effect on the openness of the Green Belt. However, and also as described in Section 5, the existing structures and other abnormal development constraints are costly to remove. In order to fund the removal of these structures, the extent of development necessary exceeds that which is currently on the application site.
- 8.9 On this basis, we consider that the Paragraph 89 exception does not apply, as the re-development of the site will have a greater effect on openness than the site as it currently exists.
- 8.10 On this basis, we consider the purposes of including land in the Green Belt below.

Effect on the purposes of including land within the Green Belt

- 8.11 Paragraph 80 of the NPPF defines five purposes of including land in the Green Belt. These are:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Purposes to be assessed

- 8.12 The application site is not located within or near a historic town. In particular, it is not close to a historic town which derives any special interest from its urban form, for example the compact and contained urban forms of York or Chester which help to define the character and setting of the City. Therefore, this purpose (fourth on the list above) is not relevant to this development.
- 8.13 However, the other purposes are relevant and are assessed below.

Checking the unrestricted sprawl of large built-up areas

- 8.14 The site is well-contained and largely previously-developed. It already has an urbanising influence on this area and therefore only plays a limited role in restricting the sprawl of built up areas.
- 8.15 The release is set in the context of a need for more development land as described in Section 6 of this report, which justifies the extent of land required to meet development needs in the current plan period. It is therefore necessary for some land to be released from the Green Belt.
- 8.16 The site is well-contained by roads to the north, south and west, and a stream to the east. These are recognisable boundary features which are likely to be permanent, in

accordance with NPPF guidance⁴⁴. Topography also limits the extent to which an eastwards extension of development in this area could take place. The land to the east slopes steeply up from the stream which borders the site to the east. It is also woodland and a Site of Wildlife Significance.

- 8.17 The site as defined should not lead to further pressure to release additional land from the Green Belt as a result of ill-defined boundaries.
- 8.18 The site is therefore well-defined and, as it is largely brownfield land already, the extent to which it performs this function is extremely limited. The development would not represent 'unrestricted sprawl' or undermine the role of the remaining Green Belt in checking sprawl in this area, given the clearly defined physical boundaries.
- 8.19 There is necessarily a conflict with this policy purpose, as the development of the site would result in further urbanising development in the Green Belt. However, the extent to which the site performs this purpose at the moment is limited. Accordingly, harm to this purpose is also limited, particularly when compared to other potential development sites which could meet the identified need.

Preventing neighbouring towns from merging

- 8.20 The site is located to the southwest of Woodlands, east of Oakenshaw and north of Hunsworth. It is located in a gap between the main urban areas of south Bradford and the north of Cleckheaton. The urban form in this general area retains strategic gaps but in many cases development has spread along roads, creating points where neighbouring towns already join.
- 8.21 Notably, Oakenshaw already extends down Bradford Road to the west of the site, Woodlands is to the north and Hunsworth/West 26 abut the M62 to the south. The urban forms are already very tightly-knit in this area.
- 8.22 Development of this site will decrease the overall separation between settlements. However, as it is largely brownfield land its openness is compromised, which already has the effect of decreasing this separation distance.
- 8.23 There is necessarily a conflict with this policy purpose, as the development of the site would result in reduced separation distances between neighbouring settlements. However, the extent to which the site performs this purpose at the moment is limited. Accordingly, harm to this purpose is also limited, particularly when compared to other potential development sites which could meet the identified need.

Safeguarding the countryside from encroachment

- 8.24 The development will result in a further loss of countryside. However, the site is largely brownfield land and, as such, already does not perform this function to a high degree.
- 8.25 Areas of the site have not been previously-developed, although a large proportion has. It is considered, therefore, that development of the site could assist in safeguarding the countryside from development by virtue of developing previously-developed land rather than securing the same level of development to meet identified needs elsewhere, which

⁴⁴ Paragraph 85

would inevitably lead to a greater loss of Green Belt than development of the application site.

- 8.26 There is necessarily a conflict with this policy purpose, as the development of the site would result in development in the Green Belt, some of which is not previously-developed. However, the extent to which the site performs this purpose at the moment is limited due to the brownfield portion of the site. Accordingly, harm to this purpose is also limited, particularly when compared to other potential development sites which could meet the identified need.

Assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 8.27 Development of the site would result in the use of derelict and urbanised land in the Green Belt. Whilst development here could divert investment from other more urban derelict sites, those sites are not likely to meet the need identified in Section 6 of this report, due to the identified locational requirements.

- 8.28 The development proposed is not capable of being accommodated on other sites in the main urban area, although there are a range of other sites which are either committed development or proposed for allocation in the emerging Local Plan. These are considered in Section 8 of this report.

- 8.29 All of those sites are greenfield options and the vast majority are also in the Green Belt. None of the other Green Belt options have previously-developed areas, apart from the far southern area of Cooper Bridge (which is also not within the Green Belt). Those which are not in the Green Belt (the committed development sites and the southern portion of Cooper Bridge) will not meet need in the same timeframe as the application site. They are either ready to take development immediately or are likely to be delayed for several years while other issues are addressed. They will not therefore meet need in the first few years following the adoption of the plan.

- 8.30 There is no conflict with this policy purpose.

Conclusion on Green Belt purposes

- 8.31 The proposed development will conflict with some of the purposes of including land in the Green Belt. However, the extent of this conflict is limited as the site is largely previously-developed and thus already has an urbanising effect. This undermines the site's current contribution to these purposes.

- 8.32 It is concluded that this site does fulfil Green Belt purposes to a degree, but that its release would not undermine the functioning of the wider Green Belt.

Use of land within the Green Belt

- 8.33 The Framework advises that once Green Belts have been defined there should be positive planning to enhance the beneficial use of the Green Belt. It sets out a number of opportunities which should be exploited wherever possible. These are set out below.

Providing opportunities for access, outdoor sport and recreation

- 8.34 The site is not currently accessible to the public other than footpath SPE/21/20 which runs along the current site access road, crosses Hunsworth Beck and passes to the east of Hanging Wood to the M62. Extracts from the PROW map are provided below:

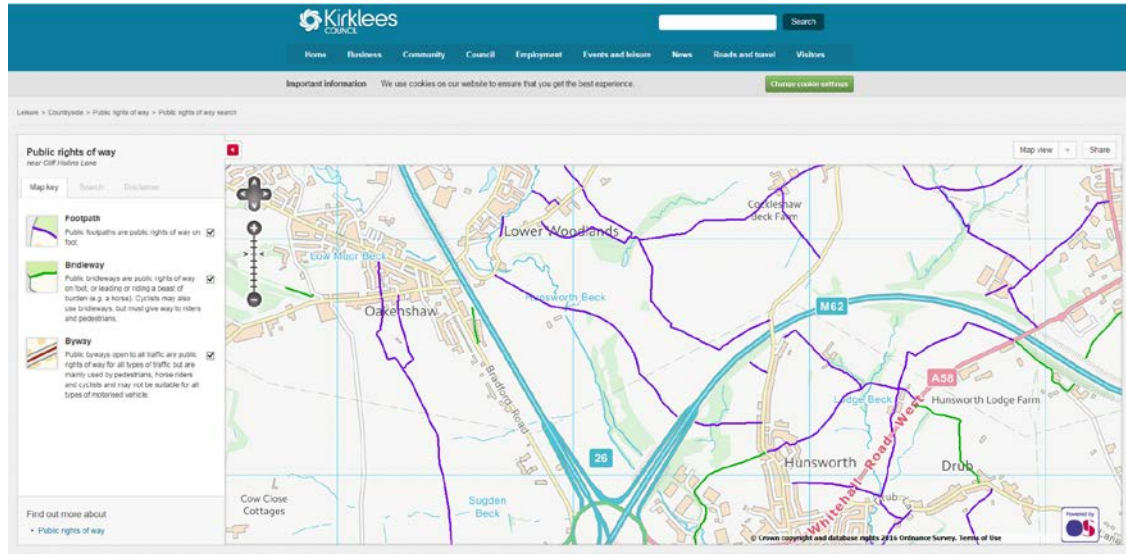


Figure 12: Extracts from Kirklees Council’s PROW map

- 8.35 This route will be maintained and the section within the site will be improved to provide segregated vehicle and pedestrian access up to the point where it leaves the site boundary and enters open fields.
- 8.36 This will ensure that the development does not harm access within and to the Green Belt and will upgrade the route to an appropriate standard to ensure pedestrian safety.

Retaining and enhancing landscapes, visual amenity and biodiversity

- 8.37 The site is not within a valued landscape designation. The Council’s Landscape Character Assessment (LCA) for the Former North Bierley Waste Water Treatment Works (Summer 2015) identifies that the visual impact of the site is *“one of a poor degraded derelict site with empty buildings now barely used; and the pastoral land adjacent to it, dominated by the former treatment plant.”*
- 8.38 The LCA concludes that *“the site will be strengthened and enhanced by sensitive development”* and *“will benefit by the creation of new and sensitive development.”*
- 8.39 It is a partially previously-developed site in a location visible from the key motorways in the area. However, the topography of the site, generally low lying structures and intervening vegetation means that it is not a visually prominent site.
- 8.40 The development currently detracts from the character of the wider landscape and visual amenity.

- 8.41 The Landscape LVIA Chapter of the accompanying ES, prepared by TGP Landscape Architects, concludes that the landscape and visual impact of the proposed development changes the landscape character of the site and has significant visual effects on elements within the study area. However, with sensitive design and a responsive landscape scheme, these effects may be mitigated.
- 8.42 The significance of landscape and visual effects are determined by considering the combination of landscape or visual sensitivity with the predicted magnitude of change. These have been classified as Major, Moderate, Minor or None. In the Landscape Assessment, effects that are described as Major or Major/Moderate are considered to be 'significant' effects as defined by the Environmental Impact Regulations 2011. It should be noted that significant effects need not necessarily be unacceptable or negative.
- 8.43 The LVIA notes that the site lies within the G11 Batley Fringe Incised Valleys character area, as identified in South Pennines Landscape Guidelines Report to Standing Conference of South Pennines Authorities (SCOSPA) LUC 1999. These valleys support a mixture of pasture and woodland and can have an enclosed, rural, secluded character. They are particularly valued for recreation. Overall the LCA is considered to be good quality.
- 8.44 The remnants of the disused WWTW are the dominant components of the site. These elements combined with the surrounding motorways lower the landscape value of the landscape and therefore its sensitivity to future change. The local topography and rolling hillsides combined with the elevated embankment of the motorway is likely to block some views of the proposed development.
- 8.45 Of the landscape designations within the study area is it considered that that the designated Ancient Woodland of Hanging Wood is likely to be most impacted upon.
- 8.46 There are a number of natural and heritage designations within the LVIA study area. It is likely that the proposed development will not have significant effects on any of these designations.
- 8.47 The motorway junction sits higher than the site with embankments preventing views from the south. However, the site can be seen from the southbound slip road of the M606 and the bridge of the M62. Other roads include the local road to Oakenshaw (Bradford Road) but views to the site here are blocked by the M606 and associated tree planting. The footpath that links the current site access road from Cliff Hollins Lane and Hanging Wood will have views of the development from higher ground to the north of Hanging Wood. The Kirklees Way and the footpath to east of the site may have glimpsed views of the development depending on building heights.
- 8.48 Particular consideration has been given to the six bungalows and three houses that have views towards the proposed developments on Cliff Hollins Lane and the properties along the elevated section of Cliff Hollins Lane at Chatts Hill.
- 8.49 The LVIA concludes that there will be an effect on the Green Belt as a result of the development and the character of the site will change. It identifies significant visual

effects for properties on the higher ground to the north of the development, as well as on local footpath users.

- 8.50 In terms of mitigation, measures have been proposed that seek to address the effects set out above. The landscape masterplan intends to reflect the field patterns of the adjacent landscape and use topography, woodland blocks, hedgerows and trees to aid screening and to break up the massing of the development.
- 8.51 It is also considered that the effect on Hanging Wood could be beneficial once the long term-mitigation measures have been established and more wildlife corridors adjoining the ancient woodland have been created.
- 8.52 The mitigation measures aim to reduce the effects on residential receptors and provide a new landscape structure.
- 8.53 In conclusion, the LVIA considers that the landscape and visual impact of the proposed development changes the landscape character of the site and has significant visual effects on elements within the study area. Predicted impacts of the proposed development on landscape character would be limited due to the low sensitivity of the landscape. However, with sensitive design and a responsive landscape scheme, these effects may be mitigated.
- 8.54 It is therefore considered that the proposals are in accordance with the Framework, policies EP11, D1, DL1 and DL2 of the Kirklees UDP, policies DLP31, DLP33, DLP34, DLP52 and DLP55 of the Kirklees Draft Strategies and Policies development plan document, the draft site allocation of the Kirklees Draft Allocations and Designations development plan document, SC7 of the Bradford Draft Core Strategy and Policy GB1 of the Bradford RUDP.
- 8.55 Ecology work has been undertaken which demonstrates that there are no valuable habitats on the site and that no protected species use the site. The redevelopment of the site will offer new opportunities for landscaping which will enhance biodiversity on the site.
- 8.56 Indeed, the Ecology Chapter of the accompanying ES assesses the effect of the proposed development on the identified ecological and nature conservation features of the site and the surrounding area, based upon desk study consultations and field surveys. In particular, it considers the potential effects of the proposed development on habitats and protected and notable species. No statutory designated sites are found within a 2km search radius.
- 8.57 Five locally designated sites are located within the search area, only one of which is considered to be within the sites Zone of Influence; this being Hanging Wood Kirklees SWS. As such this feature will be taken forward as a Valued Ecological Receptor.
- 8.58 It is concluded that a small number of ecological receptors have been identified, most of which lie outside of the site boundary. The proposed development has been mindful of these receptors and has allowed for the connectivity of habitats through the site and the retention and protection of key habitats and features. This has resulted in a layout which

interfaces the development and occupation of the site with its continued provision of habitat connectivity.

- 8.59 It is therefore considered that the proposals are in accordance with the Framework, policies NE4 and NE9 of the adopted Kirklees UDP, policy NE11 of the adopted Bradford RUDP and the draft site allocation of the Kirklees Draft Allocations and Designations development plan document.

Improving damaged and derelict land

- 8.60 The site is a disused waste water treatment works. It is damaged and derelict and has an urbanising influence on the Green Belt. This site offers one of the best opportunities to develop in the Green Belt whilst minimising the loss of greenfield land, and also meeting development needs in a location that is attractive to the market.

Conclusion on the use of land within the Green Belt

- 8.61 We conclude that the development of this site:
- Is inappropriate development and, by definition, harmful to the Green Belt;
 - Would have limited conflict with most of the purposes of including land in the Green Belt;
 - Will not undermine the wider functioning of the Green Belt;
 - Will have a limited impact on landscape character and visual amenity;
 - Will retain opportunities for public access and outdoor recreation;
 - Will create a gain in terms of biodiversity; and
 - Will have a positive effect on the improvement of damaged and derelict land.
- 8.62 The development will therefore harm the Green Belt. However, the scale of that harm is limited.
- 8.63 The following section of this Planning Statement considers any other harm which may arise as a result of the development. Section 11 then weighs the limited harm by reason of inappropriateness and any other harm, against the very special circumstances we consider apply in this instance.

9. Other Harm

9.1 This section of the statement considers a range of other factors which amount to consideration of 'any other harm' to the Green Belt, as defined in the Framework.

9.2 An Environmental Statement Addendum (ESA) has been prepared. It considers the likely significant environmental effects of the scheme and the proposed ways to prevent, reduce and offset any significant adverse effects on the environment (mitigation measures).

Air Quality

9.3 The Air Quality Assessment (AQA) Chapter of the accompanying ESA, prepared by AECOM, determines the potential air quality impacts during the construction and operational phases of the proposed development. Specifically, these are the impacts of road traffic emissions of nitrogen dioxide and fine particulate matter, albeit consideration has also been given to dust impacts during the construction phase.

9.4 With regard to potential impacts during the construction phase, the assessment concludes that, with appropriate mitigation measures, impacts can be effectively controlled.

9.5 With regard to potential impacts during the operational phase, traffic-derived pollutant (NO₂ and PM¹⁰) concentrations were predicted at several sensitive receptors, including the residential area of the development. The AQA concluded that the background pollutant concentrations at the proposal site are well below the relevant annual mean objectives, and pollutant concentrations are predicted to decrease in the future due to anticipated improvements in vehicle technology regardless of whether the proposed development goes ahead or not. No concentrations in excess of the relevant air quality objectives and limit values have been predicted.

9.6 The largest impacts due to the development have been predicted at receptors located on Bradford Road, near the junction with Mill Carr Hill Road and those on Cliff Hollins Lane, near to the site entrance.

9.7 Overall, taking account of the modelling undertaken, including a sensitivity test, recent monitored trends, and the measures within the Travel Plan to reduce emissions, it has been concluded that the impact of the proposed development on air quality will be low.

9.8 It is therefore considered that the proposals are in accordance with the Framework and policy DLP51 of the Kirklees Draft Strategies and Policies development plan document.

Flood Risk and Drainage

9.9 The Flood Risk Assessment and Drainage Strategy provided within the accompanying ESA, prepared by Curtins, provides an assessment of the likely significant effects of the Proposed Development on flood risk and drainage.

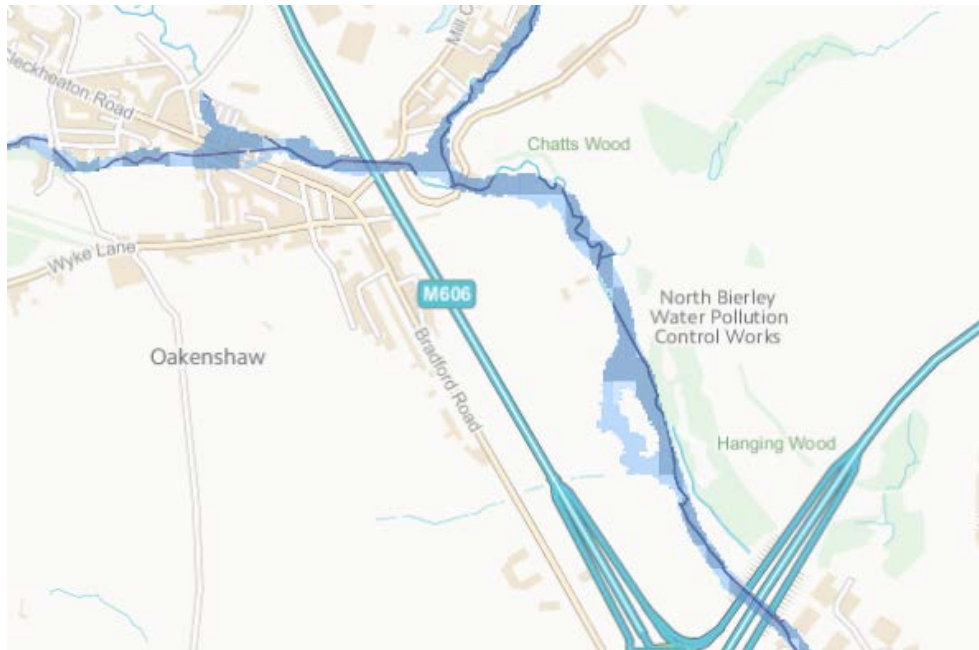


Figure 13: Extract from Environment Agency's online Flood Map

- 9.10 The extract from the EA's flood map, above, shows that the application site is situated across Flood Zones 1, 2 and 3, although the majority of the developable area lies in Zone 1, with just a small area in the south eastern corner currently occupied by WWTW filter tanks is identified as Flood Zone 2 and 3.
- 9.11 In terms of the baseline, the Hunsworth Beck flows along the eastern boundary of the application site.
- 9.12 The proposals incorporate new site drainage on two separate systems and surface water will be restricted to greenfield run-off rates and incorporate SuDs.
- 9.13 It is concluded that the proposals will not increase flood risk, either to the site itself or to others within the local catchment area.
- 9.14 On the basis that the proposed foul water drainage arrangements will be adopted by Yorkshire Water, it is also concluded that the risk of flooding from providing new foul water drainage to the site to serve the residential and employment uses is low.
- 9.15 It is therefore considered that the proposals are in accordance with the Framework, policies DLP28 and DLP29 of the Kirklees Draft Strategies and Policies development plan document, the draft site allocation of the Kirklees Draft Allocations and Designations development plan document and policy EN7 of the Bradford Core Strategy.

Ground Conditions

- 9.16 The Ground Conditions Chapter and associated technical reports within the accompanying ESA, prepared by Wardell Armstrong, assesses the subsurface ground conditions beneath the application site that may potentially impact upon and be impacted by, the proposed development. This includes an assessment of general ground conditions, the presence of contamination and the possibility of mining instability.

- 9.17 The assessment was carried out based on the findings of a desk based assessment, a Phase II Site Investigation, a Soils and Agricultural Land Desk Study and mining Remediation Strategy.
- 9.18 Historical plans show that a sewage works was present on part of the application site in 1893. The Valley Pit Coal and Ironstone workings were also present in the west of the application site at this time along with an old coal pit in the south. A tramway is reported as extending across the western part of the application site. Subsequent maps show general expansion and changes to the layout up until 2004.
- 9.19 The application site has been identified as being situated on Lower Coal Measures which are considered a minor aquifer. Alluvium drift deposits are indicated as likely to be present along the eastern boundary associated with the Hunsworth Beck. Findings from the Coal Authority report suggest that shallow mine workings will potentially be present beneath the southern portion of the application site and there are potentially up to 12 mine shafts at the application site.
- 9.20 Results from the site investigation indicate isolated elevated arsenic concentrations in the residential area and could pose a risk to construction workers during construction. No elevated concentrations were identified in the commercial area and are unlikely to pose a significant risk to long term human health given an ongoing commercial land use. Tried-and-tested mitigation measures are proposed to remedy any potential risks in this regard.
- 9.21 Gas protection measures are recommended as a precaution in the southern area of the application site to address high levels of methane. No gas protection is required over the remainder of the commercial area.
- 9.22 Mitigation measures have been outlined in order to reduce the significance of these impacts. In all instances, the significance of the impact can be reduced to negligible once mitigation measures are implemented.
- 9.23 It is therefore considered that the proposals are in accordance with the Framework, policy G6 of the Kirklees UDP, policies, DLP51 and DLP53 of the Kirklees Draft Strategies and Policies development plan document, the draft site allocation of the Kirklees Draft Allocations and Designations development plan document and policy EN8 of the Bradford Core Strategy.

Noise and Vibration

- 9.24 An updated Noise Assessment is provided within the accompanying ESA, prepared by AECOM, provides an assessment of likely effects of the proposed development with respect to noise and vibration.
- 9.25 The report considers potential noise and vibration impacts from construction works; noise from building services and plant and any other activities associated with the proposed development during operation; and any increases to road traffic associated with the proposed development. The assessment no longer considers potential impact on future residential occupiers as this is no longer part of the proposals.

- 9.26 The report considers that, through the use of appropriate design measures (to be determined during detailed design phases), ambient noise affecting future occupants of the development can be controlled to achieve internal ambient noise criteria as per BS 8233:2014.
- 9.27 Through the use of 'Best Practicable Means', appropriate control measures and on-site management of works activities and HGV access/departure points, it is considered that noise and vibration effects during construction works can be limited.
- 9.28 It is therefore considered that the proposals are in accordance with the Framework, policies EP4, EP6 and EP30 of the Kirklees UDP and policy EN8 of the Bradford Core Strategy.

Highways and Transportation

- 9.29 A new Transport Assessment is provided within the accompanying ESA, prepared by AECOM, the scope of which was agreed with both Kirklees Council and the Highways Agency. Ongoing discussions have taken place with both stakeholders throughout the pre-application period.
- 9.30 In addition, consultations have also taken place with Bradford MDC as the impact of the proposed development will impinge on roads within its local authority jurisdiction.
- 9.31 The Transport Assessment (contained within the Technical Appendices) includes both employment development accessed from Cliff Hollins Lane as well as the proposed school car park accessed from Mill Carr Hill Road.
- 9.32 The network under assessment includes Cliff Hollins Lane adjacent to the site, Mill Carr Hill Road at the junction with Cliff Hollins Lane and the junction of Bradford Road and Mill Carr Hill Road.
- 9.33 The impact during the construction phase would be controlled through a Construction Management Plan (CMP), which would set out measures and controls such as defined construction routes, potential restrictions on HGV delivery times and ways to encourage car sharing amongst workers. This would then be agreed with the Local Authority prior to the start on site.
- 9.34 It is therefore considered that there would be a minimal construction impact upon the local network.
- 9.35 The operational phase impact assesses the impact upon severance, driver delay, pedestrian delay, pedestrian amenity, fear and intimidation and accidents and road safety as well as considering the percentage change in traffic flows on the local network as a result of the development traffic.
- 9.36 The conclusion is that only Cliff Hollins Lane to the west of the new site access would experience an increase in traffic levels of above 30%, and this is in part due to the relatively low levels of existing traffic. It should also be noted that Mill Carr Hill Road is predicted to have an increase in traffic levels of 26% in the future design year of 2020.

- 9.37 This is considered to be logical given that all HGV movements and the majority of car movements would access the site via Cliff Hollins Lane and Bradford Road, and it should again be restated that no HGVs would travel past the school.
- 9.38 Furthermore, the proposed development has been designed with pedestrian and cycle links along the main access road, linking to Cliff Hollins Lane. The residual effects of the proposed development will therefore result in improved access for a range of sustainable modes to minimise any impact on the surrounding network with the introduction of the proposed mitigation. The implementation of the Travel Plan will further improve the sustainable travel options for the site and improve the operation of the junctions within the study area.
- 9.39 It is not viable for access to be taken from the M606 due to the significant land take that would be required, the need for such an access to cross two or more lanes of the motorway, Highways England's consideration that a proposed direct access from either motorway would be unsuitable, and the need to consider the proposed Highways England road realignment at the M606/M62 junction. As such, the proposed access route to the site is the most appropriate.
- 9.40 The following mitigation has been proposed:
- *New car park on Mill Carr Hill Road for use by parents to pick up and drop off children at the adjacent school;*
 - *Widening of Cliff Hollins Lane to improve the road alignment for HGV's;*
 - *Pedestrian crossing on Bradford Road to improve accessibility to the west;*
 - *Realignment of Cliff Hollins Lane so that the site access has priority to avoid any development traffic travelling across the narrow bridge in error, and*
 - *Travel Plan to support the development and to encourage alternative modes of travel by residents and employees.*
- 9.41 The programmed improvements and ongoing works to the Chain Bar roundabout have been taken into account in the accompanying Transport Assessment.
- 9.42 The proposed development accords with relevant local and national planning policy guidance in that it is accessible by a range of modes other than the private car and provides improvements to access the site by a range of sustainable modes. The proposed Travel Plan will also assist in complying with the relevant guidance by encouraging use of alternative modes to minimise single occupancy car trips to the site.
- 9.43 It is therefore considered that the proposals are in accordance with the Framework, policies T1, T10, T16 and T17 of the Kirklees UDP, policies DLP19, DLP20, DLP21 and DLP22 of the Kirklees Draft Strategies and Policies development plan document, the draft site allocation of the Kirklees Draft Allocations and Designations development plan document, and policy TR2 of the Bradford Core Strategy.

Draft allocation

- 9.44 Site E1985a, relating to the '*Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Cleckheaton,*' is included as a draft employment allocation in the draft Allocations and Designations DPD of the emerging Local Plan. This covers a large part of the application site.
- 9.45 It has been noted in Section 4 of this Planning Statement that the DPD's site assessment sets out the constraints of the site. These constraints are reproduced below, with our comments on each of them.

Table 9.1: Kirklees Draft Local Plan constraints

Draft Local Plan allocation constraint	Turley comments
Site affected by high voltage power lines	This constraint is acknowledged in the formation of the indicative masterplan, which accompanies this planning application submission.
Part of the site is within a Coal Mining Area	The Ground Conditions ESA Chapter identifies this constraint and the potential underground workings which may exist beneath the surface. This has been taken into account in the preparation of the proposals and will be subject to further investigation at the reserved matters stage.
43m stopping sight distance required for site access junction (30mph speed limit)	The Transport ESA Chapter and associated drawings demonstrate that satisfactory sight lines can be achieved in this instance.
The access road will require widening into the site as well as improvements to its junction with Cliff Hollins Lane	The Transport ESA Chapter and associated drawings show the proposed access into the site and indicative improvements to the road junction.
Additional mitigation on wider highway network may be required	This is a matter that is to be discussed with the respective local authorities following consultation responses from the relevant highway consultees. If required, this can be secured by way of a Grampian planning condition or through a Section 106 Agreement.
Part of the site is within flood zones 2 and 3a	This has been identified in the accompanying Flood Risk and Drainage Assessment.
Sequential approach to the location of employment development required within this site to avoid high flood risk areas	This has been considered in the preparation of the final scheme, based upon the accompanying Flood Risk and

where possible	Drainage Assessment.
Detailed surface water drainage and surface water flood risk investigation required	This has been addressed in the accompanying Flood Risk and Drainage Assessment.
Within the outer zone of a hazardous material facility	For employment only development (sensitivity Level 1 or Level 2 depending on the number of employees), then the HSE advice, using the decision matrix in their guidance notes, should be 'don't advise against' for this development types. It is understood from the feedback from consultees the main hazard is the high pressure gas pipeline that crosses the site. Appropriate measures, such as stand off distances can be put in place to ensure a safe environment.
High pressure gas pipeline crosses part of the site	This constraint has been factored into the overall design of the scheme.
Risk of contamination	The Ground Conditions ESA Chapter identifies this constraint and provides mitigation measures for dealing with any contamination that may be found on site.
Affected by Hanging Wood Local Wildlife Site to the north [east] of the site	The Ecology ESA Chapter identifies the proximity of the Local Wildlife Site to the application site and recommends suitable mitigation measures to avoid adversely impacting upon it.
Land to be safeguarded for M62/M606 widening scheme	The M62/M606 widening scheme has been considered in the formulation of the revised scheme and the preparation of the updated planning application documents.
Landscape character assessment has been undertaken for this site which should be considered in the development masterplan	The Landscape Character Assessment (LCA) for the Former North Bierley Waste Water Treatment Works (Summer 2015) has been considered in the formation of the proposed development. Indeed, it is identified in section 9 of this Planning Statement that the LCA considers that <i>"the site will be strengthened and enhanced by sensitive development"</i> and <i>"will benefit by the creation of new and sensitive development."</i> Further information is available in the LVIA (within the ESA)
Prevention and mitigation to reflect Water Framework Directive requirements	This has been considered in the accompanying Flood Risk and Drainage

Assessment.

10. Very Special Circumstances

- 10.1 This section of the statement sets out the very special circumstances which we consider apply in this case. It weighs harm to the Green Belt by reason of inappropriateness and any other harm against these circumstances.
- 10.2 This statement has identified limited harm to the Green Belt arising from the re-development of this site. The harm identified is by virtue of inappropriateness. However, the extent of that harm is limited by the extent to which the site currently performs the functions of the Green Belt; our view that it would not undermine the wider functioning of the Green Belt; and the opportunities retained or created in respect of public access, biodiversity and reuse of derelict land.
- 10.3 The statement has also identified that there will be no 'other harm' arising in respect of air quality, flood risk, drainage, ground conditions, noise and vibration or transport.
- 10.4 This section therefore sets out the balance of harm against very special circumstances.

Very Special Circumstances

- 10.5 We consider the very special circumstances (VSCs) to be:

- The need for new employment land;
- The lack of preferable alternative sites to meet this need;
- The positive local socio-economic effects of the development; and
- The previously developed nature of much of the application site.

- 10.6 These factors are further considered below.

The need for new employment land

- 10.7 Section 6 of this report found that:

- There has been no new employment land released since the UDP was adopted in 1999. That was 17 years ago.
- The UDP period ran from 1993 to April 2006. The current employment land supply was only intended to supply up until 2006, which is 10 years ago. This is a considerable gap in planned supply.
- The City Region Strategic Economic Plan (SEP) recognises strengths in the local economy for textile and component manufacturing, notably gears, valves and turbo chargers. This will be a future pillar of growth for the City Region. The Kirklees Economic Strategy (KES) also focuses on this opportunity.
- The KES also recognises a fundamental weakness in the local economy, including low economic output, below average skills, unemployment and

disadvantaged communities. Its objective is to begin to reverse these trends through focusing on an M62 manufacturing hub.

- A good supply of land is a critical element of securing the long-term economic prospects for the area.
- The KES refers to anecdotal and qualitative information which suggests that local businesses need more land to grow in order to retain them in the District.
- The emerging Local Plan evidence base sets a basic ambition of returning to Kirklees peak historic employment levels. Policies will be set through the Local Plan which seek to significantly improve employment rates.
- The evidence base also sets a requirement for 165ha of land to be allocated, the majority of which is for advanced/precision manufacturing and distribution uses.
- The evidence base also suggests that there is lack of supply of larger sites, close to motorway junctions, away from congestion with access to a workforce, parking and an attractive environment.
- Demand for employment land is focused in North Kirklees, due to its proximity to the M62.
- Existing stock and older sites/allocations provide an important resource, but a lack of higher quality sites is restricting employment growth. There has been little significant development in recent years, which is considered to be the result of a lack of appropriate land supply.
- The technical paper notes that large flat sites, with access to the motorway and a skilled workforce, are required to deliver the economic objectives of the SEP and KES.

- 10.8 There is clearly a need for a fresh supply of good quality land. Without this, the District will continue to underperform economically.
- 10.9 The Core Strategy sought to address this need, but was withdrawn. This further delayed a release of land to meet this need.
- 10.10 The need has been unmet for a considerable period of time. The emerging Local Plan will address this need. However, it is not likely to be adopted for 18 months. Given that the UDP allocated land to meet needs up to 2006, this would mean a 12-year delay to new allocations being made available to the market.
- 10.11 The emerging Local Plan period started in 2013. A 5-year delay before development starts in this plan period presents a significant risk of under-delivery during the plan period as a whole. This would simply compound the issue of poor economic performance due to a lack of supply.

10.12 We consider that there is a pressing need to release new, well-located land for development at this time. Delaying some land releases while the plan is consulted upon, examined and adopted risks further undermining economic performance in the area and represents a major opportunity cost. That approach would mean that the first 5 years of the emerging plan period would be supplied only by UDP sites, which, in any event, were only meant to cater for needs up to 2006. This has the potential to undermine delivery in the forthcoming plan period, as well meaning that the current needs of businesses are not being met.

10.13 This need should be given considerable weight.

The lack of preferable alternative sites to meet this need

10.14 There is an existing supply of employment land. The quality of this land varies. Much of the existing supply is removed from the motorway corridors and would not meet the locational requirements identified in the emerging Local Plan evidence base.

Non-Green Belt Options: Existing Land Supply

10.15 There is land available in the Primary Employment Areas (PEAs). These sites are older industrial estates, spread across the District. Several of the PEAs in locations close to motorway junctions have been reviewed⁴⁵. They offer smaller sites, suitable for local growth, but often in constrained contexts. As older industrial sites, they tend to have land available which has not been developed yet and which suggests that it is not generally suitable to meet the transformational agenda of the identified need.

10.16 Our review of PEAs close to motorway junctions has shown a general lack of availability of any significant land which is capable of delivering more than a small-scale single building. This would not approach the amount or type of development necessary to begin achieving the level of economic growth required.

10.17 There are also two key committed developments, both of which have received planning permission very recently. They are relatively well-located. These are older UDP allocations which have struggled to deliver and, as a consequence, include residential uses as enabling development. This limits their contribution to employment land supply. These two schemes provide just under a year's supply of employment land based on historic take-up rates.

10.18 Given that the emerging Local Plan period started in 2013, there is a need to increase delivery above historic rates as soon as possible or risk not delivering on the overall target. In the context of an annualised requirement based on the need identified in the Local Plan evidence base, the two committed sites represent just over half a year's supply of land.

10.19 There is clearly a gap in supply between committed and existing sites and the time period when the plan can allocate more land. Furthermore, delivering a major development will require a lead time, particularly if there are any issues to deal with on the site. Given the local topography and infrastructure constraints, the lead time may be extended for some sites.

⁴⁵ See paragraph 6.45 of this report

- 10.20 On this basis, we consider that the existing land supply is not suitable or adequate to meet needs which exist now. There is no non-Green Belt alternative site available which could meet the identified need.

Alternative Green Belt Options: Council's Preferred Land Supply

- 10.21 The emerging Local Plan proposes to allocate around 145ha of land in close proximity to motorway junctions. These locations include the two recently approved committed developments noted above, as well as three employment sites and a mixed-use site.
- 10.22 All of the sites are greenfield and Green Belt, other than the application site, which is largely brownfield. Each of the sites also fulfils or partially fulfils the purposes of including land in the Green Belt.
- 10.23 Cooper Bridge is a proposed strategic employment site, noted as strategically important in the SEP and in an excellent location. However, it does have highways constraints which will require public funding to resolve. This is likely to delay a start on delivering employment space on this site in the short term.
- 10.24 Chidswell is a proposed mixed use site which is also noted in the SEP. It is primarily a housing site, which is likely to be the focus of attention for this site. This may delay delivery of the employment elements of the site. Third party land is required to deliver access, which is likely to delay a start on site in the short-term.
- 10.25 Land is also proposed for employment uses at the A58/M606. This site is in a good location and is also a good candidate for early release. However, it is greenfield and should not be preferred for early release over a brownfield option, like the application site.
- 10.26 The application site is also proposed as an employment site.

Alternative Green Belt Options: Other Potential Sites

- 10.27 A number of other potential locations have been reviewed. Each of these is greenfield and in the Green Belt. The vast majority of these are constrained by access or topography. The better-located and least-constrained sites are around J26 of the M62. However, these options have more potential amenity issues than the application site due to proximity to a greater number of houses and they still have access and topography constraints.

Alternative Sites Conclusions

- 10.28 A range of potential other sites which could meet the identified need in the shorter term have been examined. There is no non-Green Belt option available which would meet the locational requirements of the market.
- 10.29 Other Green Belt options have also been considered, given the Council's plan to release new sites in the foreseeable future. There are not considered to be any other Green Belt sites which are preferable to the application site that could meet the identified need in the shorter-term.

10.30 The lack of availability of other sites which could meet the need identified above should also be given significant weight.

The positive local socio-economic effects of the development

10.31 The Socio-Economic Chapter of the accompanying ES, prepared by Turley, assesses the potential impacts of the proposed development on the local economy and population and reviews its economic impact, as well as the impacts with regards to employment, homes, education, health, open spaces and recreation facilities.

10.32 It concludes that the proposed development will have a beneficial effect on local economic conditions as well as on the local population. This includes job creation and additional GVA to the local economy during construction and operational phases. The local community will also benefit from the uplift in provision of public open space.

10.33 Specifically, the proposed development will have the following effects during the construction and operational phases:

Construction Phase

- Support 84 FTE gross construction jobs in the local area and 125 in the wider impact area over the construction period.
- Generate an additional £7.3 million in GVA for the wider economy for each year of construction.

Operational Phase

- Support a total of 388 net FTE jobs locally and a total of 770 net FTE jobs across the wider impact area once leakage and multipliers are included.
- Generate £32.8 million in GVA annually in the wider impact area, of which £15.9 million GVA could be supported in the local area.
- Generate circa £590,000 business rate revenue per annum to be retained, by the Kirklees Council from 2020. The previously-developed nature of much of the application site

10.34 The site is previously-developed. The Framework sets a core planning principle that the planning system should encourage effective use of land by re-using previously developed land provided that it is not of high environmental value⁴⁶.

10.35 This site is in a sustainable location, ideally-located to meet identified business needs and close to a workforce. Previously-developed sites with these characteristics are not common in the Green Belt. It should therefore be a priority to release this site over non-previously developed sites.

⁴⁶ Paragraph 17

Green Belt Balance

Weighting

- 10.36 Section 9 of this report concluded that the development is by definition harmful to the Green Belt. Whilst the site is previously-developed in part, the proposed development is greater in volume than the existing development as a result of the need to achieve a viable development. It will therefore have a greater effect on openness than the site does in its present condition. **This should be given great weight in decision making.**
- 10.37 The development of the site would conflict with the purposes of including land in the Green Belt. However, it is considered that this harm is limited, as the site is previously-developed and already compromises the extent to which the purposes are fulfilled by this land. **On this basis this harm should be given limited weight.**
- 10.38 Section 6 identified a pressing unmet need for the release of land to meet the needs of businesses in the District. Land supply is extremely constrained and has been for many years. This is hampering economic growth which, in turn, has implications for social wellbeing. **This should be given great weight in decision making.**
- 10.39 Section 7 concluded that there was not a non-Green Belt alternative site available which could meet that need. On this basis, it is not possible to meet the objectively assessed needs of the District without intrusion into the Green Belt. **This should be given great weight in decision making.**
- 10.40 A range of alternative Green Belt sites were also considered. Whilst several were broadly comparable to the application site, they should not be preferred over the application site as an early release. This is because they are all greenfield and Green Belt sites which, in relative terms, perform the purposes of including land in the Green Belt better than the application site.
- 10.41 Current national policy is clear in its expectation that sustainable economic development should be driven proactively and that every effort should be made to identify and meet the needs of businesses⁴⁷ in an area. This is one of the 12 core planning principles set in the Framework. **This should therefore be given great weight.**
- 10.42 The Socio-Economic Chapter of the ES identifies that the proposals will have a beneficial effect on local economic conditions as well as on the local population. The development will result in the creation of 186 construction stage jobs and over 1,000 operational stage jobs.
- 10.43 This site will therefore make a meaningful contribution not only to the supply of new land for business premises, but also to the local economy, local employment and associated benefits to those people working on the site in terms of income, wealth and health indicators. **This should also be given great weight in decision making.**
- 10.44 Section 9 concluded that the development would have a limited conflict with the purposes of including land in the Green Belt. This is primarily because it is previously-developed land, which already affects openness and limits the extent to which the site

⁴⁷ NPPF Paragraph 17

can fulfil the purposes of including land within the Green Belt. There is also a national policy presumption in favour of locating development on brownfield land. Section 10 concluded that no other harm would arise as a result of the development. **These factors should also be given weight in decision making.**

Balance

- 10.45 We consider that the definitional harm to the Green Belt is clearly outweighed by the inability of the District to meet its employment needs in non-Green Belt locations, the benefits to be derived from the scheme in terms of socio-economic factors, as well as encouraging the use of brownfield land.
- 10.46 The need for employment land is a long-term problem. Poor economic performance and joblessness is attributed to a lack of land supply in Council evidence documents. This is harming business performance, with implications for the economic and social wellbeing of the entire area. This creates significant harm which the application scheme will help to address. **This must also be given substantial weight.**
- 10.47 There are no available or preferable non-Green Belt sites which can meet the identified need in the short-term. If this need is to be met, harm to the Green Belt is inevitable. **This lack of alternatives should also therefore be given substantial weight.**
- 10.48 Accommodating the need on a site which is already compromised in terms of its fulfilment of the purposes of including land in the Green Belt is a far preferable alternative to a site which performs those functions to a high degree. This limits the harm to the continued functioning of the wider Green Belt. The development will also help to meet the policy objective of encouraging the use of brownfield land. **This should be afforded weight.**
- 10.49 It is, therefore, concluded that harm to the Green Belt by definition is outweighed by:
- need;
 - a lack of non-Green Belt sites to meet that need;
 - the compromised nature of the site in terms of its fulfilment of Green Belt purposes;
 - contribution to socio-economic aims; and
 - contributing to the recycling of previously-developed land.
- 10.50 In addition, Kirklees Council propose to release this site from the Green Belt in any event, which indicates their intention to meet future needs on this site. We consider these to be compelling reasons to outweigh the harm to the Green Belt by reason of inappropriateness.

11. Summary and Conclusions

- 11.1 This Planning Statement has set out the case for the proposed redevelopment of the former North Bierley Waste Water Treatment Works to provide employment space and a school car park on a separate parcel of land to serve Woodlands C of E Primary School.
- 11.2 A car park to provide parking for the Woodlands Primary School (in Bradford District) is included in the scheme as a result of discussions with the respective local authorities, local residents and school governors, and concerns around road safety in the vicinity of the school.
- 11.3 A detailed consideration of need for the proposed development has been provided, concluding that there is an economic need which is not currently being met and that there is a need for an early release of land to meet economic development needs in the short-term.
- 11.4 A consideration of alternatives has concluded that there are no available or preferable non-Green Belt sites which can meet the identified need in the short-term.
- 11.5 Whilst the site is previously-developed in part, the proposed development is greater in volume than the existing development as a result of the need to achieve a viable development. It will therefore have a greater effect on openness than the site does in its present condition, and the development of the site would therefore conflict with the purposes of including land in the Green Belt. However, it is considered that this harm is limited, as the site is previously-developed and already compromises the extent to which its Green Belt purposes are fulfilled.
- 11.6 This Planning Statement has also identified that there will be no 'other harm' arising in respect of air quality, flood risk, drainage, ground conditions, ecology, landscape and visual impact, noise and vibration or transport.
- 11.7 It is considered that the definitional harm to the Green Belt is outweighed by the very special circumstances of:
- need;
 - a lack of non-Green Belt sites to meet that need;
 - the compromised nature of the site in terms of its fulfilment of Green Belt purposes;
 - the contribution to socio-economic aims; and
 - contributing to the recycling of previously-developed land.
- 11.8 Taking the above into the planning balance, it is considered that the proposed scheme is acceptable in this location and should be granted planning permission.

Turley