

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

needed but this is not proposed in the plan.

### Council Response

No change. This site has outline planning permission for 24 dwellings (application reference 2014/93480) therefore the principle for the development of this site has been established.

Paragraph/Site: **H1774**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3766**

### Soundness - Justified

This site lies within the boundary of the Thurstonland Conservation Area. The loss of this currently-open area and its subsequent development could harm elements which contribute to the significance of this area. When the Conservation Area was originally designated, there must have been an acceptance that this open area contributed towards the character or appearance of the area. Therefore, one might conclude that the loss of this space would be likely to harm an element which contributes towards the significance of the Conservation Area. By allocating this site for development, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the character of the Conservation Area or what harm might result to those elements which contribute to the significance of this designated area by its eventual development.

### Soundness - Consistent with National Policy

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, the Council has a statutory duty under the provisions of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay "special attention" to "the desirability of preserving or enhancing the character or appearance" of its Conservation Areas.

### Proposed Change Requested

Before allocating this site for development an assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon those significances.

### Council Response

No change. Historic England now fully acknowledge that the selection of sites which have been put forward as allocations in the Plan have been arrived at following a series of evaluations by the Council of the potential impacts that of all the sites might have upon the historic environment. Historic England endorse the process undertaken to arrive at the selection of sites included in the Plan and this has involved full consultation with, and considerable input from, Historic England throughout. Historic England have also confirmed that the Plan does not include any sites whose development will result in substantial harm to a designated heritage asset (and whose allocation, therefore, would be likely to conflict with national policy guidance). A Heritage Impact Assessment (LE93) has been prepared for the site.

Paragraph/Site: **GTTS1957**

Consultee: **968970 c/o agent**

Agent: **968969 Miss Clare Plant**

Rep ID: **PDLP\_AD1030**

### Soundness - Justified

This site scores more positively than GTTS 2487 in the SA. It is more suitable to accommodate need than GTTS 2487.

### Proposed Change Requested

Increase capacity of the site to 12 additional pitches

### Council Response

No Change It is not considered appropriate to extend the existing Travelling Showpeople site (GTTS 1957) to accommodate the needs of Gypsy and Travellers.

Paragraph/Site: **GTTS2487**

Consultee: **949632 Miss Lyndsey Hepworth**

Agent:

Rep ID: **PDLP\_AD634**

### Soundness - Justified

To have a GTTS site in Birstall is not acceptable. There are currently no other planned sites that I can see in any other area of Kirklees. Although they are across council boundaries, there is already a site less than 3 miles away in Leeds. Furthermore, to have a site so close to business and areas of employment is a risk to maintaining and attracting business. This type of site needs to be far away from the local area, possibly on a main access road without having to travel through a village.

### Council Response

The Kirklees Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2015 (LE16), was undertaken in accordance with national planning policy and existing guidance on undertaking accommodation assessments. The site has been assessed in accordance with the site selection methodology (Local Plan Methodology Statement Part 2 BP23). The assessments of alternative sites can be viewed in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29). The relative scoring of alternative sites is set out in the sustainability appraisal (SD5). The site scores positively with regard to access to services in the SA (SD5-Annex 5 – Traveller Site SA Matrices - pages 171-175). The site is council owned and considered to be deliverable. The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set

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out in the allocation text box (SD2, Allocations and Designations, page 162). The employment option E1872 has been rejected in the local plan (Rejected site options reports -LE4), a gypsy and traveller site is a compatible use alongside a Priority Employment Area. It is important to note that other housing allocations are located next to PEAs. There is a substantial quantity of Priority Employment Area land to the south west of the retail park.

Paragraph/Site: **GTTS2487**

Consultee: **968556**

**Mr Anthony Aitken**

Agent: **968551**

**Mrs Jessica Powell**

Rep ID: **PDLP\_AD340**

### **Soundness - Justified**

- Advice, August 2015 Traveller Sites Planning Policy emphasises the need for local policies to be supported by suitable evidence, and to be formed collaboratively with adjoining planning authorities - Birstall is not an appropriate location for a site for pitches for Gypsies and Travellers should the need be identified. - Birstall is an area which adjoins the area of Leeds with the largest concentration of pitches, both existing and proposed. Evidence base for the policy indicates that Birstall is not an area within which a requirement for Gypsy and Traveller accommodation is likely to occur. - Previous objection own assessment of all discounted sites in rejected options report Nov 2015 and allocated site arrived at different conclusions. 'Green Belt' assessment criteria used by Kirklees Council for each of the sites is unnecessary as options "remote from any settlement" should not be excluded in accordance with the Government Guidance. 13 sites should not have been discounted. GTTS 1995, 1956, 1959, 2042, 2044, 2045, 2047, 2049, 2051, 2055, 2057, 2060 and 2061. - Draft plan and associated documents fail to provide strategic/ site specific evidence that the proposed allocation is distinguishable from and preferable to these sites. - Summary 'scoring' for sites between the proposed allocation and the rejected sites is also inconsistent, as they are presented in different ways. - 'Sustainability Appraisal' assessed the likely impact of the proposed development on existing situations as opposed to considering the merits of the site for the intended use. As a result, several scores in the appraisal are comparable for many sites and do not therefore offer a basis for which to distinguish between the sites - No apparent justification. More detailed comparative assessments are required to justify allocation. - Location of GTTS2487 is no more appropriate than the other sites in terms of general access and distance to shopping facilities, schools and other community facilities. - Further ground investigations are necessary to provide a better informed decision for the allocation of a site. - No certainty that the site will be acceptable in terms of the proposed use at the point of detailed examination of the development management process.

### **Proposed Change Requested**

- Revisit allocation, undertake further detailed analysis to better inform and justify any specific allocation

### **Council Response**

No Change The Kirklees Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2015 (LE16), was undertaken in accordance with national planning policy and existing guidance on undertaking accommodation assessments. The site has been assessed in accordance with the site selection methodology (Local Plan Methodology Statement Part 2 BP23). The assessments of alternative sites can be viewed in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29). The relative scoring of alternative sites is set out in the sustainability appraisal (SD5). The site scores positively with regard to access to services in the SA (SD5-Annex 5 – Traveller Site SA Matrices - pages 171-175). The site is council owned and considered to be deliverable. The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set out in the allocation text box (SD2, Allocations and Designations, page 162).

Paragraph/Site: **GTTS2487**

Consultee: **968970**

**c/o agent**

Agent: **968969**

**Miss Clare Plant**

Rep ID: **PDLP\_AD1024**

### **Soundness - Positively Prepared**

The GTTS Accommodation Assessment identifies a very limited if any requirement for none bricks and mortar gypsy and traveller pitches within Kirklees. The allocation of Bankwood Way for 12 permanent and 8 transit pitches represents an inefficient use of land.

### **Soundness - Justified**

There are a number of rejected sites which score more positively in the SA but have been discounted from the Local Plan. These are GTTS 2047, GTTS 2048 and GTTS2057. The other proposed site (GTTS 1957) scores more positively than Bankwood Way and offers the opportunity for expansion to accommodate all of the Gypsy and Traveller need. The site is located 1.6km from nearest primary school and 1.5 miles from nearest GP surgery and the site is located in a busy commercial and industrial area.

### **Soundness - Consistent with National Policy**

Allocation would be contrary to Policy B of the guidance on Gypsy and Traveller Accommodation within the NPPF (to be read in conjunction with the Government's Planning Policy for Traveller Sites (August 2015).

### **Proposed Change Requested**

Delete site and increase capacity of GTTS1957.

### **Council Response**

No Change It is not considered appropriate to extend the existing Travelling Showpeople site (GTTS 1957) to accommodate the needs of Gypsy and Travellers. The relative scoring of alternative sites is set out in the sustainability appraisal (SD5). This has been balanced against how the sites have scored in

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the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29). The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set out in the allocation text box (SD2, Allocations and Designations, page 162).

Paragraph/Site: **GTTS2487**

Consultee: **969115**

Agent: **969108**

**Mr Tim Price**

Rep ID: **PDLP\_AD2063**

### **Soundness - Justified**

the site is not suitable for residential uses of the type proposed for the following reasons: The site is located within an established industrial and commercial area and therefore the amenity of future residents would be untenably affected; The site suffers from a series of physical constraints, including land contamination, that mean the site is unsuitable for residential development; The site is isolated from key services and facilities; The site is inaccessible by public and sustainable modes of transport; and The proposed allocation would have a detrimental impact on the scope for future investment within the adjoining land which is a 'Primary Employment Area'.

### **Proposed Change Requested**

Remove the proposed travellers allocation.

### **Council Response**

No Change The relative scoring of alternative sites is set out in the sustainability appraisal (SD5). The site scores positively with regard to access to services in the SA (SD5-Annex 5 – Traveller Site SA Matrices - pages 171-175). This has been balanced against how the sites have scored in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29). The site is council owned and considered to be deliverable. The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set out in the allocation text box (SD2, Allocations and Designations, page 162). The employment option E1872 has been rejected in the local plan (Rejected site options reports -LE4), a gypsy and traveller site is a compatible use alongside a Priority Employment Area. It is important to note that other housing allocations are located next to PEAs. There is a substantial quantity of Priority Employment Area land to the south west of the retail park. The site is not within a high flood risk area on the Environment Agency Flood Map. The management of surface water in development proposals is set out in Policy PLP28 (SD1, Strategy and Policies, page 127) which includes reference to maintaining typical greenfield run-off rates from sites. The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).

Paragraph/Site: **GTTS2487**

Consultee: **969536** - -

Agent: **969534**

**Miss Andrea Caplan**

Rep ID: **PDLP\_AD1768**

### **Soundness - Justified**

- Unsuitable for residential accommodation, traveller site 20 pitches, accommodation for a significant number of families with children. - Wide range of environmental issues which will need further consideration before site could accommodate traveller camp including: highways improvements, surface water drainage solution, may be significant ground conditions and contamination issues, possible noise from nearby industrial uses and surrounding highway network. - Not known if there are any ecological constraints to development - Work on health care issues on-going, impacts would not appear to have been fully assessed. - Power lines cross site, residential amenity and serious safety concerns. Unclear what National Grid's operational requirements are for site. - For site to contribute to 5 year traveller site provision, it must be deliverable. Questionable. - Site unsustainable and inappropriate, well away from existing settlements, adjacent to heavy industrial uses, within a HSE risk zone. Location would be considered unacceptable for residential development under any other circumstances. - A significant number of sites considered by Council fall within areas proposed for Urban Greenspace. Majority of undeveloped land within urban areas of Kirklees covered by proposed allocation. Considered to be extremely restrictive allocation which has significant implications for delivery of new homes on sites in sustainable locations and form part of existing settlements. - Supporting text to PLP61, planning permission may be granted within urban greenspace or smaller valuable green spaces where shown substantial and specific benefit to local community outweighs loss. Delivery of traveller accommodation must be seen as community benefit. - Unclear how Council initially identified 35 other rejected traveller sites and whether these have been considered for other uses. Traffic light assessment system not produced for proposed allocation sites. Would have been expected that all sites were assessed using same methods and most preferable sites brought forward for allocation. No clarification provided. - Object to findings of Rejected Site Options Report. Considered to be other sites which would be more appropriate. - Previous objection maintained, evidence submitted in Feb 2016 still relevant.

### **Proposed Change Requested**

- Rejected sites should be reconsidered in relation to their ability to provide a sustainable location for traveller accommodation required.

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<b>Council Response</b>	No ChangeThe relative scoring of alternative sites is set out in the sustainability appraisal (SD5). This has been balanced against how the sites have scored in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29).The site is council owned and considered to be deliverable. The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set out in the allocation text box (SD2, Allocations and Designations, page 162).Planning Policy for Traveller Sites sets out that in producing their local plan the LPA should identify a supply of specific deliverable sites for Travellers as such it is not considered appropriate to rely on Urban Greenspace sites or policy.
Paragraph/Site: <b>GTTS2487</b>	Consultee: <b>978303</b> <b>Cllr Andrew Palfreeman</b> Agent: Rep ID: <b>PDLP_AD2535</b>
<b>Soundness - Justified</b>	We refute there is need or demand for a new GTTS site in Kirklees. We also believe even if there was an evidenced based case for a new site that this is an extremely poor location for such a site to be located. We believe the site should be rejected on the following grounds: On the very extreme edge of Kirklees – probably as far away from the Borough’s population centre, Huddersfield, as possible. Therefore it will be of no use to any Gypsy and Travellers visiting Kirklees whether that is to visit family or other purposes. It will not serve any Gypsy & Traveller Community in Kirklees as it is on the very extreme edge of the Borough. The land would be better used for business and industry as all the surrounding land is used for that purpose. It will be an overflow camp for sites in Wakefield Bradford & Leeds. Any claim that there is demand in the locality is flawed as there is a Gypsy & Traveller site less than 2 miles away in Leeds. Junction 27 is the largest single contributor to Kirklees Council finances (outside of Huddersfield Town Centre) and business are very concerned that such a site will impact on the retail and leisure attraction of junction 27 and ultimately devalue their property and businesses. Junction 27 already suffers from high levels of crime and businesses and residents understandably believe such a proposal will be a magnet for further crime. We believe this site should e used for business and industry.
<b>Council Response</b>	No ChangeThe Kirklees Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2015 (LE16), was undertaken in accordance with national planning policy and existing guidance on undertaking accommodation assessments.The relative scoring of alternative sites is set out in the sustainability appraisal (SD5). The site scores positively with regard to access to services in the SA (SD5-Annex 5 – Traveller Site SA Matrices - pages 171-175). This has been balanced against how the sites have scored in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29).The employment option E1872 has been rejected in the local plan (Rejected site options reports -LE4), a gypsy and traveller site is a compatible use alongside a Priority Employment Area. It is important to note that other housing allocations are located next to PEAs. There is a substantial quantity of Priority Employment Area land to the south west of the retail park.
Paragraph/Site: <b>GTTS2487</b>	Consultee: <b>1053800</b> Agent: <b>1053797</b> <b>Mr James Beynon</b> Rep ID: <b>PDLP_AD1965</b>
<b>Soundness - Positively Prepared</b>	- The GTTS allocation conflicts with Local Plan policy PLP 8 - Allocation conflicts with the Kirklees Gypsy and Traveller Showperson Accommodation Assessment (2015) paragraph 7.1
<b>Soundness - Justified</b>	- The established surrounding uses, comprising Birstall Retail Park and Pennine View Industrial Estate, are not compatible with the proposed residential use - Existing operations would have a negative impact on residential amenity by way of undesirable noise, odour and pollution - Residential use could have a negative effect on established businesses within the Retail Park, restricting their operations and potential for future growth - Residential development would increase private car use - The GTTS site adjoins a Priority Employment Area. The GTTS site forms part of an employment allocation in the UDP, there is no evidence provided to suggest that the GTTS is not suitable for future employment use - The GTTS is in an unsustainable and inaccessible location for residential use - There are approximately 12 alternative Traveller site options within the SA which are assessed as having greater positive/significant positive effects than the site in question
<b>Soundness - Consistent with National Policy</b>	- Allocation is not consistent with national Planning Policy for Traveller Sites (PPTS). Traveller sites should be in appropriate and sustainable locations in which travellers can access education, health, welfare and employment infrastructure (Para.4, PPTS) - Allocation conflicts with PPTS (Para. 10 - 11) - Allocation conflicts with PPTS (Para. 13) - Allocation conflicts with NPPF (Para. 37)
<b>Proposed Change Requested</b>	Allocation GTTS2487 be removed and that alternative traveller accommodation be found in more sustainable and accessible locations within the district.
<b>Council Response</b>	No ChangeThe relative scoring of alternative sites is set out in the sustainability appraisal (SD5). This has been balanced against how the sites have scored in the Rejected site options reports (LE4) and Accepted site options – Technical Appraisals reports (BP29).The site is council owned and considered to be

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deliverable. The site access is achievable. The site is on potentially contaminated land therefore Phase 1 and 2 contamination reports are required. A coal mining risk assessment will be required. It is acknowledged that the power lines across this site may affect the developable area. These requirements are set out in the allocation text box (SD2, Allocations and Designations, page 162). The employment option E1872 has been rejected in the local plan (Rejected site options reports -LE4), a gypsy and traveller site is a compatible use alongside a Priority Employment Area. It is important to note that other housing allocations are located next to PEAs. There is a substantial quantity of Priority Employment Area land to the south west of the retail park to continue to support existing businesses in the area.

Paragraph/Site: **5.1**

Consultee: **943894**

**Mrs Beverley Lambert**

Agent:

Rep ID: **PDLP\_AD2353**

### Council Response

Support noted

Paragraph/Site: **MX1903**

Consultee: **943957**

**Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3768**

### Council Response

No change.Support noted.

Paragraph/Site: **MX1903**

Consultee: **1045848**

**Mrs Toni Rios**

Agent: **1045846**

**Mr Christopher Yapp**

Rep ID: **PDLP\_AD386**

### Soundness - Justified

The site description already contains the following appropriate wording: "Development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". Additionally, development of this site will need to be phased in line with proposed Policy PLP4 that requires investment in infrastructure and new development to be coordinated. For further correspondence relating to this representation see Core Document 'Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation'

### Proposed Change Requested

Additionally, development of this site will need to be phased in line with proposed Policy PLP4 that requires investment in infrastructure and new development to be coordinated.For further correspondence relating to this representation see Core Document 'Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation'

### Council Response

No change.Highways England intend to retract their comments on the publication draft at the earliest opportunity to reflect their current position. These matters have been subsequently addressed within Highways England's letter to Kirklees Council dated 12th April 2017 (BP28). Further to this correspondence, the 'site specific considerations' (in relation to individual site and cumulative site impacts upon the Strategic Road Network) have either been removed or modified in accordance with Highways England's expressed position (see SD4 and BP28). Highways England's recommendations within BP28 were informed by LE141 and their latest Network Analysis Tool modelling. Highways England have agreed that Local Plan Policy PLP 4 will enable the Council to seek contributions towards additional mitigation measures from applications upon allocations that do not in themselves generate a significant impact upon the SRN (but that may contribute towards cumulative impact).

Paragraph/Site: **MX1930**

Consultee: **942493**

**unknown**

Agent: **1060412**

**Mr Richard Walters**

Rep ID: **PDLP\_AD1853**

### Soundness - Justified

Despite the allocation of the Black Cat Fireworks site within MX1930, to date the Council has not entered into discussions with Empire Knight Group Limited about the future of their business operations. Site Allocation Mx1930 as drafted does not provide the certainty required by Empire Knight Group Limited. As reflected in the overall vision and Policy PLP 5 of the Strategy and Policies Plan, comprehensive masterplanning of large development sites offers better chance of quality layouts, design, green infrastructure and higher building specifications. A smaller piecemeal development around the edges of the Black Cat Fireworks Site (avoiding the HSE Explosive Interest Zone) would hinder comprehensive development of the site at a future date and would not represent the most effective strategy for development. Any development to the west of the Black Cat Fireworks site would not be well connected to the existing urban area owing to a lack of pedestrian or cycle connections. Delivery of sustainable development is therefore dependent upon the closure and redevelopment of Black Cat Fireworks as part of MX1930. As stated above, the closure and relocation of Black Cat Fireworks operations is dependent upon the value of development achievable from redevelopment of the site. Subject to allocation of the 17ha Black Cat Fireworks site for residential development, it is likely that redevelopment of the site would generate sufficient revenue to fund the relocation of Black Cat Fireworks operations. The wording of allocation MX1930 is therefore central to the deliverability and therefore soundness of this allocation. The location or type of employment floorspace envisaged within the site is not specified by the allocation and for the reasons set out below we do not consider that this has been realistically considered. Taking into account the sites location, the requirements of the market and the compatibility of the proposed employment floorspace with the proposed housing we do not consider that

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the proposed 44,258 sq m of employment floorspace is justified or deliverable. By virtue of its distance from the town centre, the location of the site does not represent a prime location for offices. The delivery of 44,258 sq m of office space is not therefore supported by national planning policy which directs such development to town centres over out-of-centre locations. Occupiers of industrial and warehousing property require easy access to the main arterial routes, in Kirklees this equates to access to the M62 or M1. The M62 corridor and locations easily accessible from the M62 (no more than 5 minutes) therefore represent the existing and emerging prime locations for industrial and warehousing development within Kirklees. Consistent with this the Publication Plan identifies locations in the north of Huddersfield such as Lindley Moor and Cooper Bridge as strategically important employment sites. By contrast, Site MX1930 is located 'in-land' of the M62, on the south western edge of Huddersfield. Access from MX1930 to Junction 23 of the M62 is via the built-up area of Huddersfield (including residential areas) or via rural roads across Bolster Moor. Neither of these routes represent efficient or suitable routes for HGVs and would take well in excess of potential occupiers desired 5 minute drive time. The site does not therefore represent a location which is likely to be attractive to the industrial and warehousing market. Furthermore, the delivery of traditional manufacturing industries alongside the proposed housing will reduce the market attractiveness of the housing and result in potential conflict between the two uses, to the detriment of the commerciality of the manufacturing units.

### Soundness - Effective

A change of use or redevelopment of part of the 17ha site occupied by Black Cat Fireworks cannot take place whilst it is operational. The storage of significant levels of explosive materials is deemed as a health and Safety risk which is regulated by the Health and Safety Executive (HSE) as part of the COMAH competent authority. In order to operate lawfully, the Black Cat Fireworks business requires a HSE Licence. In considering whether to grant/renew a licence the HSE must consider if the presence of vulnerable sections of the population (young children, the sick or elderly) in the immediate area of the site would render it an unsuitable location for the manufacture or storage of explosives. On this basis, any development permitted within the Explosive Interest Zone must be notified to the HSE. The continued operation and commercial viability of Black Cat Fireworks business would therefore be threatened by any increase in persons regularly present within the vicinity of the site. On this basis, Empire Knight Group Limited would object to the delivery of any new housing on MX1930, which falls within the Explosive Interest Zone, whilst Black Cat Fireworks is still operational. Without the closure and relocation of Black Cat Fireworks, the proposed allocation of Site MX1930 is neither effective nor deliverable.

### Proposed Change Requested

We recommend that the allocation of Site MX1930 is for residential development entirely or, subject to the results of a comprehensive masterplanning exercise, residential development with an element of flexible start-up business units (Use Class B1b and/or B1c).- The policy must make clear that the development of the site is dependent upon the closure and relocation of Black Cat Fireworks operations. Comprehensive masterplanning of the site cannot take place until the relocation of Black Cat Fireworks has been secured;- In order to secure the closure and relocation of Black Cat Fireworks sufficient land value must be generated from the development of the site. The 17ha Black Cat Fireworks site must therefore be allocated for residential development. This is further justified on the basis that the Black cat Fireworks Site is located within the centre of the wider MX1930 site and does not benefit from visibility from the road frontage (as would be required by businesses);- Subject to a comprehensive masterplanning exercise, the wider site MX1930 allocation may include an element of flexible start-up business units (Use Class B1b and/or B1c). Reference to 44,258 sq m of employment floorspace should be deleted on the basis that it is not an appropriate scale of employment development in this location.

### Council Response

No change. In response to the representation and further correspondence with the land owner and their representative a further representation has been made: (SS1) clarifying the issues raised. Discussions are on-going to address any potential issues raised.

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Paragraph/Site: <b>MX1930</b>	Consultee: <b>943957</b>	Mr Ian Smith	Agent:	Rep ID: <b>PDLP_AD3769</b>
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### Council Response

No change.Support noted.

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Paragraph/Site: <b>MX2101</b>	Consultee: <b>943957</b>	Mr Ian Smith	Agent:	Rep ID: <b>PDLP_AD3770</b>
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### Council Response

No change.Support noted.

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Paragraph/Site: <b>MX1911</b>	Consultee: <b>942405</b>	unknown	Agent: <b>941889</b>	Mr Alistair Flatman	Rep ID: <b>PDLP_AD1735</b>
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### Council Response

No change.Support noted.

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Paragraph/Site: <b>MX1911</b>	Consultee: <b>942687</b>	Eric and Angela Stevens	Agent:	Rep ID: <b>PDLP_AD3575</b>
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**Soundness - Positively Prepared** At odds with the Council's own Strategic Objectives: to protect and improve green infrastructure, to provide access to good quality open spaces and

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opportunities for sport, recreation and play, to protect and enhance characteristics of the built, natural and historic environment and local distinctiveness and to promote the use of brownfield land first.

**Council Response**

No change. The site has been assessed in the context of the council's strategic objectives and development needs and is considered sound.

Paragraph/Site: **MX1911**Consultee: **943957****Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3771****Soundness - Justified**

At the north-eastern corner of this area is an eighteenth Century guide stoop which is a Grade II\* Listed Building. Haigh Cross (on the eastern boundary of this area), the boundary stone outside Peat Ponds Farm (at the northern end of this site), and Crosland Road Farmhouse (at the south-eastern edge of this area) are Grade II Listed Buildings. The loss of this area and its subsequent development could harm elements which contribute to the significance of these buildings. By allocating this site for development, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the special architectural or historic interest or setting of these Listed Buildings or what harm might result to those elements which contribute to their significance by its eventual development.

**Soundness - Consistent with National Policy**

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, national policy guidance makes it clear that Grade I and II\* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

**Proposed Change Requested**

Before allocating this site for development an assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Listed Buildings in its vicinity and what impact the loss of this undeveloped site and its subsequent development might have upon their significance.

**Council Response**

No change. Correspondence within BP28 (dated 24th February 2017) clarifies Historic England's current position with respect to these earlier comments, specifically that Historic England no longer consider that there has been no evaluation of the impact of any of the sites upon the historic environment. Historic England now fully acknowledge that the selection of sites which have been put forward as allocations in the Plan have been arrived at following a series of evaluations by the Council of the potential impacts that of all the sites might have upon the historic environment. Historic England endorse the process undertaken to arrive at the selection of sites included in the Plan and this has involved full consultation with, and considerable input from, Historic England throughout. Historic England have also confirmed that the Plan does not include any sites whose development will result in substantial harm to a designated heritage asset (and whose allocation, therefore, would be likely to conflict with national policy guidance).

Paragraph/Site: **MX1911**Consultee: **975291****Gareth Lloyd**Agent: **969464****Mr Adam Jackson**Rep ID: **PDLP\_AD1736****Soundness - Justified**

Support for the principle of mixed use development on this site, however anticipated yield of the site in over-estimated - from previous approvals on the site, current applications and site constraints there will be a 80 dwelling shortfall.

**Proposed Change Requested**

Amend housing number for this allocation.

**Council Response**

No change. The indicative capacity for a site of this size is deemed deliverable.

Paragraph/Site: **MX1906**Consultee: **943957****Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3772****Council Response**

No change. Support noted.

Paragraph/Site: **MX1929**Consultee: **1049530**Agent: **1049528****Mr Neil Rowley**Rep ID: **PDLP\_AD636****Soundness - Positively Prepared**

The indicative site capacity is too low. To allow flexibility on design and mix, the indicative capacity should be increased. We suggest to 180 dwellings.

**Soundness - Consistent with National Policy**

When allocating sites it is Government policy and generally good practice to make the best possible use of those sites. This would comply with Government guidance in the NPPF to make effective use of land.

**Proposed Change Requested**

Change indicative capacity to 180 dwellings.

**Council Response**

No change. The site has full planning permission for the erection of 166 dwellings. Therefore this figure has been used as the indicative site capacity as it represents a realistic assessment of the amount of housing a site is likely to deliver if the planning permission is implemented.

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Paragraph/Site: <b>MX1929</b>	Consultee: <b>1049845 Ms Jane Scott</b>	Agent:	Rep ID: <b>PDLP_AD784</b>
<b>Soundness - Justified</b>	It is unsound to locate housing here as it results in coalescence between Mirfield and Robertown and reduces the distinctiveness and openness between settlements. This site has clearly not been needed for employment land and should be identified as safeguarded land.		
<b>Proposed Change Requested</b>	Delete allocation MX1929 Land at Slipper Lane, Leeds Road Identify MX1929 as safeguarded land.		
<b>Council Response</b>	No change The site has outline planning permission for the erection of commercial floorspace (B1c, B2 and B8 use class floorspace, application reference: 2014/90688) and full permission for the erection of 166 dwellings therefore the principle for the development of this site has been established.		
Paragraph/Site: <b>MX3394</b>	Consultee: <b>942768 Mr Andrew Wood</b>	Agent:	Rep ID: <b>PDLP_AD1774</b>
<b>Soundness - Justified</b>	There are transport/infrastructure concerns associated with this development.		
<b>Soundness - Consistent with National Policy</b>	This would be a major development in a broad open landscape. it would have a high visual impact and encourage the merger of Dewsbury with East Ardsley/Tingley/Morley.		
<b>Council Response</b>	No change. This site with proposed allocation MX1905 is of strategic importance for delivering growth in the district. It represents one of the few opportunities to deliver employment land on a scale that would meet both regional and local economic objectives as identified in the Leeds City Region Strategic Economic Strategy and the Kirklees Economic Strategy.		
Paragraph/Site: <b>MX3394</b>	Consultee: <b>943022 Mr Robin Coghlan</b>	Agent:	Rep ID: <b>PDLP_AD328</b>
<b>Council Response</b>	No change. Support noted. The Council acknowledge the comment that Kirklees and Leeds councils need to cooperate to minimise increases in traffic and congestion on the A653. Comment also noted that measures in line with Policy TS5 should be considered including lobbying for external funding from other sources to support public transport along the A653 corridor.		
Paragraph/Site: <b>MX3394</b>	Consultee: <b>970616 Mr Mark Eastwood</b>	Agent:	Rep ID: <b>PDLP_AD912</b>
<b>Soundness - Positively Prepared</b>	With the allocation of the M62 Corridor Enterprise Zone status, allocation for land at Chidswell should be withdrawn. It is unreasonable to suggest Chidswell would be able to compete with this. The housing should be located to more suitable and sustainable sites, i.e. brownfield sites and close to the M62 corridor enterprise zone.		
<b>Soundness - Justified</b>	The site is on a large area of green belt separating Leeds, Wakefield and Kirklees. The site also includes ancient woodland. The exceptional circumstances required by NPPF no longer exist.		
<b>Soundness - Consistent with National Policy</b>	The site is on a large area of green belt separating Leeds, Wakefield and Kirklees. The site also includes ancient woodland. The exceptional circumstances required by NPPF no longer exist.		
<b>Council Response</b>	No change This site is of strategic importance for delivering growth in the district. It represents one of the few opportunities to deliver employment land on a scale that would meet both regional and local economic objectives as identified in the Leeds City Region Strategic Economic Strategy and the Kirklees Economic Strategy. Evidence for the need for employment land is set out in the Employment Technical Paper (SD22). Although the extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, the presence of green belt within Wakefield would prevent physical merger. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. The proposed masterplan for the site shows that the ancient woodland is to be retained and protected from development.		
Paragraph/Site: <b>MX1905</b>	Consultee: <b>942142 unknown</b>	Agent: <b>950095 Mr Jonathan Dunbavin</b>	Rep ID: <b>PDLP_AD1841</b>
<b>Soundness - Justified</b>	The proposal therefore has the potential to cause significant harm to the purpose of including land within Green Belt The site has 3 major negatives in SA relating to efficient use of land, landscape and biodiversity.		
<b>Soundness - Effective</b>	Delivery of the site will require alterations to Junction 28 of M62 and significant improvements to local highway network		
<b>Proposed Change Requested</b>	The allocation should be deleted. It performs less well than alternatives such as Fieldhead Farm		
<b>Council Response</b>	No Change The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the		



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presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The sustainability appraisal is an independent assessment of the likely social, environmental and economic impacts of the plan carried out in accordance with an agreed methodology with the SA consultees. In assessing allocations/designations to be included in the local plan, a further assessment has been undertaken as outlined in the site selection methodology where consideration is given as to whether issues can be mitigated. The site allocation text sets out required mitigation measures and potential constraints. All allocations within the local plan will be subject to planning permission and tested against the policies in the plan to ensure that appropriate mitigation is in place to deliver the allocation. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12) Site access in achievable. Additional mitigation on the wider highway network will be required

Paragraph/Site: **MX1905** Consultee: **942409** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP\_AD1814**

**Soundness - Justified** The proposal therefore has the potential to cause significant harm to the purpose of including land within Green Belt The site has 3 major negatives in SA relating to efficient use of land, landscape and biodiversity.

**Soundness - Effective** Delivery of the site will require alterations to Junction 28 of M62 and significant improvements to local highway network

**Proposed Change Requested** The allocation should be deleted. It performs less well than alternatives such as site H366

**Council Response** No ChangeThe extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The sustainability appraisal is an independent assessment of the likely social, environmental and economic impacts of the plan carried out in accordance with an agreed methodology with the SA consultees. In assessing allocations/designations to be included in the local plan, a further assessment has been undertaken as outlined in the site selection methodology where consideration is given as to whether issues can be mitigated. The site allocation text sets out required mitigation measures and potential constraints. All allocations within the local plan will be subject to planning permission and tested against the policies in the plan to ensure that appropriate mitigation is in place to deliver the allocation. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12) Site access in achievable. Additional mitigation on the wider highway network will be required.

Paragraph/Site: **MX1905** Consultee: **942410** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP\_AD1687**

**Soundness - Justified** The proposal therefore has the potential to cause significant harm to the purpose of including land within Green Belt The site has 3 major negatives in SA relating to efficient use of land, landscape and biodiversity.

**Soundness - Effective** Delivery of the site will require alterations to Junction 28 of M62 and significant improvements to local highway network

**Proposed Change Requested** The allocation should be deleted. It performs less well than alternatives such as site MX1904

**Council Response** No ChangeThe extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The sustainability appraisal is an independent assessment of the likely social, environmental and economic impacts of the plan carried out in accordance with an agreed methodology with the SA consultees. In assessing allocations/designations to be included in the local plan, a further assessment

has been undertaken as outlined in the site selection methodology where consideration is given as to whether issues can be mitigated. The site allocation text sets out required mitigation measures and potential constraints. All allocations within the local plan will be subject to planning permission and tested against the policies in the plan to ensure that appropriate mitigation is in place to deliver the allocation. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12) Site access is achievable. Additional mitigation on the wider highway network will be required.

Paragraph/Site: **MX1905**

Consultee: **942647**

**Rob Ellis**

Agent:

Rep ID: **PDLP\_AD729**

**Soundness - Justified**

The allocation of this site is unsound as there have been no changes to deal with mitigation of impacts on the local network outside of Kirklees. The transport modelling evidence does not appear to deal with this issue nor does the applicants evidence. Additionally the cumulative impact of adjacent allocation H559 does not appear to have been considered including access arrangements through this site in order to allow the development of the southern area of MX1905. No analysis appears to have been conducted of the possible impact of this arrangement on Chidswell Lane. Green Belt With regard to green belt policy the allocation is not sound as it is not justified for three reasons : 1. The southern boundary shown on the draft policies map coincides with the local authority boundary between Wakefield and Kirklees and would become the new green belt boundary if the site is allocated. Part of this boundary is formed by a small stream. However, a portion of the boundary is formed simply by undefined field boundaries from the point west of where the stream emerges as a spring. The Framework at paragraph 85 is clear that green belt boundaries should be defined 'clearly, using physical features that are readily recognisable'. 2. No robust assessment of the area of green belt between the farm track and the proposed southern boundary has been carried out, which analyses this area on its own merits against the purposes of including land in the green belt as laid out in the NPPF at paragraph 80. Wakefield requested that this was done in previous representations. 3. Wakefield still has concerns not enough evidence has been provided about the sites contribution to the green belt and its suitability for removal. Our previous representations made this clear. It is noted the western boundary of the site has been considered through the Green Belt Edge Review carried out by Kirklees Council. The green belt review has been amended since the previous consultation. It appears no amendments have been made to it with regard to the green belt edge DE5 (which relates to much of this site) but some amendments have been made with regard to green belt edge DE6 but these seem to mainly relate to adjacent site H559. However Wakefield still have concerns the Green Belt Review does not adequately consider the contribution of the whole area of green belt proposed to be removed to form the allocation. With regard to education Wakefield previously raised concerns about this sites possible impact on school place provision within the district. However cooperation has occurred and Wakefield support the specific requirement of a primary school on the site and that secondary provision should be considered on the site or in the locality.

**Proposed Change Requested**

The policy for MX1905 should be amended. An additional point should be added to the section titled 'Other Site Specific Considerations' as follows: 'This development could have an impact on the local highway network in Wakefield. Evidence will need to be provided to demonstrate that any impacts within Wakefield are being adequately mitigated. In particular impacts on Chidswell Lane (including with regard to any access arrangements through H559), Owl Lane and the roundabout at the junction with Chancery Road need to be considered.' With regard to green belt reason 1 a much more robust and defensible boundary is formed by the track from Chidswell Farm to the south of Dogloitch Wood. This track forms a very good defensible boundary for the green belt and should be used as the southern boundary of the allocation. The land to the south of this track should remain in the green belt as a suitable and robust defensible boundary cannot be identified. With regard to reasons 2 and 3 Wakefield still considers additional evidence needs to be prepared and published to assess the contribution this area (both as a whole and the southern section described above) makes to the characteristics and purposes of including land in the green belt as laid out in paragraphs 79 and 80 of the NPPF and to ensure a robust, defensible boundary is set along the southern edge of the proposed allocation.

**Council Response**

No Change The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper (BP12). Policies PLP19 (Strategic transport infrastructure), PLP20 (Sustainable travel), PLP4 (Providing Infrastructure) and

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PLP5 (Masterplanning) all provide a policy framework to mitigate impacts on the local network. Further modelling work has been carried out on more specific impacts on the Wakefield local road network and these outputs have been shared with Wakefield Council. Wakefield Council has since confirmed that there is a reasonable prospect of these issues being resolved. The new position for the green belt boundary around accepted option MX1905 is consistent with paragraph 85 of NPPF which states that green belt boundaries should be defined clearly, using readily recognisable features that are likely to be permanent. The boundary has been established along roads, a watercourse, field boundaries and areas of woodland, all of which are compatible with national guidance and present defensible boundaries to a greater or lesser extent. The outcomes of the council's green belt assessment are set out in the Accepted Options Technical Paper (BP29), Green Belt Review documents (SD19-SD21) and the Green Belt Review Supporting Document (BP25). Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt. Support for education provision has been noted.

Paragraph/Site: **MX1905**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1773**

### **Soundness - Justified**

There are transport/infrastructure concerns associated with this development.

### **Soundness - Consistent with National Policy**

This would be a major development in a broad open landscape. It would have a high visual impact and encourage the merger of Dewsbury with East Ardsley/Tingley/Morley.

### **Council Response**

No change. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12) The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger.

Paragraph/Site: **MX1905**

Consultee: **943022 Mr Robin Coghlan**

Agent:

Rep ID: **PDLP\_AD327**

### **Council Response**

No change. Support noted. The Council acknowledge the comment that Kirklees and Leeds councils need to cooperate to minimise increases in traffic and congestion on the A653. Comment also noted that measures in line with Policy TS5 should be considered including lobbying for external funding from other sources to support public transport along the A653 corridor.

Paragraph/Site: **MX1905**

Consultee: **943762 Mr Leslie Bailey**

Agent:

Rep ID: **PDLP\_AD488**

### **Soundness - Positively Prepared**

Brown field sites. Has the council exhausted ALL the brown field sites that are available? There are many alternative sites to this green belt land which has areas of scientific importance. The council should be encouraging development on brownfield sites and derelict land. There are already sites across the area which have been rejected as potential development areas and should be reconsidered. For example, the land near Brow Wood Road, Raikes Lane and the disused building of Birkdale High School. If we are led to believe that the New Development will include Business premises and modern warehousing facilities, why are we not considering the removal of the old outdated factories and empty warehouses in Dewsbury and Batley and replacing them with affordable homes developments? With some imaginative planning a lot of areas will be greatly improved and a healthier environment would be gained.

### **Soundness - Justified**

The road network around the proposed development cannot cope at present with the increased traffic that uses the A653 / Owl Lane / Grange Road system. New road restructuring will be necessary in order to alleviate congestion and increased air pollution. This also would mean new road configurations, significant widening of the road at Shaw Cross and Owl Lane resulting in the loss of homes and businesses and possibly a Church and School to accommodate those alterations. As most of the homes on Heybeck Lane and Chidswell are Bungalow type, the sighting of New Build Large Houses on the proposed site would cause privacy issues. What, if any, restrictions on the plans will be in place for the types of buildings to be erected around the boundary of the site? Why are they building on good farming land? They should be urged to use it for the purpose of food production and employ the tenant farmers to carry on farming the land. The idea that the new business and warehousing facilities brought to the area would help people to be closer to their work is I feel a non argument. I would suggest that a good 75% of the people coming to live in this development, due to the type of housing proposed, would be commuting to either Leeds,

Wakefield, Sheffield or even may I say Huddersfield. Again increasing the air pollution from vehicles. I would also suggest that the businesses that would possibly locate to the area would bring a lot of their own people from outside the area, again adding to the congestion issues. The Wildlife population on this site - it has two ancient woods that are inhabited by lots of different species of birds, bats and other animals. Building on this site I feel would do damage to the eco system of the area and the reduction of possible rare animal life. There are many miles of public footpaths and bridleways regularly used families, horse riders, walking groups and older generation health groups, to enjoy exercise and fresh air away from already busy traffic and the A653 dual carriageway and the consequential polluted air and noise that traffic generates.

**Council Response**

No changeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The council has considered all the relevant site options which have been submitted into the process in accordance with the published site selection methodology. The Local Plan promotes the re-use of existing buildings and the use of brownfield land to meet development needs but also recognises that a brownfield only approach will not meet the district's housing and employment land requirements. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12)The allocation of the site confirms the principle of development. Details of the design and site layout and impact on adjoining residential properties will be addressed as part of a detailed planning application.A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.Masterplanning of this site can address existing footpath networks, new connections and potential diversions.

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Paragraph/Site: **MX1905**

Consultee: **943794**

**Christine and Graham Morris**

Agent:

Rep ID: **PDLP\_AD1235**

**Soundness - Justified**

There are concerns about the proposed plans for Chidswell due to the impact on air pollution as the traffic fumes from Soothill Lane and Dewsbury Road are horrendous and getting worse. There is no need for industrial units and houses to be built on the last parts of the green belt area. The build-up of heavy traffic can be considerable.

**Council Response**

No changeA quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.Full consideration of the likely impacts of the Local Plan's strategy, policies and individual site allocations has been considered as part of the Sustainability Appraisal and a wider consideration of infrastructure planning impacts, such as schools, roads and other infrastructure – this is set out in the Local Plan evidence base. The council has considered all the relevant site options which have been submitted into the process in accordance with the published site selection methodology. The Local Plan promotes the re-use of existing buildings and the use of brownfield land to meet development needs but also recognises that a brownfield only approach will not meet the district's housing and employment land requirements. The proposed number of homes for each allocation is indicative only and based on an efficient use of land required by national planning policy – the actual number of homes to be delivered on sites will be a matter for individual planning applications.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer

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increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12)

Paragraph/Site: **MX1905**

Consultee: **943814 Cllr Robert Finnigan**

Agent:

Rep ID: **PDLP\_AD3607**

### **Duty to Co-operate**

Leeds City Councils Highways Section confirmed that no recent discussions had taken place on the proposal at Chidswell and that they continue to have significant concerns – which have not been addressed – about the impact this industrial and housing development would have on the A653 corridor.

### **Soundness - Effective**

Little evidence exists that a clear infrastructure plan exists to consider the impact of the proposal on Junctions 25 and 28 of the M62 and the impact on education and healthcare facilities.

### **Soundness - Consistent with National Policy**

Removing the site from Green Belt breaches obligations in NPPF to retain the Green Belt except in exceptional circumstances.

### **Council Response**

No ChangeThe Council has strategically modeled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.DTC Response:The DTC statement (SD14) demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions.Leeds City Council consider MX1905 to be sound and that Kirklees Council have complied with the duty to cooperate. Kirklees Council agrees that Leeds and Kirklees Councils should continue cooperating to minimise increases in traffic and congestion along the A653. The mitigation mechanisms suggested by Leeds City Council are reflected in the 'other site specific considerations' for Site MX1905, e.g. with respect to phasing development accordingly.These issues have been addressed within Highways England's letter to Kirklees Council dated 12th April 2017 (see BP28). Further to this correspondence, the 'site specific considerations' (in relation to impacts upon the Strategic Road Network) have been modified for MX1905 in accordance with Highways England's current position (see ADMM58 in SD4). Highways England's recommendations within BP28 were informed by LE141 and their latest Network Analysis Tool modelling. At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate, and that education issues in relation to MX1905 have been resolved.

Paragraph/Site: **MX1905**

Consultee: **943939 Jim Aveyard**

Agent:

Rep ID: **PDLP\_AD1416**

### **Legally Compliant**

Community engagement has been attempted but the information provided on line is difficult to access and to navigate. Evidence is to be found only by following links that do not always connect and make following the reasoning that much more difficult.

### **Duty to Co-operate**

Cross boundary and inter-authority issues have not been properly addressed. The huge amount of development proposed by Leeds in the South of their area, Kirklees in the North of their area and Wakefield in the West of their area will result in the addition of 10,000 dwellings. There is no coherent plan to deal with the issues development to this extent will raise.

### **Soundness - Justified**

There is no justification for allowing this site to be developed and complete the merger of three major authorities. If there was a proven, overwhelming need for development on this scale then the site to the west of the A653 would be a better alternative as it rounds off existing communities, lessens the impact of urban sprawl and has defensible boundaries in a golf course, quarries and the M62 motorway. Traffic generated presently leads to congestion at peak times

on the A653. The additional loads imposed by this proposal will only exacerbate that situation.

**Council Response**

No changeThe council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. (BP4)The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical mergerThe Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)DTC Response:At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate, and that education issues in relation to this allocation have been resolved, and that highway issues are resolvable. In relation to the preparation of highways and transport evidence, Wakefield is now satisfied that Kirklees have recognised the impacts upon Wakefield's network. Wakefield Council's position (in relation to the predicted highway impact of MX1905) is that there is some form of mitigation that can be explored further, and will cooperate in enabling Kirklees through continued discussion to arrive at those solutions (in line with the duty to cooperate). Wakefield previously raised concerns about this sites possible impact on school place provision within its district. However cooperation has since occurred and will continue to occur and data on school place planning is being shared between the two authorities. Wakefield Council will be consulted as planning applications are submitted on this allocation so possible impacts on education provision can be considered and mitigated if necessary. Wakefield Council also confirmed in their representation that the allocation is legally compliant.Leeds and Kirklees Councils should continue cooperating to minimise increases in traffic and congestion along the A653. Consequently, the mitigation mechanisms suggested by Leeds City Council are reflected in the 'other site specific considerations' for this site allocation, e.g. with respect to phasing development accordingly. Leeds City Council confirmed in their representation that this allocation is sound and legally compliant. Local Plan Policy PLP 4 will enable the Council to seek contributions towards additional mitigation measures from applications upon allocations that generate a significant impact upon the A653.

Paragraph/Site: **MX1905**

Consultee: **945160 Mr Neil Watson**

Agent:

Rep ID: **PDLP\_AD558**

**Soundness - Positively Prepared**

- Object to the loss of green belt land. - Alternative sites exist including brownfield, scrubland and derelict land particularly in Batley and Dewsbury. - Rejected sites should be re-considered including Brow Wood Road, Raikes Lane and disused buildings of Birkdale High School.

**Soundness - Justified**

The site is not justified on the grounds of: - the council's motivation to allocate the site is based on potential, expensive houses and the increase in council tax yields - infrastructure capacity - no consideration has been given to additional infrastructure required to support 1,500 homes including school, medical centre and road capacity - increased air pollution - traffic congestion - highway capacity - impact on health - contend that EU referendum will reduce immigration from EU and thus reduce the housing requirement

**Proposed Change Requested**

Delete allocation MX1905 from the Plan.Develop brownfield land as an alternative to MX1905Retain MX1905 as green belt and agricultural land.

**Council Response**

No ChangeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district 's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.Sites have been accepted as Urban Green Space. The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).A quantified assessment of the potential impacts of new development and associated traffic

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is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12) Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs. National planning policy requires each local authority to determine the extent of their housing market area and to meet their housing needs. Kirklees is a self-contained housing market area for local plan purposes and as such the Local Plan evidence base has assessed the housing needs for the district based on national household projections with consideration of local economic aspirations. The Local Plan seeks to meet such housing needs.

Paragraph/Site: **MX1905**

Consultee: **945390**

**Mr Keith Powell**

Agent:

Rep ID: **PDLP\_AD1376**

**Soundness - Positively Prepared**

Despite earlier objections the Council are still pursuing development proposals for this area despite previous strong objections that have been ignored.

**Soundness - Justified**

Objection to the allocation on MX1905 on the grounds of:-

- The loss of a vast area of green belt which protects the safeguarding of the countryside from encroachment, prevents urban sprawl and the coalescence of communities. The green belt area in Batley and Dewsbury currently represents 6% of the total greenbelt in Kirklees and therefore the potential loss of a major part of this would be very significant.
- The loss of valuable quality agricultural land, working farms and associated livelihoods.
- The disproportionate concentration of development in this area. Of the 13 proposed mixed use allocations, site MX1905 represents 51.88% of the total gross area, 55.75% of the net site area, 45.66% of the dwellings and 48.33% of the employment space. The housing capacity of 1535 dwellings represents the second largest single provision proposed in Kirklees. The indicative dwelling capacities of MX1905 (1535), H758 Soothill Lane (393), H559 east of Leeds Road (279), H46 Owl Lane (206) and MX3394 Lees House Farm (38) the total is 2451 dwellings which exceeds the proposals for Ravensthorpe.
- The impact on the current infrastructure and necessary support services of such a large scale development, including traffic congestion issues, especially on Leeds Road which will be exacerbated by additional proposals for sites H46, H559, H758 and MX3394, together with proposals by Leeds City Council for the Tingley area adjacent to Junction 28 of the M62 identified as a 'protected area of search for long term developments'.
- The impact on amenity of long term construction - working hours, construction traffic, noise and air pollution together with permanent noise and air pollution and detrimental visual impact. The reduction in property values in the area is of major concern.
- The need for this scale of development in this area, since business units appear to be currently to let in the area, whilst houses would not seem to sell that quickly or easily.

**Council Response**

No change The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The balance of strengths and opportunities for growth and the challenges to growth are identified under the Place shaping – Publication Plan. This has informed the spatial strategy for the Plan. The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11). The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12) The allocation of the site confirms the principle of development. Details of the design and site layout and impact on adjoining residential properties will be addressed as part of a detailed planning application. A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.

Paragraph/Site: **MX1905**

Consultee: **945647**

**Mr Brian Taylor**

Agent:

Rep ID: **PDLP\_AD693**

**Soundness - Positively Prepared**

This is the last Green Belt land between Leeds, Kirklees and Wakefield so where are people going to go to stay healthy? Where are all these new homes with

at least one car plus lorries going to exit this land? Where are the children going to go to school as the schools are all full - where are they going to go to a doctor or dentist - plus which hospital as Dewsbury is barely working as a hospital. The industrial estates in the area such as Shaw Cross down Grange Road into Batley and Tingley all have spare spaces so why do you need to build industrial premises on this land? What about a playground for the children? What about an old people home so that people can downsize and move into somewhere local. Why not build on brownfield site, convert the old mills that are now redundant - is that because the builders find it easier to build on green field? If you build on this land nobody will know where Leeds finishes and Kirklees starts or where Wakefield is.

**Soundness - Justified**

This is the last Green Belt land between Leeds, Kirklees and Wakefield so where are people going to go to stay healthy? Where are all these new homes with at least one car plus lorries going to exit this land? Where are the children going to go to school as the schools are all full - where are they going to go to a doctor or dentist - plus which hospital as Dewsbury is barely working as a hospital. The industrial estates in the area such as Shaw Cross down Grange Road into Batley and Tingley all have spare spaces so why do you need to build industrial premises on this land? What about a playground for the children? What about an old people home so that people can downsize and move into somewhere local. Why not build on brownfield site, convert the old mills that are now redundant - is that because the builders find it easier to build on green field? If you build on this land nobody will know where Leeds finishes and Kirklees starts or where Wakefield is.

**Council Response**

No change Site access is achievable, a footway is required along site frontage and wider highway network improvements required including potential improvements to the strategic road network. Open space provision and green infrastructure will be provided as part of the masterplanning of the site. The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth. Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs. The allocation of the site confirms the principle of development. Details of the design and site layout and impact on adjoining residential properties will be addressed as part of a detailed planning application. The Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through: the use of Local Development Orders on brownfield sites; the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate; the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate; preparation of a brownfield land strategy and masterplans for key brownfield sites; use of funding regimes to remediate/pump prime stalled sites/difficult sites; creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure. The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger

Paragraph/Site: **MX1905**

Consultee: **945647**

**Mr Brian Taylor**

Agent:

Rep ID: **PDLP\_AD695**

**Soundness - Positively Prepared**

Plans do not show where the access and exit will be to this green belt - it gave a hint but not a proper answer. Strongly disagrees with the statement "no need for primary or secondary schools" - sorry but you must be on a different planet to me and others in this area as the schools are busting at the seams and the playgrounds are full of temporary buildings. You also say exceptional circumstances that "housing development on site outweighs loss of green belt land - again what about the health of people in their youth as well as us old age people?"

**Soundness - Justified**

Plans do not show where the access and exit will be to this green belt - it gave a hint but not a proper answer. Strongly disagrees with the statement "no need for primary or secondary schools" - sorry but you must be on a different planet to me and others in this area as the schools are busting at the seams and the playgrounds are full of temporary buildings. You also say exceptional circumstances that "housing development on site outweighs loss of green belt land - again what about the health of people in their youth as well as us old age people?"

**Council Response**

No Change Indicative masterplans have been submitted from the site promoter. (SS13) The impact of development on school place planning has been assessed



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through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt. Open space provision and green infrastructure will be provided as part of the masterplanning of the site.

Paragraph/Site: **MX1905**

Consultee: **945647 Mr Brian Taylor**

Agent:

Rep ID: **PDLP\_AD3256**

### **Soundness - Justified**

Impact on health - stationary traffic omitting poisonous fumes and now you want to build right behind us so we will be surrounded with poisonous fumes.

### **Council Response**

No Change Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs. A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.

Paragraph/Site: **MX1905**

Consultee: **946161 Mrs Betty Jaggar**

Agent:

Rep ID: **PDLP\_AD931**

### **Soundness - Justified**

Chidswell Lane is not capable of accommodating the traffic associated with this development.

### **Proposed Change Requested**

Remove site.

### **Council Response**

No change The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)

Paragraph/Site: **MX1905**

Consultee: **946509 Mrs Shirley Naylor**

Agent:

Rep ID: **PDLP\_AD646**

### **Soundness - Justified**

Strongly object to development on Green Belt land at Chidswell and Shaw Cross - it will greatly increase the amount of traffic on Leeds Road which is a death trap at the moment an accident waiting to happen. This is a residential area with families and young children living on this road, we have had several accidents outside our house from careless driving and speeding all of which have had police involvement over the year's. We have lived here 28 year's, we came here for a better life style for our daughter, safer area, outdoor walking on Green Belt land, road didn't have much traffic until local development over the year's. We care about the value of our house, our children's health and the risk posed by increased air pollution, protecting ancient woodland and farmland from unwarranted development, I would say that we still have brownfield land that should be developed in this area.

### **Council Response**

No Change The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12) A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage. Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.

Paragraph/Site: **MX1905**

Consultee: **967663 Miss Sally Naylor**

Agent:

Rep ID: **PDLP\_AD3285**

### **Soundness - Positively Prepared**

The development site is included in the plan as a result of a landowner which is a national estate investment company. This is not genuinely plan-led and is

not based on 'adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

**Soundness - Justified**

Archaeological records indicate an Iron Age settlement was to the west of Dum Wood. Site includes ancient hedgerows, with TPO trees. Watercourses on the site are UK BAP Priority Habitats. The site provides habitat for a broad biodiversity of species. The woodland cannot be protected simply by not building on it. Impacts on the woods and their hydrology depend on local topography and geology, the whole project require a full and thorough environmental impact assessment. With any major development there will be extensive drainage and other modifications to the water environment. Land to the east of the site is in Flood Zone 3. There are implications for drainage, maintenance, and ongoing revenue costs flood risk measures. The geology in this area means that there is a heavy impermeable clayey soil. Appropriate Sustainable Drainage Systems should be mandatory on the site. The site was described by West Yorkshire County Council in 1978 as 'part of a major lung of open space separating Wakefield, Ossett, Dewsbury and Morley. It is a valuable area of open undeveloped land and Green Belt'. Developments in the south of Leeds and at Soothill mean that the need for the land to be maintained as Green Belt is greater than ever. The developer would need to afford due consideration to the prior extraction of any surface coal resources that are present. Such extraction, if it did go ahead, would be an environmental disaster. When the site was previously considered for opencast mining, Kirklees' arguments that the land was rural, open and true countryside in nature were upheld. The proposals currently lack survey-based information on vital aspects of the current countryside resource Development on the site would lead to increased air and noise pollution. There is a deficit of open space in the area. There are problems with current infrastructure capacity and congestion including to the motorway network and huge investment and works would need to be done to enable easy access to this network. The newly allocated Enterprise Zones provide much greater economic incentives and financial possibilities than proposed site MX1905.

**Soundness - Effective**

The Council has not provided evidence that the land allocation can meet the stipulated offer for housing and employment land. The public sewer network does NOT have adequate capacity available to accommodate the anticipated foul water discharge for this proposed allocation.

**Soundness - Consistent with National Policy**

The land serves all five purposes of the green belt set out by NPPF paragraph 80. There would be coalescence with the Leeds boundary as a result of the development,. No evidence of very special circumstances have been provided, in accordance with NPPF paragraph 87.

**Council Response**

No changeThe site is identified in the Leeds City Region Strategic Economic Plan (SEP). It is supported by a masterplan and market assessments (SS13)Full consideration of the likely impacts of the Local Plan's strategy, policies and individual site allocations has been considered as part of the Sustainability Appraisal and a wider consideration of infrastructure planning impacts, such as schools, roads and other infrastructure – this is set out in the Local Plan evidence base. Area contains areas of archaeological interest (PRNs 4542, 4543 & 4544). Proposed area will require predetermination archaeological evaluation, however there is a reasonable prospect these sites can be protected in accordance with planning policies.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.There are no surface water objections. However, there is an ordinary watercourse crossing the site. The run-off rates from new development will be determined in accordance with the local plan surface water policy once adopted. This should minimise impacts on flood risk.The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. Open space provision and green infrastructure will be provided as part of the masterplanning of the site.No objections have been raised from the coal authority. the presence of coal is acknowledged, treatment would be considered under policy PLP33. A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.Reports are required in relation to contaminated land, noise and air quality to determine the level of mitigation required.The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)The information for demand for housing and employment land can be found in the Housing Technical Paper SD23 and the Employment Technical Paper SD22.The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield

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would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The site appears as open countryside and there are priority habitats within or adjacent to the site. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.

Paragraph/Site: **MX1905**

Consultee: **969350**

**Mrs Charlotte McKay**

Agent: **969343**

**Mrs Charlotte McKay**

Rep ID: **PDLP\_AD711**

### **Duty to Co-operate**

Wakefield Council made comments on the Draft Local Plan in relation to education, highways, drainage and the green belt. We do not consider these issues have been fully considered or addressed.

### **Soundness - Positively Prepared**

There has been; an over estimation of the “objectively assessed housing needs”; an under estimation of the brownfield land supply; an over estimation of the necessity for green field land allocations; an over estimation of the necessary industrial land allocation. The proposed allocation of large areas of Green Belt land is not the most appropriate strategy.

### **Soundness - Justified**

The council have not identified exceptional circumstances to justify the removal from the green belt. The site would result in the loss of agricultural land. The site is disadvantaged against those falling within the Enterprise Zones which includes Lindley Moor West and Lindley Moor East.

### **Soundness - Effective**

Significant infrastructure would be required for the allocation. Do not believe required infrastructure i.e. highways infrastructure could be delivered. Highways England and Wakefield Council have concerns about this. If the whole site could not be delivered over the plan period then it undermines the strategic significance which has been placed on this allocation.

### **Soundness - Consistent with National Policy**

The Local Plan is aspirational but not realistic as required by the NPPF. The Local Plan is not consistent with national policy for the reasons set out within the attached representations and the development of the Site does not reflect sustainable development in accordance with the NPPF. ((Site allocation does not meet 12 core land-use planning policies in NPPF. The site serves all 5 purposes of green belt set out in NPPF and the council have not identified exceptional circumstances to justify the removal from green belt. Development would be contrary to paragraphs 110, 112, 120, 121, and 143 of NPPF. The site would result in loss of agricultural land.

### **Council Response**

No Change. The Local Plan period accords with the requirements of the NPPF. The Kirklees housing requirement has been calculated in accordance with NPPF including using CLG Household Projections as a starting point and considering a range of factors listed in NPPF/NPPG. This process is set out briefly in SD23 (Housing Technical Paper, paragraphs 4.8 - 4.13) and in more detail in the Kirklees SHMA (SD18, paragraphs 6.1 - 6.44). Sites have been identified in SHLAA and through options sent to us. These have included additional brownfield sites identified between the Draft and Publication Stages of the Local Plan. Submission document SD22: Employment Technical Paper justifies the calculated employment land need (paragraphs 5.1-5.8), provides a critique - including past performance of land take-up - of the current employment stock in (paragraphs 6.1-6.27), and justifies the new employment land requirement (paragraphs 7.1-8.7). The justification for needing to use Green Belt land is set out in Section 6 of BP25 Green Belt Review Supporting Document. Green Belt sites are allocated in the plan recognising the strengths, opportunities and challenges of each area as set out in Section 5 of SD1 (Strategy and Policies). The phasing table set out in SD1 (Strategy and Policies, Appendix 3, pages 225 - 247) as amended by minor modification SP-MM33 (SD4, Proposed Modifications to the Local Plan) sets out information on a site specific basis to demonstrate that the Local Plan housing requirement can be met during the plan period. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt. The new position for the green belt boundary around accepted option MX1905 is consistent with paragraph 85 of NPPF which states that green belt boundaries should be defined clearly, using readily recognisable features that are likely to be permanent. The boundary has been established along roads, a watercourse, field boundaries and areas of woodland, all of which are compatible with national guidance and present defensible boundaries to a greater or lesser extent. The need for employment is identified in the Employment Technical Paper para 8.1 - 8.7. (SD22) Demand for employment land is identified in the Kirklees Market Demand Paper. (LE11) With regard to education Wakefield previously raised concerns about this site's possible impact on school place provision within the district. However cooperation has occurred and should continue to occur and data on

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school place planning is being shared between the two authorities. As planning applications are submitted on this allocation Wakefield Council will be consulted so possible impacts on education provision can be considered and mitigation suggested, if necessary. It is noted and supported by Wakefield that the Local Plan now specifically requires the provision of a primary school on the site and states that secondary provision should be considered on the site or in the locality. Policy PLP4 (Infrastructure Planning) provides a policy framework for this to be achieved. DTC Response: At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate, and that education issues in relation to MX1905 have been resolved, and that highway issues are resolvable. In relation to the preparation of highways and transport evidence, Wakefield is now satisfied that Kirklees have recognised the impacts upon Wakefield's network. Wakefield Council's position (in relation to the predicted highway impact of MX1905) is that there is some form of mitigation that can be explored further, and will cooperate in enabling Kirklees through continued discussion to arrive at those solutions (in line with the duty to cooperate).

Paragraph/Site: **MX1905**

Consultee: **970616 Mr Mark Eastwood**

Agent:

Rep ID: **PDLP\_AD910**

**Soundness - Positively Prepared**

With the allocation of the M62 Corridor Enterprise Zone status, allocation for land at Chidswell should be withdrawn. It is unreasonable to suggest Chidswell would be able to compete with this. The housing should be located to more suitable and sustainable sites, i.e. brownfield sites and close to the M62 corridor enterprise zone.

**Soundness - Justified**

The site is on a large area of green belt separating Leeds, Wakefield and Kirklees. The site also includes ancient woodland. The exceptional circumstances required by NPPF no longer exist.

**Soundness - Consistent with National Policy**

The site is on a large area of green belt separating Leeds, Wakefield and Kirklees. The site also includes ancient woodland. The exceptional circumstances required by NPPF no longer exist.

**Council Response**

No Change The balance of strengths and opportunities for growth and the challenges to growth are identified under the Place shaping – Publication Plan. This has informed the spatial strategy for the Plan. Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development. The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.

Paragraph/Site: **MX1905**

Consultee: **970990 Church Commissioners for England**

Agent: **941839**

**Nolan Tucker**

Rep ID: **PDLP\_AD2243**

**Soundness - Effective**

Other site specific considerations - Education: Secondary School Provision. Council evidence suggests a need for additional provision for primary and secondary school places. To date, no decision on where and how much needs to be accommodated. Policy requires amendment to reflect needs to be further work to establish additional secondary provision and how needs are met. - Flood Risk: reference to "flood risk vulnerability of proposed uses and an exception test may be required as part of a planning application" is not necessary. Table in paragraph 5.6, Council's Flood Risk Technical Paper lists sites including MX1905 where there is no requirement for sequential test and exception test. - Strategic Road Network: Potential for a severe adverse impact not accepted. Interim Transport Assessment, August 2016 concludes development will not have a severe impact on surrounding highway network. Concern with reference that construction should take place following completion of committed RIS improvements. Potential conflict between timescales. Evidence base: Accepted Site Options - Technical Appraisals - Education red score concern. Issues associated with education have not yet fully been assessed.

**Proposed Change Requested**

Education: "Where necessary: the provision of a new primary school will be required on this site, with the scale and phasing to be agreed with the Council. secondary school provision in the locality of this site should be considered during the plan period. early years and childcare provision will be included in the site or within the locality" - Flood Risk: recommend fourth bullet point is deleted. - Strategic Road Network: Seventh bullet point amend to read as follows: "The impact of the development on the road network, including the Strategic Road Network will be fully assessed in the Transport Assessment accompanying a future planning application, which would be subject to negotiation and agreement between Kirklees Council highway authority and Highways England. This would include agreement on any mitigation measures to minimise the impact of development including Travel Plan measures" Evidence base: Accepted Site

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Options - Technical Appraisals Education: recommend score is amended from "red" to "amber", reword text as follows: The scale of development at this strategic site may mean that there could be a requirement for a new primary school and also potentially a new secondary school within the catchment area. It is also likely to lead to demand for 0-5 early learning and childcare places during the plan period. The composition of how to address primary, secondary and early learning provision will be the subject of further detailed review and negotiation.

**Council Response**

No change It is important to identify potential constraints to the allocations to ensure that consideration is given to any required mitigation measures and so that this can be factored into the planning, design and viability of the site at the earliest stage. Detailed requirements will be considered at a planning application stage. NPPG states under the Local Plan's section (paragraph 010): "Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the 'what, where, when and how' questions)"

Paragraph/Site: **MX1905**

Consultee: **970990**

**Church Commissioners for England**

Agent: **941839**

**Nolan Tucker**

Rep ID: **PDLP\_AD3318**

**Council Response**

No Change Support noted.

Paragraph/Site: **MX1905**

Consultee: **973538**

Agent: **950095**

**Mr Jonathan Dunbavin**

Rep ID: **PDLP\_AD1483**

**Soundness - Justified**

The proposal therefore has the potential to cause significant harm to the purpose of including land within Green Belt The site has 3 major negatives in SA relating to efficient use of land, landscape and biodiversity.

**Soundness - Effective**

Delivery of the site will require alterations to Junction 28 of M62 and significant improvements to local highway network

**Proposed Change Requested**

The allocation should be deleted. It performs less well than alternatives such as site H672

**Council Response**

No Change The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The sustainability appraisal is an independent assessment of the likely social, environmental and economic impacts of the plan carried out in accordance with an agreed methodology with the SA consultees. In assessing allocations/designations to be included in the local plan, a further assessment has been undertaken as outlined in the site selection methodology where consideration is given as to whether issues can be mitigated. The site allocation text sets out required mitigation measures and potential constraints. All allocations within the local plan will be subject to planning permission and tested against the policies in the plan to ensure that appropriate mitigation is in place to deliver the allocation. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12) Site access is achievable. Additional mitigation on the wider highway network will be required

Paragraph/Site: **MX1905**

Consultee: **974725**

**Andrea Jenkyns**

Agent:

Rep ID: **PDLP\_AD2365**

**Soundness - Justified**

This proposal is going to have a dramatic negative impact on the people in and round the sites but also those in Morley and Outwood. The proposal for 1,535 dwellings fails to lay out how local primary and secondary schools are going to absorb the proposed very substantial increase of population in the area. This lack of forward planning is an unacceptable risk to the quality of education of local residents in both the Kirklees and Leeds Council areas. The Greenbelt in this part of the country has been under continuous attack from development proposals and this is yet another proposed reduction in our already limited and precious green space. The proposals fail to detail where the exceptional circumstances occur that justify building on Greenbelt. As such, the proposal to include both sites as Significant Development Sites is in breach of the National Planning Policy Framework requirement to retain Greenbelt and release it on only exceptional circumstances. The proposal to create such a large number of dwellings on Greenfield sites will undoubtedly increase the pressure on transport infrastructure in the area. Little evidence has been submitted with the plans to tackle the impact the proposals will have on J25 and 28 of the M62 as well as the impact the plans would have on the already busy A653 corridor.

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<b>Soundness - Consistent with National Policy</b>	In breach of the National Planning Policy Framework requirement to retain Greenbelt and release it on only exceptional circumstances.
<b>Proposed Change Requested</b>	The removal of the site from the local plan with their replacement on previously developed brownfield sites.
<b>Council Response</b>	No changeThe impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)

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Paragraph/Site: **MX1905**

Consultee: **1035405 miss Theresa Brian**

Agent:

Rep ID: **PDLP\_AD834**

<b>Soundness - Positively Prepared</b>	Brownfield sites would be a better option than to ruin our protected green belt area where valuable farmland is being compromised.
<b>Soundness - Justified</b>	The pollution from the busy main road of Leeds Road is bad for habitants health, but to bring the pollution that more houses and in particular business units would bring is unacceptable. The council have also not made available adequate resource for schools, roads or doctors.
<b>Council Response</b>	No changeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The Local Plan seeks to promote development that helps to reduce, adapt and mitigate climate change avoiding the use of the best most versatile agricultural land where possible.A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth.The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs.

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Paragraph/Site: **MX1905**

Consultee: **1037006 Mrs Phillipa Langley**

Agent:

Rep ID: **PDLP\_AD48**

<b>Soundness - Positively Prepared</b>	Objects to the proposed allocation of Green Belt land at Chidswell for the development of 1,500 homes and 50 hectares of employment land. There are alternative sites to this green belt land. The council should be encouraging development on brownfield sites, scrubland and derelict land - of which there is a great deal in the surrounding areas of Batley and Dewsbury. There are already many sites across the area which have currently been rejected as potential
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development areas and should be reconsidered. Such as the land near Brow Wood Road, Raikes Lane and the disused building of Birkdale High School. No consideration has been made to the additional infrastructure that is needed to support 1500 homes. There would be considerable increased pressure on the already full schools, medical centres and roads. There would be increased pollution due to traffic congestion which in turn will have detrimental effects on health. Paediatric asthma rates are significantly higher in the local area than national.

**Soundness - Justified**

Objects to the proposed allocation of Green Belt land at Chidswell for the development of 1,500 homes and 50 hectares of employment land. There are alternative sites to this green belt land. The council should be encouraging development on brownfield sites, scrubland and derelict land - of which there is a great deal in the surrounding areas of Batley and Dewsbury. There are already many sites across the area which have currently been rejected as potential development areas and should be reconsidered. Such as the land near Brow Wood Road, Raikes Lane and the disused building of Birkdale High School. No consideration has been made to the additional infrastructure that is needed to support 1500 homes. There would be considerable increased pressure on the already full schools, medical centres and roads. There would be increased pollution due to traffic congestion which in turn will have detrimental effects on health. Paediatric asthma rates are significantly higher in the local area than national.

**Council Response**

No ChangeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth.Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs.

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Paragraph/Site: **MX1905**

Consultee: **1044969 Mrs W Byrne**

Agent:

Rep ID: **PDLP\_AD3319**

**Soundness - Positively Prepared**

This is a green field site.

**Soundness - Justified**

Its such a beautiful area that is popular with walkers.

**Council Response**

No changeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled

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sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.Open space provision and green infrastructure will be provided as part of the masterplanning of the site.

Paragraph/Site: **MX1905**

Consultee: **1046717 Mrs Michelle Heaton**

Agent:

Rep ID: **PDLP\_AD1056**

**Soundness - Justified**

Loss of agricultural land. Impact on road infrastructure / increased traffic Development will have a negative impact on health and wellbeing.

**Soundness - Consistent with National Policy**

The extent of the site would be contrary to the role and function of green belt, as set out in national policy. This would be contrary to para 73 of NPPF.

**Proposed Change Requested**

Developers should be engaged to use brownfield land, there is a plentiful supply in the Dewsbury East ward.

**Council Response**

No ChangeThe Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)The Local Plan seeks to promote development that helps to reduce, adapt and mitigate climate change avoiding the use of the best most versatile agricultural land where possible.Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.The Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district’s housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.

Paragraph/Site: **MX1905**

Consultee: **1047166 Mrs Wendy Milnes**

Agent:

Rep ID: **PDLP\_AD217**

**Soundness - Effective**

The Local Plan being used is not the current version as this incorporates a section of land in our ownership which is not available for development.

**Proposed Change Requested**

The Local Plan being used is not the current version as this incorporates a section of land in our ownership which is not available for development. Modifications to the boundary are required and land is to be removed.

**Council Response**

No changeAllocation of the land owners land is not fundamental to the delivery of the site. Allocation of the land does mean that is has to be developed. The boundary of the site has been drawn to establish a defensible boundary to fulfill the plan period.

Paragraph/Site: **MX1905**

Consultee: **1047166 Mrs Wendy Milnes**

Agent:

Rep ID: **PDLP\_AD1318**

**Soundness - Positively Prepared**

The area is supposed to be protected Green Belt, when the area was originally classed as protected it was for good reason. Instead of building on Green Belt land there are many disused buildings within the Kirklees Area that could be regenerated and used - as these buildings have previously been used for industrial reason there is no reason why they can’t again. Dewsbury/Batley and the surrounding area has many Brownfield sites, derelict land and disused mills that could be used for regeneration.

**Soundness - Justified**

The loss of ancient woodland which is home to various species of animal Will cause industrial pollution (light & noise etc ) Loss of valuable farmland



Chickenley is classed as a deprived area, Chidswell and surrounding area could be used to enhance the education of the local community and raise low self-esteem within the children that live in this area. The health of the community would suffer dramatically, as at present the local doctors surgeries are full to capacity and the hospital which is supposed to be downgrading has to cope with patients that are taken to Pinderfields and then returned to Dewsbury due to Pinderfields being over-subscribed. The roads & infrastructure around Chidswell are already dangerous, with Chidswell Lane having to have had speed bumps installed due to the excessive speeds and traffic that go through it on a daily basis. More traffic using this land would mean more accidents, more pollution – again putting strain on other facilities which Kirklees can't cope with already. Owl Lane is already the home to numerous New Builds – with all these new families to be educated/employed/be serviced by the local health authority and infrastructure etc.

**Council Response**

No ChangeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas are to be retained and protected from development.Health issues have been factored into the site assessment process for the local plan. Meetings have been held and discussions are on-going as part of the Local Plan infrastructure planning process with North Kirklees and Greater Huddersfield CCGs to plan for the impacts of allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.The allocation of the site confirms the principle of development. Details of the design and site layout and impact on adjoining residential properties will be addressed as part of a detailed planning application.

Paragraph/Site: **MX1905**

Consultee: **1047427 Mrs Wendy Foster**

Agent:

Rep ID: **PDLP\_AD1068**

**Soundness - Positively Prepared**

-Proposed development not necessary given that retail and industrial units in nearby Batley, Dewsbury and at Shaw Cross Business Park are currently empty and there are other 'brown field sites' available.

**Soundness - Justified**

- Proposals will destroy the area which is the only designated Green Belt land left on the borders between Leeds, Wakefield and Kirklees. -It will have a detrimental effect on plants and wildlife in the fields and around Dogloitch Wood, a favourite area with walkers. - Proposal will bring much more traffic to the area, cause gridlock along the main Leeds Road, despite proposals to upgrade the road. - There will be an increase in air and noise pollution and this will have a detrimental effect on the environment and on the health and well-being of local residents.

**Council Response**

No ChangeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where

appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The site appears as open countryside and there are priority habitats within or adjacent to the site.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12)A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.

Paragraph/Site: **MX1905**

Consultee: **1048564 Mr Paul Clarke**

Agent:

Rep ID: **PDLP\_AD1124**

**Soundness - Positively Prepared**

The area in consideration is protected green belt. I don't feel that grounds have been made to change this position. The semi rural land with ancient wood land would be changed beyond recognition due to pollution form cars , lights and noise. I have no idea why industrial are proposed for this site as there are many brown field sites within Kirklees already that could be developed . These brown field sites surround Cleckheaton for example, many appear to be owned by Tesco's as part of their now defunct expansion plans. The specific sites are around Bradford road not far from the town centre and close to the existing Tesco store. There are, as you are no doubt aware, a mix of derelict sites and sites that have been cleared (Serpentine Road ). These sites would make excellent industrial units with their connections to the upgraded Junction 26 (chain bar ) . In addition Cleckheaton has a lot of cleared land close to Westgate around Quarry Road, this to could be used. In addition the former Jarman site in Kirkheaton on Crossley Lane is available for development . Again it is a brown field site.

**Soundness - Justified**

Relating to the residential side of the plan - the plan will lead to more pollution , more traffic and a higher demand on infrastructure. There will be a further 2000 cars as minimum trying to get to work or school or both every day. I don't think that the local roads can cope with this level of traffic. The uncertainty around hospital and emergency provision within Kirklees will not be helped by this plan.

**Proposed Change Requested**

I would suggest that the council think again and use the available brown sites to find the needed? industrial units. I would also suggest that a correct and thorough survey is done to determine the need for industrial units in Kirklees especially so close to the available sites in Wakefield on the M62/M1 corridor.

**Council Response**

No changeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.Land at Serpentine Road is accepted as a housing allocation (H1983) in the Local Plan. Land at West gate allocated for mixed use in the Local Plan (MX3349). Land at Crossley Lane allocated for housing (H2594A).The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper.

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(document ref BP12)A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.The local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).

Paragraph/Site: **MX1905**

Consultee: **1048972 Mr Tim Chapman**

Agent:

Rep ID: **PDLP\_AD487**

**Soundness - Positively Prepared** Despite objections made during the 2015 consultation, the 2016 consultation documents fail to answer these objections. Infrastructure requirements have not been objectively assessed.

**Soundness - Justified** Exceptional circumstances for releasing this land from the green belt have not been demonstrated. Wakefield Council conclude that “it is considered there is currently insufficient evidence available to ascertain if the release of this site from the green belt can be justified”.

**Soundness - Effective** The plan is not effective on the grounds there are highway infrastructure deficiencies but there has been no proper assessment of how the road system could cope with the extra traffic or whether it will be possible to upgrade it, such as the capacity of Tingley roundabout and the A653 Dewsbury Road; the impact of Leeds LDF proposals on Tingley roundabout and lack of a link road from the site to the Ossett by-pass and junction 40 on the M1. No improvement scheme has been prepared for the A653 Leeds Road either by Kirklees or Leeds Council. Existing problems at the junction of Dewsbury Road with Syke Road and Rein Road and the cumulative traffic impact of Leeds LDF have not been included in the highway assessment by the Church Commissioners’ consultants. Highways England comment that traffic modelling indicates that site MX1905 has an individual severe adverse impact based on the number of trips generated on links on the motorway network. The site may not be deliverable over its period or based on effective joint working on cross-boundary strategic priorities.

**Soundness - Consistent with National Policy** The plan is unsound because site MX1905 is contrary to the aims and purposes of the green belt listed in NPPF. It would result in unrestricted sprawl of the large built-up area of Dewsbury up to the boundary with Wakefield and merge Shaw Cross and Chidswell with the Tingley and West Ardsley in Leeds and severely compromise the whole of the green belt between Leeds and Dewsbury. Development would encroach on the countryside that is an integral part of a larger piece of countryside extending into Leeds and Wakefield.

**Proposed Change Requested** Fully examine whether site MX1905 is appropriate.

**Council Response** No ChangeThe local plan is supported by the Infrastructure Delivery Plan (Oct 2015) and Infrastructure Delivery Plan Addendum (Nov 2016) where the current capacity and future delivery of infrastructure to support growth is assessed. Development options in the local plan have also been assessed for their specific impacts on infrastructure. This is explained in the Infrastructure Technical Paper (Nov 2016) (BP11).Continued cooperation with Wakefield will continue.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (document ref BP12)

Paragraph/Site: **MX1905**

Consultee: **1049376 MS JANET TATE**

Agent:

Rep ID: **PDLP\_AD2358**

**Legally Compliant** Only previous objectors were notified by e-mail or post. Residents found the Local Plan website difficult to navigate.

**Duty to Co-operate** Insufficient published evidence that Kirklees has consulted with Leeds Council and Wakefield Council.

**Soundness - Positively Prepared** Consultation Summary Leaflet not delivered to households Inflated housing figures Local Plan fails to place strategic emphasis on brownfield development the majority of development is on Greenfield. Community would see the disappearance of the last area of green belt which distinguishes Wakefield, Leeds and Dewsbury, loss of the connection between local people and a number of distinct localities with their own distinct cultures (e.g. Chidswell, Gawthorpe, West Ardsley).

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

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### Soundness - Justified

- Site is high quality agricultural land; two farms are located on the site Heybeck and Windsor. - Dum Wood and Dogloitchwood are ancient protected woodland and recently received Local Wildlife Status. Site also has protected hedgerows and trees. UK BAP Priority Species are present on the site i.e. Yellowhammer, Dunnock, Skylark, Song Thrush, House Sparrow, Starling, Northern Lapwing, Water Vole, Several species of Bat, West European Hedgehog and Brown Hare. At Fulton Dam EA Nature Site fed by Heybeck, Bushy Beck, and other water courses on the site Otters are present. - Poor evidence on the impact of traffic congestion on the A653, M1 and M62. - Local community believes the area is one of natural beauty valued locally for its recreational value (it constitutes a network of public paths which are major part of the Leeds Country Way and Kirklees Way which are used by runners, walkers, cyclists, bird watchers, young and old), tranquillity and the richness of its plant and wildlife. - Potential for open cast mining to be required before the site could be developed. This would have even further considerable negative effects on the local flora and fauna, leading to the loss of irreplaceable plants, species and habits and the deterioration of ancient woodland. It would make living in the area unbearable, with increased noise and pollution, and would lead to the inevitable decline in the quality of community life.

### Soundness - Consistent with National Policy

- 110 Politicians must treat poor air quality as a public health priority, placing clear emphasis on the severity of the problem. The proposal, 400 houses at Lydgate and 2000 houses by Leeds City Council approx one mile away. - Local infrastructure, particularly A653 will not be able to accommodate increase in traffic, risk to residents health and well-being. - Most dangerous and widespread air pollutants, nitrogen dioxide, sulphur dioxide and particulates mainly produced by factories, industrial sites and traffic fumes. Ozone produced when sunlight combines with other gases from cars, bus and lorries, factories, chemical power plants and smoke from burning coal and oil. On high pollution days a combination of these pollutants can cause smog in winter and summer when air is still. Pollution can stay in the air for days or even weeks. Air pollution higher on busy roads. If you live or work near a building site, an industrial site you'll be more exposed to pollution both from the dust, and the diesel-powered lorries and trucks. - Proposals do not meet three NPPF principals for delivering sustainable development. Local Plan is unbalanced, it is a plan for economic prosperity at the expense of people and place. Plan does not take into account the wishes of the local community who have campaigned and received thousands of signatures opposing the development. - Economic, MX1905 is unsustainable. Promotion of housing outside of the green belt and near to Enterprise Zones conforms to the NPPF. Councils should be working with the Leeds City Region, and how they can assist Kirklees with sustainable development (Lindley Moor East and West.). - NPPF requires local authorities to place strategic emphasis on brownfield ahead of greenfield. Local Plan does not comply with this requirement, placing emphasis on the release of green belt due to the close proximity of MX1905 to the M62 and M1. - Environmental: Major contradiction between plans for developing land for employment and 1535 houses and protecting and enhancing the local environment. Green Belt should not be used for development (except (mainly) for agriculture, forestry and outdoor sport and recreation), nor should green belt boundaries be changed, other than in very special circumstances: the Government attaches great importance to green belts. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open. This is an area of natural beauty, having traditional hedgerows and fields, streams and ancient woodland, which are all accessible through a network of public footpaths, making it a unique area of green belt. - Site lies upon a coal reserve (2.1 million tonne) and is a high risk mining area. There are coal resources at or close to the surface across the entire Chidswell area. Development could lead to the permanent sterilisation of this mineral resource. To accord with the NPPF the developer would have to give due consideration to the prior extraction of any surface coal resources that are present. There are four recorded disused mine shafts within the site and others may exist. Developer may decide that the removal of the shallow coal by prior extraction is the safest and most viable way of land remediation prior to development. 15 years ago, Kirklees Council submitted evidence to appeal against opencast, sighting the loss of green belt, unacceptable detriment to the landscape, noise, dust light pollution etc. Opencast is not mentioned in the constraints for MX1905 only that the 50% of the site falls within a High Risk Mining Area. A Coal Mining Risk Assessment may not be carried out until planning permission is given. Historic documents state that the removal of the coal resource could take 4-5 years, confirmed by the Coal Authority. - Local Plan is unsound it does not accord to the NPPF it does not full fill the Economic, Social and Environmental Role enshrined in the NPPF.

### Council Response

No change The council's Statement of Community Involvement sets out when, how and with whom it consulted as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. DTC Response: Leeds City Council consider MX1905 to be sound and that Kirklees Council have complied with the duty to cooperate. At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate, and that education issues in relation to MX1905 have been resolved, and that highway issues are resolvable. The DTC statement (SD14) demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. Wakefield Council confirmed in their representation that

the allocation is legally compliant. The Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district’s housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. The site is partly contained by Chidswell to the west, ribbon development along Leeds Road and along Hey Beck Lane to the north and there are opportunities for containment including the woodland blocks at Dum Wood and Dogloitch Wood. The site appears as open countryside and there are priority habitats within or adjacent to the site.The strategy seeks to avoid using the best and most versatile agricultural land where possible.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)A transport assessment has been submitted by the site promoter. (SS13)The Local Plan contains policies which require new housing development to provide or contribute towards open space, sport and recreation facilities in the district.The site is in a high risk coal referral area, a coal mining risk assessment is required as part of a detailed planning application. A quantified assessment of the potential impacts of new development and associated traffic is set out in the Kirklees Council Air Quality Assessment (document ref - LE118). A full Air Quality Impact Assessment is required at application stage.Full consideration of the likely impacts of the Local Plan’s strategy, policies and individual site allocations has been considered as part of the Sustainability Appraisal and a wider consideration of infrastructure planning impacts, such as schools, roads and other infrastructure – this is set out in the Local Plan evidence base. The council has considered all the relevant site options which have been submitted into the process in accordance with the published site selection methodology. The Local Plan promotes the re-use of existing buildings and the use of brownfield land to meet development needs but also recognises that a brownfield only approach will not meet the district’s housing and employment land requirements. The proposed number of homes for each allocation is indicative only and based on an efficient use of land required by national planning policy – the actual number of homes to be delivered on sites will be a matter for individual planning applications.

Paragraph/Site: **MX1905**

Consultee: **1049409 Mrs Elizabeth Willmetts**

Agent:

Rep ID: **PDLP\_AD570**

**Soundness - Positively Prepared**

This plan is unsound because green belt should be protected when there are a huge amount of brownfield and other development sites that could be and should be developed before greenfield sites.

**Soundness - Justified**

The road networks in the area are already congested and unable to support the additional traffic this development would bring.

**Council Response**

No changeThe Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district’s housing and employment land requirements alone, meaning that greenfield and green belt sites and land also need to play a role in meeting these needs. The encouragement of brownfield sites is also set out in Policy PLP3 Location of new development, PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft states that the council will aim to maintain a reasonable supply of brownfield land for new jobs and homes through:the use of Local Development Orders on brownfield sites;the use of Compulsory Purchase orders to help bring forward key sites/areas, where appropriate;the potential relaxations of Section 106 and a review of the CIL charging schedule to help bring forward brownfield land where appropriate;preparation of a brownfield land strategy and masterplans for key brownfield sites;use of funding regimes to remediate/pump prime stalled sites/difficult sites;creation of local housing and employment/enterprise zones where the financial receipt of greenfield development can be reinvested into subsidising brownfield sites (brownfield fund) and infrastructure.The Council has strategically modelled the transport network (local highway, public transport

and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)

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Paragraph/Site: **MX1905**

Consultee: **1049463 Mr Daniel Taylor**

Agent:

Rep ID: **PDLP\_AD613**

**Duty to Co-operate**

It is unclear whether the duty to cooperate has been fully carried out. A development of this size will have an affect on neighbouring districts and suitable weight should be given to their objections.

**Soundness - Justified**

Access is via 3rd party land not allocated in the plan. Demolition of existing properties to provide access will be detrimental to the ribbon development character of Leeds Road and Heybeck Lane. The need for employment as special circumstances to allow the release of green belt does not stand up to scrutiny. The new green belt boundary would not be a sound defensible boundary and this has been overlooked. The location is not appropriate as other developments in the vicinity have been rejected due to their town centre function and proximity to the green belt. The land owner's character assessments do not give sufficient weight to impact on openness and fail to mention the lack of any dwellings in the area, the absence of light pollution, and the weather. No scrutiny is given as to whether there will be enough demand to fill the employment developments given more desirable locations in Leeds and Wakefield. Employment space is seemingly currently vacant at the nearby Shaw Cross Business Park. There is also no consideration on how traffic congestion may negatively affect existing businesses within the area. Little consideration is given to the number of protected trees, wildlife habitat and its link to the openness and tranquillity of the area. No consideration is given to the loss of amenity to the local communities and visitors who visit and those who use the footpaths for leisure activities. A robust transport assessment has not been carried out.

**Soundness - Effective**

Land fronting the highway is unsuitable for access as it is needed for access to electricity transmission pylons and this will affect the site's deliverability.

**Soundness - Consistent with National Policy**

The allocation of MX1905 is not consistent with the NPPF. The development of residential areas on green belt is not consistent with the demonstration of special circumstances as set out in the NPPF and subsequent court rulings.

**Proposed Change Requested**

Remove site MX1905 from the plan.

**Council Response**

No ChangeThe masterplan submitted by the site promoter demonstrates access to the site can be achieved. (SS13)The need for employment is identified in the Employment Technical Paper para 8.1 - 8.7. (SD22) Demand for employment land is identified in the Kirklees Market Demand Paper. (LE11)The new position for the green belt boundary around accepted option MX1905 is consistent with paragraph 85 of NPPF which states that green belt boundaries should be defined clearly, using readily recognisable features that are likely to be permanent. The boundary has been established along roads, a watercourse, field boundaries and areas of woodland, all of which are compatible with national guidance and present defensible boundaries to a greater or lesser extent.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for both housing and employment land in the district. After due consideration of all relevant non-green belt alternatives, the need to promote sustainable development patterns, the role and function of the green belt and the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating development on the site outweigh any adverse effects on the green belt.The allocation of the site confirms the principle of development. Details of the design and site layout and impact on adjoining residential properties will be addressed as part of a detailed planning application.The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative transport impact of the land use allocations in the Publication Draft Local Plan. The work identified locations on the highway network which are forecast to suffer increased delays as a result of the proposals and the Council has devised an appropriate transport mitigation strategy. It is not considered therefore that the level of growth proposed would have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. (Document ref BP12)A transport assessment has been submitted by the site promoter (SS13)Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.DTC Response:Leeds City Council consider MX1905 to be sound and that Kirklees Council have complied with the duty to cooperate.At a meeting on 17th February Wakefield Council confirmed that they consider Kirklees to have complied with the duty to cooperate, and that education issues in relation to MX1905 have been resolved, and that highway issues are resolvable.Wakefield Council confirmed in their representation that the allocation is legally compliant.

**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**

Paragraph/Site: <b>MX1905</b>	Consultee: <b>1056384</b> <b>Deborah Wilkinson</b>	Agent:	Rep ID: <b>PDLP_AD859</b>
<b>Soundness - Justified</b>	There has been no adequate Land Management after mining, as such further building in the surface of the land will be a danger. It can't stand more weight of roads, or buildings.		
<b>Council Response</b>	No changePart of the site is within a high risk coal referral area, a coal mining risk assessment would be required as part of a detailed planning application.		
Paragraph/Site: <b>MX1905</b>	Consultee: <b>1062885</b> <b>Mr John Pilgrim</b>	Agent:	Rep ID: <b>PDLP_AD2962</b>
<b>Council Response</b>	No changeSupport noted		
Paragraph/Site: <b>MX1905</b>	Consultee: <b>1064524</b> <b>Professor Ian Rotherham</b>	Agent:	Rep ID: <b>PDLP_AD3286</b>
<b>Soundness - Justified</b>	Archaeological records indicate an Iron Age settlement was to the west of Dum Wood. Site includes ancient hedgerows, with TPO trees. Watercourses on the site are UK BAP Priority Habitats. The site provides habitat for a broad biodiversity of species. The woodland cannot be protected simply by not building on it. Impacts on the woods and their hydrology depend on local topography and geology, the whole project require a full and thorough environmental impact assessment. With any major development there will be extensive drainage and other modifications to the water environment. Land to the east of the site is in Flood Zone 3. There are implications for drainage, maintenance, and ongoing revenue costs flood risk measures. The geology in this area means that there is a heavy impermeable clayey soil. Appropriate Sustainable Drainage Systems should be mandatory on the site. The site was described by West Yorkshire County Council in 1978 as 'part of a major lung of open space separating Wakefield, Ossett, Dewsbury and Morley. It is a valuable area of open undeveloped land and Green Belt'. This is still the case. The developer would need to afford due consideration to the prior extraction of any surface coal resources that are present. Such extraction, if it did go ahead, would be an environmental disaster. The proposals currently lack survey-based information on vital aspects of the current countryside resource		
<b>Council Response</b>	No changeArea contains areas of archaeological interest (PRNs 4542, 4543 & 4544). Proposed area will require predetermination archaeological evaluation, however there is a reasonable prospect these sites can be protected in accordance with planning policies.Mixed deciduous woodland and becks cut across parts of this site both UK BAP priority habitats. Two areas of semi-natural ancient woodland lie to the east of this very large proposed allocation. The proposed masterplan shows these areas to be retained and protected from development.The run-off rates from new development will be determined in accordance with the local plan surface water policy once adopted. This should minimise impacts on flood risk.The extent of this site means that development would significantly impact on the strategic gap between Kirklees and Wakefield, although the presence of green belt within Wakefield would prevent physical merger. Open space provision and green infrastructure will be provided as part of the masterplanning of the site.A coal mining risk assessment is required as part of a detailed planning application.		
Paragraph/Site: <b>MX3349</b>	Consultee: <b>943957</b> <b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3773</b>
<b>Council Response</b>	No changeSupport noted		
Paragraph/Site: <b>MX3349</b>	Consultee: <b>1045848</b> <b>Mrs Toni Rios</b>	Agent: <b>1045846</b> <b>Mr Christopher Yapp</b>	Rep ID: <b>PDLP_AD387</b>
<b>Soundness - Justified</b>	The site description already contains the following appropriate wording: "Development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". Additionally, development of this site will need to be phased in line with proposed Policy PLP4 that requires investment in infrastructure and new development to be coordinated. For further correspondence relating to this representation see Core Document 'Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation'		
<b>Proposed Change Requested</b>	Additionally, development of this site will need to be phased in line with proposed Policy PLP4 that requires investment in infrastructure and new development to be coordinated.For further correspondence relating to this representation see Core Document 'Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation'		
<b>Council Response</b>	No changeHighways England intend to retract their comments on the publication draft at the earliest opportunity to reflect their current position. These matters have been subsequently addressed within Highways England's letter to Kirklees Council dated 12th April 2017 (BP28). Further to this correspondence, the 'site specific considerations' (in relation to individual site and cumulative site impacts upon the Strategic Road Network) have either been removed or		

## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

modified in accordance with Highways England's expressed position (see SD4 and BP28). Highways England's recommendations within BP28 were informed by LE141 and their latest Network Analysis Tool modelling. Highways England have agreed that Local Plan Policy PLP 4 will enable the Council to seek contributions towards additional mitigation measures from applications upon allocations that do not in themselves generate a significant impact upon the SRN (but that may contribute towards cumulative impact).

Paragraph/Site: **MX1920**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3774**

### Council Response

No change. Correspondence within BP28 (dated 24th February 2017) clarifies Historic England's current position with respect to these earlier comments, specifically that Historic England no longer consider that there has been no evaluation of the impact of any of the sites upon the historic environment. Historic England now fully acknowledge that the selection of sites which have been put forward as allocations in the Local Plan have been arrived at following a series of evaluations by the Council of the potential impacts that of all the sites might have upon the historic environment. Historic England endorse the process undertaken to arrive at the selection of sites included in the Local Plan and this has involved full consultation with, and considerable input from, Historic England throughout. Historic England have also confirmed that the Local Plan does not include any sites whose development will result in substantial harm to a designated heritage asset (and whose allocation, therefore, would be likely to conflict with national policy guidance).

Paragraph/Site: **MX1912a**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3775**

### Soundness - Justified

This site adjoins the boundary of the Hepworth Conservation Area and the churchyard of the Grade II Listed Church of the Holy Trinity. The loss of the southern part of this area and its subsequent development could harm elements which contribute to the significance of these assets. By allocating this site, the Council is accepting that the principle of the loss of this currently-open area and its subsequent development is acceptable. However, there has been no evaluation of what contribution this site makes to the character or appearance of the Conservation Area, or to the special architectural or historic interest of the Listed Buildings, or what harm might result to those elements which contribute to the significance of these designated assets by its eventual development.

### Soundness - Consistent with National Policy

Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. In addition, the Council has a statutory duty under the provisions of S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay "special attention" to "the desirability of preserving or enhancing the character or appearance" of its Conservation Areas. The NPPF makes it clear that the significance of heritage assets, such as Conservation Areas, can be harmed through development within their setting.

### Proposed Change Requested

Before allocating this site for development an assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Conservation Area and the Listed Buildings in its vicinity and what impact the loss of this site and its subsequent development might have upon their significance.

### Council Response

No change. Historic England now fully acknowledge that the selection of sites which have been put forward as allocations in the Plan have been arrived at following a series of evaluations by the Council of the potential impacts that of all the sites might have upon the historic environment. Historic England endorse the process undertaken to arrive at the selection of sites included in the Plan and this has involved full consultation with, and considerable input from, Historic England throughout. Historic England have also confirmed that the Plan does not include any sites whose development will result in substantial harm to a designated heritage asset (and whose allocation, therefore, would be likely to conflict with national policy guidance). The requirement for a Heritage Impact Assessment is set out in the site allocations box for this site (SD2, Allocations and Designations, page 176).

Paragraph/Site: **MX1912a**

Consultee: **978506 Cllr Nigel Patrick**

Agent:

Rep ID: **PDLP\_AD3599**

### Soundness - Justified

Mixed use allocation sites at MX1912a add significant numbers of cars to a very substandard road network in close proximity to Holmfirth High School where road safety is an issue. All the above allocations will impact on New Mill Junction where the A635 meets the A616. This junction should be a priority for improvement in the plan. This allocation will also impact on the number of school places available in the area.

### Proposed Change Requested

Reduce the number of housing allocation sites (H and SL), but in addition the Planning Inspector might also consider changing the status of some of the housing allocation sites to 'safeguarded'. That will spread the build over a longer period and reduce the immediate impact on school places. However, we feel it would still be necessary to include New Mill Junction as an improvement scheme in the Local Plan.

### Council Response

No change. Highways responses to this site have indicated that access can be achieved. Local highway links are also acceptable. The impact of development on



## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is ongoing to ensure school places are available to meet the needs of future growth.

Paragraph/Site: **MX1912a**

Consultee: **1050803 Cllr Kenneth Sims**

Agent:

Rep ID: **PDLP\_AD3680**

### **Soundness - Justified**

Mixed use allocation sites at MX1912a add significant numbers of cars to a very substandard road network in close proximity to Holmfirth High School where road safety is an issue. All the above allocations will impact on New Mill Junction where the A635 meets the A616. This junction should be a priority for improvement in the plan. This allocation will also impact on the number of school places available in the area.

### **Proposed Change Requested**

Reduce the number of housing allocation sites (H and SL), but in addition the Planning Inspector might also consider changing the status of some of the housing allocation sites to 'safeguarded'. That will spread the build over a longer period and reduce the immediate impact on school places. However, we feel it would still be necessary to include New Mill Junction as an improvement scheme in the Local Plan.

### **Council Response**

No change.Highways responses to this site have indicated that access can be achieved. Local highway links are also acceptable.The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is ongoing to ensure school places are available to meet the needs of future growth.

Paragraph/Site: **MX1912a**

Consultee: **1050805 Cllr Donald Firth**

Agent:

Rep ID: **PDLP\_AD3679**

### **Soundness - Justified**

Mixed use allocation sites at MX1912a add significant numbers of cars to a very substandard road network in close proximity to Holmfirth High School where road safety is an issue. All the above allocations will impact on New Mill Junction where the A635 meets the A616. This junction should be a priority for improvement in the plan. This allocation will also impact on the number of school places available in the area.

### **Proposed Change Requested**

Reduce the number of housing allocation sites (H and SL), but in addition the Planning Inspector might also consider changing the status of some of the housing allocation sites to 'safeguarded'. That will spread the build over a longer period and reduce the immediate impact on school places. However, we feel it would still be necessary to include New Mill Junction as an improvement scheme in the Local Plan.

### **Council Response**

No change.Highways responses to this site have indicated that access can be achieved. Local highway links are also acceptable.The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and School Place Planning Teams. This work is ongoing to ensure school places are available to meet the needs of future growth.

Paragraph/Site: **6.1**

Consultee: **968958 Mr Matthew Mills**

Agent:

Rep ID: **PDLP\_AD3620**

### **Soundness - Positively Prepared**

- Should be explicit reference to and consideration of student housing needs. Preference affordable town centre accommodation close to campus. Long term, believe decline in popularity of student halls which require commuting to campus. - Need to provide affordable accommodation but maintain high quality stock. Wish to see further growth in halls in immediate vicinity of campus to provide increased choice, improve market competition to reduce costs. - Growth in additional hall places would have additional benefit of potentially freeing up housing stock for families. - Recent graduates require access to affordable accommodation for rent and purchase.

### **Proposed Change Requested**

- Should be explicit consideration of and reference to Student Housing needs.- Should prioritise provision of affordable starter homes for recent graduates, homes suitable for 'empty nesters' ready to trade down, Housing Association and social landlord provision.

### **Council Response**

No changePolicy PLP11 Housing Mix and Affordable Housing in the Local Plan Strategy and Policies document (SD1) sets out the Council's approach to housing mix and affordability and is based on the latest evidence. This includes the Strategic Housing Market Assessment 2016 (LE18). In addition, policy PLP17 Huddersfield Town Centre supports proposals for new development within the town centre where they provide space for town centre residential living.

Paragraph/Site: **6.3**

Consultee: **1049149 Mr Keith Gibson**

Agent:

Rep ID: **PDLP\_AD1435**

### **Soundness - Justified**

Division into primary and secondary frontages misunderstands the nature of change taking place in small towns. Successful towns such as Holmfirth have new types of uses filling the older shops including hairdressers, cafes which would by definition be excluded from the Local Plan primary frontages. Primary shopping frontages are at the expense of the other frontages which are defined as secondary which may impact on the retail offer and property values. Many larger retails premises are outside the primary shopping frontage.

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<b>Proposed Change Requested</b>	Omit the difference between Primary & Secondary frontages.
<b>Council Response</b>	No change The Retailing and Town Centres technical paper (BP15), paragraphs 4.2.20 to 4.2.26 set out the rationale for primary and secondary shopping frontages.
Paragraph/Site: 6.8	Consultee: <b>1037086 Mr Alex Mellor</b> Agent: Rep ID: <b>PDLP_AD29</b>
<b>Soundness - Justified</b>	Use vacant upper floors throughout the town centre
<b>Proposed Change Requested</b>	Modify these vacant upper floors to provide residential opportunities thus reducing the need to build on greenbelt
<b>Council Response</b>	No change Policy PLP15 Residential use in town centres in the Local Plan Strategy and Policies document (SD1) supports proposals for residential uses where appropriate including upper floors in primary shopping areas. In addition, policy PLP17 Huddersfield Town Centre supports proposals for new development within the town centre where they provide space for town centre residential living.
Paragraph/Site: 6.15	Consultee: <b>1037086 Mr Alex Mellor</b> Agent: Rep ID: <b>PDLP_AD30</b>
<b>Soundness - Justified</b>	Use vacant upper floors.
<b>Proposed Change Requested</b>	Modify upper storeys to provide residential opportunities reducing the need to build on greenbelt
<b>Council Response</b>	No change Policy PLP15 Residential use in town centres in the Local Plan Strategy and Policies document (SD1) supports proposals for residential uses where appropriate including upper floors in primary shopping areas. In addition, policy PLP18 Dewsbury Town Centre supports proposals for new development within the town centre where they provide space for town centre residential living.
Paragraph/Site: 7.1	Consultee: <b>968958 Mr Matthew Mills</b> Agent: Rep ID: <b>PDLP_AD3622</b>
<b>Soundness - Positively Prepared</b>	- A significant number of students live at home and commute to campus. Transport link to campus a key concern. - Need to consider public transport to campus, parking provision, electric vehicle charging points. - Walking and cycling: cycle travel in town centre difficult, can feel unsafe. Ring road and main routes bisect and disconnect campus from the town. Consider how traffic could be reduced to better connect campus to town and encourage sustainable transport choices.
<b>Proposed Change Requested</b>	- Consider public transport to campus, including infrastructure to route services close to campus. - Consider parking and number of electric charging points. - Consider how traffic on Queensgate can be reduced, periodic road closures or controls, congestion charging, improved park and ride/stride solutions, investment in public transport to improve frequency and reach
<b>Council Response</b>	It is considered not the role of the Local Plan to facilitate the improvement of commercially provided public transport services in the context of accessibility to an existing facility, nor park and ride as part of a general transport strategy. It is about criteria-based policies when considering new development. PLP19 to PLP23 of the Draft Local Plan, Strategies and Policies document elucidate this. As part of the Council's work emanating from the West Yorkshire Local Transport Plan, the West Yorkshire Transport Fund and in particular LE37 The Council's Transport Vision 2025, a variety of locally determined transport schemes will be worked up for consultation with local residents and businesses. These schemes will be designed to maximise modal shift whilst recognising the pressures placed up on the local highway network to arrive at a solutions that attempt to address the differing access requirements different users place on the highway. However it is important that the Local Plan is not read in isolation from other strategies relevant to transport and produced at West Yorkshire and City Region levels. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve its objective of "Good Growth", highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees. As part of the emerging West Yorkshire Transport Strategy (CR8) an associated Bus Strategy is being prepared. It is suggested that the requirements set out in the representation would be better dealt with through this strategy and not through the Local Plan. There is already a parking policy in the Draft Local Plan, Strategies and Policies document that relates to new development. It would seem that the representation is looking for a policy that references the provision of park and ride as a demand management measure. The Council has examined the potential for Park and Ride at various locations around Huddersfield and

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concluded that they could not provide the necessary demand to financially support either the construction of the parking facilities or the bus services (new or the diversion of existing) that would be required. This is especially true given the level and very low cost of all day parking provision (both privately and council-provided) in Huddersfield, which do nothing to incentivise people to get out of the car. Paragraph 10.93 of the Draft Local Plan, Strategies and Policies document specifically references Park and Ride. Policy PLP24 in the Strategies and Policies document addresses electric charging points. It is asserted that the plan makes provision to increase the number of electric charging points. As part of the Council's work emanating from the West Yorkshire Local Transport Plan, the West Yorkshire Transport Fund and in particular LE37 The Council's Transport Vision 2025, a variety of locally determined transport schemes will be worked up for consultation with local residents and businesses. These schemes will be designed to maximise modal shift whilst recognising the pressures placed up on the local highway network to arrive at a solutions that attempt to address the differing access requirements different users place on the highway.

Paragraph/Site: <b>TS 1</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3805</b>
<b>Council Response</b>	No change - support noted for the inclusion of the reference within Paragraph 7.1 of the need to have regards to the constraints and considerations set out in the plan re. the impact upon heritage assets.			
Paragraph/Site: <b>TS 2</b>	Consultee: <b>1045848</b>	<b>Mrs Toni Rios</b>	Agent: <b>1045846</b>	<b>Mr Christopher Yapp</b>
<b>Soundness - Justified</b>	It should be made clear that this is a West Yorkshire Plus Transport Fund (WY+TF) scheme and not a Highways England scheme.			
<b>Proposed Change Requested</b>	It can be made sound if the suggested changes are made .			
<b>Council Response</b>	No change - comment noted.			
Paragraph/Site: <b>TS 2</b>	Consultee: <b>1046020</b>	<b>Mr Ian Chilton</b>	Agent:	Rep ID: <b>PDLP_AD161</b>
<b>Legally Compliant</b>	No comments submitted			
<b>Duty to Co-operate</b>	No comments submitted			
<b>Soundness - Positively Prepared</b>	No comments submitted			
<b>Soundness - Justified</b>	No comments submitted			
<b>Soundness - Effective</b>	No comments submitted			
<b>Soundness - Consistent with National Policy</b>	No comments submitted			
<b>Council Response</b>	No Change No comments submitted.			
Paragraph/Site: <b>TS 3</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3806</b>
<b>Council Response</b>	No change - support noted for the inclusion of the reference within Paragraph 7.1 of the need to have regards to the constraints and considerations set out in the plan re. the impact upon heritage assets.			
Paragraph/Site: <b>TS 3</b>	Consultee: <b>975861</b>	<b>K Bellwood</b>	Agent:	Rep ID: <b>PDLP_AD1460</b>
<b>Soundness - Effective</b>	The assessment of the A629 should be extended to Highburton and Kirkburton to cope both with existing traffic levels and the significant increase from accepted housing sites. The increase in traffic through rural settlements needs to be part of the traffic assessments in Kirklees Rural. Farnley Tyas is at a significant crossroads between the A629 and A616. There is no acknowledgement of the existing issues in rural villages that have become a cut-through due to the limitations of these main roads and which will be made worse with thousands of additional homes.			
<b>Proposed Change Requested</b>	Continue TS3 to Highburton and Kirkburton. TS8 and TS9 need to include solutions to reduce traffic volumes, traffic speed and improve safety.			
<b>Council Response</b>	77% of all the dwellings proposed are in the sub areas of Batley and Spen, Dewsbury and Mirfield and Huddersfield. The remaining 23% is allocated to Kirklees Rural ( Kirklees Council, 2017, Housing Technical Paper. (SD23). This is a sub area made up of the electoral Wards of: Colne Valley, Golcar, Holme Valley North			

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and South, Kirkburton and Denby Dale (Kirklees Council, 2015, Shaping a Local Plan for Kirklees Consultation Summary.)The infrastructure proposed in the South Kirklees area is commensurate with the predicted impact from the comparatively low levels of development proposed across the whole of this area.To understand the traffic impact across the District, Kirklees has undertaken as part of its supporting documentation for the submission of the Local Plan, to model the traffic impact of the local plan allocations on the transport network across Kirklees. This model has been built to be Department for Transport compliant. Page 21 of BP12: Transport Model Technical Paper and Addendum shows the extent of the modelled network.The Transport Technical Paper goes on to detail the assessment methodology and explain how the mitigation strategy has been arrived at with respect to providing decongestion solutions to the most congested junctions. This has been specifically thought through to ensure that traffic in the District can continue to move around efficiently through the strategic junctions. Pages 8-12 of BP12 (The Transport Technical Paper and Addendum) explain the methodology to arrive at a strategic mitigation strategy for the District.The most congested junctions have been identified in BP12: Transport Model Technical Paper and Addendum and an appropriate mitigation strategy has been devised. This includes proposed alterations to the junctions of the A616 with B6108 (Meltham Road) and the junction of the A629 Pensitone Road and the A642 Wakefield Road (Waterloo). Pages 60 and 66 of BP12 show how these improvements will allow more traffic to divert back onto these main roads with increases in traffic flows originating, ending and passing through, the pre-defined cordon.

Paragraph/Site: <b>TS 4</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3807</b>
<b>Council Response</b>	No change - support noted for the inclusion of the reference within Paragraph 7.1 of the need to have regards to the constraints and considerations set out in the plan re. the impact upon designated heritage assets.			
Paragraph/Site: <b>TS 4</b>	Consultee: <b>1045848</b>	<b>Mrs Toni Rios</b>	Agent: <b>1045846</b>	<b>Mr Christopher Yapp</b> Rep ID: <b>PDLP_AD389</b>
<b>Council Response</b>	No change - comment noted.			
Paragraph/Site: <b>TS 5</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3808</b>
<b>Council Response</b>	No change - support noted.			
Paragraph/Site: <b>TS 5</b>	Consultee: <b>972220</b>		Agent: <b>941908</b>	<b>Mr Andrew Rose</b> Rep ID: <b>PDLP_AD3307</b>
<b>Soundness - Effective</b>	Miller Homes is encouraged by the identification of the Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone but objects to the non-identification of the strategic highway through Dewsbury Riverside which will act as a Ravensthorpe Relief Road. A plan of the scheme is within the representation.			
<b>Proposed Change Requested</b>	Refer to the strategic highway network through Dewsbury Riverside within the scheme detail of TS5. Identify the strategic highway through Dewsbury Riverside on the Proposals Map (see attached Plan in Appendix 1).			
<b>Council Response</b>	No Change.The site promoter has provided additional technical work with regard to the site access, Dewsbury Riverside Access Statement Technical Note (April 2017).			
Paragraph/Site: <b>TS 8</b>	Consultee: <b>975861</b>	<b>K Bellwood</b>	Agent:	Rep ID: <b>PDLP_AD1462</b>
<b>Soundness - Effective</b>	The assessment of the A629 should be extended to Highburton and Kirkburton to cope both with existing traffic levels and the significant increase from accepted housing sites. The increase in traffic through rural settlements needs to be part of the traffic assessments in Kirklees Rural. Farnley Tyas is at a significant crossroads between the A629 and A616. There is no acknowledgement of the existing issues in rural villages that have become a cut-through due to the limitations of these main roads and which will be made worse with thousands of additional homes.			
<b>Proposed Change Requested</b>	Continue TS3 to Highburton and Kirkburton.Traffic assessments need to include solutions to reduce traffic volumes, traffic speed and improve safety.			
<b>Council Response</b>	The work undertaken in BP12, was undertaken to fulfil the interpretation of the NPPF, paragraph 162 which states that Local Planning Authorities should assess the quality and capacity of infrastructure for transport and its ability to meet forecast demands. In relation to reducing traffic volumes, the car is still the predominant mode of transport for the journey to work and Department for Transport-produced traffic forecasts show that car use will grow, therefore it remains pertinent to cater for the car in a mitigation strategy that is designed to ensure there is capacity to meet forecast demands.However it is important that the Local Plan is not read in isolation from other strategies. Indeed road improvements are only one part of a sophisticated policy mix, as espoused by			

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Eddington in 2006 and confirmed by the Transport select committee in 2011. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve it's objective of "Good Growth", highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees.

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Paragraph/Site: **TS9**

Consultee: **972595**

**Mrs Cheryl Tyler**

Agent:

Rep ID: **PDLP\_AD900**

### **Soundness - Justified**

The Local Plan indicates proposed improvements to Ravensthorpe station but not for Mirfield. Mirfield station is a significant commuter access point but experiences parking and access issues.

### **Council Response**

TS9 specifically refers to improvements to the existing car park at Mirfield Railway Station. It is out with the remit of the Local Plan to reference in policy or allocation every scheme that might be required to assist in bringing delivery of a site forward. Much of this will be determined at planning application stage. Nonetheless policy PLP4, providing infrastructure allows the Council to impose conditions where it is necessary to bring forward development. It would be for the developer and the local planning authority to agree at the application stage whether a development could (not would or should) provide a financial contribution to step free access. In summary there is a Strategy and Policies document provides a policy framework for the Development Management process to negotiate a contribution if it is justified. The council is supportive of step-free access to rails stations, but the schemes listed in TS9 are considered necessary to bring forward development and therefore facilitate economic growth in the District. Provisions for step-free access, whilst very important and inclusive are not for the Local Plan to provide, particularly where match funding sources are not guaranteed over the life of the Local Plan and the onus is on the industry to deliver the intervention.

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Paragraph/Site: **TS9**

Consultee: **975861**

**K Bellwood**

Agent:

Rep ID: **PDLP\_AD1463**

### **Soundness - Effective**

The assessment of the A629 should be extended to Highburton and Kirkburton to cope both with existing traffic levels and the significant increase from accepted housing sites. The increase in traffic through rural settlements needs to be part of the traffic assessments in Kirklees Rural. Farnley Tyas is at a significant crossroads between the A629 and A616. There is no acknowledgement of the existing issues in rural villages that have become a cut-through due to the limitations of these main roads and which will be made worse with thousands of additional homes.

### **Proposed Change Requested**

Continue TS3 to Highburton and Kirkburton. Traffic assessments need to include solutions to reduce traffic volumes, traffic speed and improve safety.

### **Council Response**

The work undertaken in BP12, was undertaken to fulfil the interpretation of the NPPF, paragraph 162 which states that Local Planning Authorities should assess the quality and capacity of infrastructure for transport and its ability to meet forecast demands. In relation to reducing traffic volumes, the car is still the predominant mode of transport for the journey to work and Department for Transport-produced traffic forecasts show that car use will grow, therefore it remains pertinent to cater for the car in a mitigation strategy that is designed to ensure there is capacity to meet forecast demands. However it is important that the Local Plan is not read in isolation from other strategies. Indeed road improvements are only one part of a sophisticated policy mix, as espoused by Eddington in 2006 and confirmed by the Transport select committee in 2011. As part of the West Yorkshire Combined Authority, Kirklees Council is fully committed to the objectives and policies contained within the the Leeds City Region Strategic Economic Plan and the emerging West Yorkshire Transport Strategy. Page 81 of the Strategic Economic Plan (CR9) explains how at a City Region level, the SEP will achieve it's objective of "Good Growth", highlighting the sophisticated mix of transport schemes required to do this. Page 4 of the emerging West Yorkshire Strategy (CR8) shows how the various transport and land use strategies for Kirklees fit together and pages 16-20 show how the wide number of policies and schemes that go into creating the overall transport strategy for West Yorkshire and by association, Kirklees.

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Paragraph/Site: **TS9**

Consultee: **978569**

**Tony Rivero**

Agent:

Rep ID: **PDLP\_AD357**

### **Soundness - Justified**

Should be an additional item relating to the provision of mobility impaired access at all Kirklees stations. Network Rail is not funded to provide disabled access at stations. The Department of Transport provides an "Access For All" fund to provide such improvements to access at selected stations. "Access For All" is part of the Department for Transport's (DfT) Railways for All Strategy. In this instance having an item in the relevant policy (and by extension on the CiL 123 list) would be advantageous for the next round of bidding in Control Period 6 (2019-23) should the Fund be continued.

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<b>Proposed Change Requested</b>	Include text to include access for the disabled at stations and inclusion of this in CIL 123 list.			
<b>Council Response</b>	It is out with the remit of the Local Plan to reference in policy or allocation every scheme that might be required to assist in bringing delivery of a site forward. Much of this will be determined at planning application stage. Nonetheless policy PLP4, providing infrastructure allows the Council to impose conditions where it is necessary to bring forward development. It would be for the developer and the local planning authority to agree at the application stage whether a development could (not would or should) provide a financial contribution to step free access. In summary there is a Strategy and Policies document provides a policy framework for the Development Management process to negotiate a contribution if it is justified. The council is supportive of step-free access to rails stations, but the schemes listed in TS9 are considered necessary to bring forward development and therefore facilitate economic growth in the District. Provisions for step-free access, whilst very important and inclusive are not for the Local Plan to provide, particularly where match funding sources are not guaranteed over the life of the Local Plan and the onus is on the industry to deliver the intervention.			
Paragraph/Site: <b>TS10</b>	Consultee: <b>967408</b>	<b>Mr John Lewis</b>	Agent:	Rep ID: <b>PDLP_AD440</b>
<b>Soundness - Justified</b>	No evidence that cycling is integrated into the major transport plans that are outlined Without cycling being specifically stated the opportunity for cycling to contribute to transport will be overlooked and will be seen as an extra			
<b>Proposed Change Requested</b>	Make it apparent that improved cycling infrastructure is included in the transport schemes outlined.			
<b>Council Response</b>	The Policies Map specifically indicates a core walking and cycling network and is supported by Policy PLP23 in the Strategy and Policies document.			
Paragraph/Site: <b>TS11</b>	Consultee: <b>1045848</b>	<b>Mrs Toni Rios</b>	Agent: <b>1045846</b>	<b>Mr Christopher Yapp</b> Rep ID: <b>PDLP_AD390</b>
<b>Soundness - Justified</b>	TS11 needs to differentiate between committed RIS1 schemes and additional infrastructure requirements identified as part of the West Yorkshire Infrastructure Study. Scheme descriptions should also be consistent with section 10 of the Strategy and Policies document.			
<b>Proposed Change Requested</b>	It can be made sound if the suggested changes are made.			
<b>Council Response</b>	Proposed change - See modification AD-MM62.			
Paragraph/Site: <b>TS11</b>	Consultee: <b>1053800</b>		Agent: <b>1053797</b>	<b>Mr James Beynon</b> Rep ID: <b>PDLP_AD3578</b>
<b>Soundness - Positively Prepared</b>	We have also noted some inconsistencies between the Strategic Road Network Improvements listed in the 'Strategies and Policies' document and the 'Allocations and Designations' document. The two lists should be consistent, or the reasons for the differences be identified, for the avoidance of any doubt.			
<b>Proposed Change Requested</b>	Ensure consistency between those Strategic Road Network Improvements listed in both the 'Strategies and Policies' document and the 'Allocations and Designations' documents			
<b>Council Response</b>	Proposed change - see proposed modification AD-MM62			
Paragraph/Site: <b>LWS6, LWS7, LWS9, LWS7</b>	Consultee: <b>978303</b>	<b>Cllr Andrew Palfreeman</b>	Agent:	Rep ID: <b>PDLP_AD2518</b>
<b>Council Response</b>	No ChangeSupport for the Councils Allocation for Local Wildlife sites at LWS6, LWS7, LWS9, LWS7 is noted.			
Paragraph/Site: <b>LWS1</b>	Consultee: <b>943022</b>	<b>Mr Robin Coghlan</b>	Agent:	Rep ID: <b>PDLP_AD329</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>SM00475</b>	Consultee: <b>968632</b>	<b>Mrs Dawn Gemmell</b>	Agent:	Rep ID: <b>PDLP_AD72</b>
<b>Soundness - Justified</b>	The allocation of SM00475 is not justified as it does not reflect with the area defined by Historic England, and is therefore unsound.			
<b>Proposed Change Requested</b>	The allocation should be amended to identify the correct area as defined by Historic England (List Entry Number 1005786.			
<b>Council Response</b>	No change. The council have consulted Historic England and West Yorkshire Archaeological Service on the Local Plan and received no comments in relation to the boundary of this scheduled monument. However, it appears from the Historic England website that there is a revised boundary for this scheduled monument therefore if this represents a soundness issue to the plan the council would consider an amendment to the Policies Map.			

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Paragraph/Site: <b>SM00475</b>	Consultee: <b>971556</b>	<b>D S and N S Gemmell</b>	Agent:	Rep ID: <b>PDLP_AD214</b>
<b>Soundness - Justified</b>	- SM00475 is not the accurate area as marked on the plan for this Historic monument. SM00475 is described on the Historic England website as List Entry Number 1005786 , this was re-assessed on 31st March 2016 and the correct area is on the website.			
<b>Proposed Change Requested</b>	Relocate SMM00475 to the correct area			
<b>Council Response</b>	No changeThe boundary reflects the planning permissions and subsequent grant of agricultural notifications in association with the bio-digestors and effluent lagoonsKirklees Council is working towards a net self-sufficient approach towards waste treatment/management, therefore monitoring of all facilities that accept and manage waste is a key component of this process to fully understand the capacity within the districtThe Kirklees Waste Needs Assessment has included the waste capacity of Clayton Hall Farms Bioenergy Plant and accounted for an annual treatment capacity of 5009 tonnes in its modellingAlthough it is recognised that waste treatment/management facilities accept waste from outside of the district, the Council must plan to manage waste both generated within and/or imported to the district for the duration of the plan period. This helps the Council's objective of being net self-sufficient.Policy PLP 45 does not prevent established operations from continuing. The policy affects the waste facilities within the designation only therefore any current and future farm operations would remain unaffectedThe waste safeguarding designation and associated policy do not change the planning status already affecting this sitePoicy PLP 45 would not prevent the development of the farm, particularly if such developments had no impact upon the established bio-digestors and associated infrastructure. However, the policy is flexible and would allow a change of use from the facilities safeguarded if it can be justified.			
Paragraph/Site: <b>CA57, CA30</b>	Consultee: <b>978303</b>	<b>Cllr Andrew Palfreeman</b>	Agent:	Rep ID: <b>PDLP_AD2520</b>
<b>Council Response</b>	No ChangeSupport noted.			
Paragraph/Site: <b>AS906/2, AS97/2.</b>	Consultee: <b>978303</b>	<b>Cllr Andrew Palfreeman</b>	Agent:	Rep ID: <b>PDLP_AD2519</b>
<b>Council Response</b>	No changeSupport noted			
Paragraph/Site: <b>Table Batley &amp; Spen</b>	Consultee: <b>943910</b>	<b>Mr Ian Sanderson</b>	Agent:	Rep ID: <b>PDLP_AD336</b>
<b>Proposed Change Requested</b>	Additional text should be included with the list of archaeological sites to indicate that the list is not exhaustive but contains those sites believed to be of such potential significant regional archaeological importance as to warrant preservation. It would be helpful to add that details of these sites & all other known archaeological sites are held in the West Yorkshire Historic Environment Record which is maintained by the West Yorkshire Archaeology Advisory Service (WYAAS) and is available for consultation.			
<b>Council Response</b>	No ChangeThe inclusion of additional text is not considered to be a soundness issue. However the council may give further consideration at a later stage to include a minor amendment if necessary.			
Paragraph/Site: <b>10.1</b>	Consultee: <b>943894</b>	<b>Mrs Beverley Lambert</b>	Agent:	Rep ID: <b>PDLP_AD2354</b>
<b>Council Response</b>	Support for minerals areas of search noted			
Paragraph/Site: <b>ME1965b</b>	Consultee: <b>942768</b>	<b>Mr Andrew Wood</b>	Agent:	Rep ID: <b>PDLP_AD1784</b>
<b>Soundness - Positively Prepared</b>	Question justification of need.			
<b>Council Response</b>	No change.The justification for additional minerals to be worked in Kirklees is set out in the 'Minerals Technical Paper' at paragraphs 5.1-5.47.			
Paragraph/Site: <b>ME1965b</b>	Consultee: <b>943612</b>	<b>Helen France</b>	Agent:	Rep ID: <b>PDLP_AD2054</b>
<b>Soundness - Positively Prepared</b>	- The Sustainability Appraisal linked to these allocations appears to contravene Kirklees' own stated Aims and Objectives for their Local Plan - The late allocation of these sites and addition to the Local Plan implies a less than strategic approach by the Council to the identification of sites in what is a really long term strategic issue - The timeframe, scale of extraction and land restoration appears to be chaotic and ill-considered. A robust strategy has not been provided.			
<b>Soundness - Justified</b>	- Minerals allocations have not been considered against their impact upon the green belt and local communities, - Insufficient evidence has been provided to			