

Kirklees Local Plan

Preliminary Note 3 from the Inspector to the Council

22 June 2017

Thank you for sending through the requested information in response to my Initial Note and Preliminary Note 2.

It is still my intention to publish the Examination Guidance Note, draft hearings timetable and my Matters, Issues and Questions (MIQs) relating to Stage 1 in the week commencing 10th July 2017. Hearing statements will be sought by the first week of September, with the specific date to be confirmed. Prior to this, I have a number of points relating to the latest submitted evidence on which clarification would be welcomed, as set out below. I have also highlighted the need for a number of Statements of Common Ground (SCG), where clarification on the parties' latest positions would be helpful and assist the running of the hearing sessions.

General

1. The Stage 1 hearings are due to take place between 10th and 18th October 2017, and will focus on a number of key strategic matters in the Local Plan. If, following the Stage 1 sessions, I conclude that the Plan is legally compliant and capable of being found sound on these matters, the examination will move on to Stage 2. I will inform the Council in writing of my position as soon as possible after the close of the Stage 1 hearings.
2. The Stage 2 hearings are provisionally scheduled to take place between 5th and 15th December 2017. If I consider that we should proceed to Stage 2, I will aim to publish the Stage 2 MIQs the week commencing 23rd October. This should allow about 3-4 weeks for hearing statements to be prepared and a further 2-3 weeks for pre-hearing preparation following receipt of the statements.

Housing delivery

3. At the Stage 1 hearings I would like to explore the delivery of the Council's housing requirement, focusing in particular on the estimated phasing rates for the allocation sites as set out in Appendix 3 of the Plan. The submitted phasing schedule shows early delivery of a number of sites that have yet to gain planning permission, and I am unclear regarding the reasons for this. I will also look at the Council's use of an average density rate to estimate site capacity, as well as the other sources of housing supply.
4. I am not intending to discuss the detailed merits of each allocation site, as this will be covered in Stage 3 of the examination. However, an overview of delivery matters will be necessary. In order to facilitate discussion on this issue I therefore request that the Council provides as much information as possible in the forthcoming Housing Supply Topic Paper on the likely timetable for progressing each allocation site, progress with planning applications, estimated start dates and delivery rates, whether sites are controlled by an active house-builder, and the number of housebuilders expected once development has commenced. Written evidence from landowners/developers, where available, may also assist. The same

information is sought in relation to the larger outstanding permissions in Appendix 3 of the Plan.

5. In addition, I request that the Council prepares SCGs with the landowners/promotors of the larger strategic housing-led options in the Local Plan. As a minimum this should include SCGs for the sites listed below. The SCGs should focus on the above mentioned delivery matters, provide an up to date position, and also highlight any differences between the Council and landowners/promotors regarding delivery expectations, along with a brief explanation. The SCGs should be submitted by the same date that the hearing statements are required.
 - Land north of Bradley Road, Huddersfield (H1747)
 - Land south of Ravensthorpe Road, Thornhill Lees, Dewsbury (H2089)
 - Land north of Blackmoorfoot Road, Crosland Moor, Huddersfield (MX1930)
 - Land south of Lindley Moor Road, Lindley, Huddersfield (MX1911)
 - Land east of Leeds Road, Dewsbury (MX1905)
6. The Council has indicated that the forthcoming Housing Supply Topic Paper will include updated information on housing completions and outstanding commitments as at April 2016. Any implications arising from this, in terms of overall housing delivery and five year land supply, will need to be addressed through the hearing statements and at the relevant hearing sessions. I am also mindful that the monitoring year 2016/17 has now passed. In connection with this, it would be appreciated if the Council could confirm when the data for 2016/17 is due to be released, and whether it will be available prior to the hearing sessions in October.
7. A final discussion on housing delivery and five year supply may also be necessary at the end of the Stage 3 hearings, once the soundness of each housing allocation has been examined.

Site allocation process

8. The Council's recent report on 'Site Pro-formas for each Green Belt release' provides a useful summary of the appraisal results and Sustainability Appraisal (SA) assessments for each specific site, and should assist the hearings process. Nevertheless, the site appraisal process and the SA results remain wholly separate, and there is no overall summary for each site, drawing all the results together and clearly explaining the reason for its allocation. I am therefore still unclear as to how sustainable development requirements and the need to promote sustainable patterns of development (linked to the Council's spatial development strategy) have been taken into account in decisions on site selection in the Green Belt, in accordance with paragraphs 84 and 85 in the NPPF.
9. The Council's recent 'Schedule of Safeguarded land sites' report also provides a useful amalgamation of site assessment and SA results for individual land parcels. Nonetheless, as highlighted in paragraph 21 of my Initial Note, I am still unclear as to why some of the constraints are incapable of being overcome within the Plan period, but will be resolved after 2031. I am also unclear why sites not currently in the Green Belt are proposed for safeguarding. I will seek further clarification on the Green Belt sites selection process and the safeguarded land issues through the MIQs and at the relevant hearing sessions.

Habitat Regulation Assessment

10.I note that Natural England raised a number of objections to the Publication Draft Local Plan, and that an updated HRA was subsequently published which sought to address these concerns. I would find it useful if the parties' current position on the matter could be clarified through production of a short SCG. This should be submitted by the same date that the hearing statements are required.

If you have any questions or queries, please do not hesitate to contact me via the Programme Officer – or via the PINS office during her absence.

Katie Child

Inspector