**KIRKLEES LOCAL PLAN EXAMINATION**

**STAGE FOUR HEARINGS**

**HEARING STATEMENT SUBMITTED BY**

**SPEN VALLEY CIVIC SOCIETY**

**Re MATTER 27: STRATEGIC EMPLOYMENT ALLOCATIONS**
**GREEN BELT RELEASES**

# SITE E1832(c): Land North and West of the Three Nuns Pub and the former Cooper Bridge Waste Water Treatment Works

Date of Submission: 15th January 2018

**Issue:** Are the proposed strategic employment allocations justified; effective; deliverable and consistent with national policy?

**Response:**

1. Site E1832(c) is one of 3 major strategic employment allocations located in and around Spen Valley, which are currently designated as green belt. They constitute **51.4%** of the total green belt designated for employment throughout the whole of Kirklees. This is an unreasonable and disproportionate allocation. Spen Valley Civic Society (SVCS) has given its support to two of those allocations (E1831 & E1985a) as we recognise that some green belt will have to be used in order to meet future employment requirements.

2. With regard to site E1832(c), SVCS considers that it should be seen as two quite separate entities: one being the land to the north and west of the Three Nuns Pub (now renamed the Miller and Carter Steakhouse); and the second being the Cooper Bridge Water Treatment Works. They are unconnected, except for sharing one short length of boundary- the A62.

3. **SVCS fully supports the proposed allocation for employment use at the Cooper Bridge Water Treatment Works**. This is a sensible and appropriate use of brownfield land. It is of a considerable size, making it suitable to meet Kirklees Council's need for precision engineering sites, alongside E1831 and E1985(a), which are also being promoted for the same purpose. Therefore we give our wholehearted support to this part of the proposal.

4. We take completely the opposite view **with regards to the green belt land to the north and west of the Three Nuns Pub and strongly object to the proposed development of an industrial complex on any part of this site**.

5. **We consider the proposed allocation to be neither justified, effective, deliverable or consistent with national policy** and offer the following comments in support of our view.

6. It is widely considered by residents of North Kirklees that the landscape of this site is the finest in North Kirklees. It is not The Dales or the North York Moors, but given the urban nature of North Kirklees with its generally small, fragmented pockets of green belt, to us this area is magnificent. In order to assist the Hearing in developing an understanding of the area in question SVCS has included a portfolio of eleven photos, with their locations identified on a site plan of the proposed industrial complex. Photos 1-10 are taken from various points on the Luddite Trail (which was devised and designed by SVCS) and which is one of three PROW's which cross the

site. Photo 11 is taken from within the grounds of Kirklees Priory close to Robin Hood's grave. All photos were taken in summer 2017. In addition to the Luddite Trail, there is the long-distance Kirklees Way and Spen Heritage Trail. These are not just public footpaths; they are very significant and well-used walking trails which contribute to the health and well-being of Kirklees residents.

7. **The proposal is not consistent with national policy in respect of the Historic Environment.** The site and the land surrounding it has a very significant history, since Roman times – the remains of a Roman road and small fort are believed to exist here. The site is on land which was (and still is) part of the Home Farm of Kirklees Priory, a mediaeval Benedictine house founded in the reign of Henry II. **The priory complex is of national heritage importance and was given Scheduled Ancient Monument status in 2014.** This status applies equally to the parkland located within Kirklees Council's boundary. Therefore the Council shares a responsibility for the protection of a nationally-important site. The NPPF requires that heritage assets of such significance be afforded maximum protection. SVCS considers that building an industrial complex next to the registered park is a dereliction of the Council's duties.

8. Kirklees Council recognises its duty in respect of its only other scheduled ancient monument, at Castle Hill Huddersfield. Detailed plans and policies have been submitted to the Hearing to demonstrate how this important site will be fully protected from any form of development. Kirklees Council fails to recognise it has a similar duty of care to the Kirklees Priory Estate. The ultimate irony is that in 1974, Kirklees Council named itself after the very feature that it now chooses to harm.

9. The historical importance of the site is not restricted to the Priory estate. Listed structures surround the site: in total there are **three Grade I Listed buildings and 23 Grade II Listed buildings and structures around the perimeter of the proposed industrial complex.** In one of its submissions to the Hearing (matter 21 Natural & Historic Environment Policies), Historic England concludes that **"the development as currently proposed would cause considerable harm to the Registered Historic Park and Garden that provides the setting for one of the largest groups of high-grade listed buildings in West Yorkshire."**

10. The same report by Historic England concludes that in terms of its approach to the historic environment, this Local Plan is **unsound**. SVCS also considers this to be the case. It is pure fantasy to think that a vast industrial complex can be inserted into the middle of an important historical landscape without causing irretrievable damage on a massive scale. This is not justifiable; it does not accord with the requirements of NPPF for conserving archaeological sites. It fails to provide a positive strategy for the

historic environment and certainly does not contribute to protecting the historic environment.

11. **The proposal for E1832(c) is not consistent with national policy in respect of the natural environment.** The strong positive value of the site's natural environment is fully described in Kirklees Council's Landscape Character Assessment (ref LE129) dated summer 2015, which states the land is **"managed grassland with well-maintained woodland"; rated as moderate to high condition; and provides "a tranquil farmed landscape with extensive, far-reaching views". The strategy for its future is "strengthen and conserve"** ie. its current function.

12. The site plays a key role in maintaining a green corridor along the Calder valley and is categorised as **Strategic Green Infrastructure** by Natural England. It should be noted that none of this information is ever mentioned in the reports submitted by the developers working in conjunction with Kirklees Council. The site assessment identifies that there are areas of priority habitat within the proposed development, but offers no plans as to how to protect and conserve them – almost certainly because there is no realistic way of protecting them. Currently the area offers a varied landscape including woodland, hedgerows and streams in addition to farmed grassland. Consequently it supports a wide range of flora and fauna. The woodland is of particular significance: some of it is the remnants of ancient forest, being the northern tip of Sherwood Forest. This natural environment will be largely destroyed by the construction of an industrial complex. Contrary to what Kirklees Council claims, the land is not flat. The reports prepared by developers make it clear that "cut and fill" techniques will be needed to carve out large plateaux on which to site the buildings. This cannot be achieved without massive damage to the current landscape. It is dishonest to pretend otherwise.

13. The employment allocation does not fit with the Government's newly-published 25 year Environment Plan which envisages a Northern Forest covering a west-east belt roughly in line with the M62. This plan states the Government's commitment to supporting increased protection of existing trees and forests, in addition to the creation of new woodland. The Government has set a long-term target of 12% woodland cover in England requiring an additional planting of 180,000 hectares by 2042. Currently Kirklees has a below-national-average coverage of 8% and in North Kirklees the figure is even lower. The alternative to an employment allocation would be to include the site in the Northern Forest initiative, as it is ideally placed to make a positive contribution to the improvement of the environment in North Kirklees.

14. **SVCS does not consider the allocation to be justified, because Kirklees Council has not undertaken a fair and objective assessment.** The Council has been fixated on

developing an industrial complex on this site for a number of years to the point where it has become an obsession, and has been oblivious to any opposition regardless of the strength of the case. The same proposal was totally rejected by the community when presented in the Core Strategy in 2013. The Planning Inspector in charge of those proceedings expressed clear reservations about it, but these were never considered in detail because the Core Strategy was withdrawn by Kirklees due to other issues. This fixed, inflexible position has affected the Council's ability to provide a fair and objective assessment of this particular allocation. **Three previous versions have been produced and then withdrawn as unsuitable [E1832, E1832(a), E1832(b)]. All contained assessments which concluded "there are no exceptional circumstances to justify the removal of this site, <u>or any part of it</u>, from the green belt".**

15. The current allocation E1832(c) is very similar to the previous three: the only difference is that the site boundary has been changed. The Council attempts to show that E1832(c) is less harmful to the green belt and therefore an acceptable option. It has felt able to alter the assessment profile re green belt status from 'red' to 'orange' and conclude that "there are exceptional circumstances to justify the use of green belt for economic development". This is despite the fact that the entire site lies in green belt; that all the land has the same landscape character assessment; and most importantly, that 80% is the same land as the previous incarnations of E1832. Therefore SVCS considers that having previously concluded that there were no exceptional circumstances to justify removal of any part of the site from the green belt, logically a current assessment must arrive at the same conclusion for E1832(c) ie. **there are no exceptional circumstances to justify the removal of this site or any part of it from the green belt.**

**16.** Additionally, there is a further rejected site option E1834, which is identical to E1832, E1832a and E1832b, except that it does not include the land south of the A62 belonging to Cooper Bridge water treatment works. E1834 also records the green belt assessment as red and records the following crucial statement: **" There are areas of priority habitat within the site, and historic assets in close proximity, the settings of which are best protected by the green belt designation".** Therefore the conclusion reached is **"there are no exceptional circumstances to justify the removal of this site or any part of it from the green belt".** However the accepted alternative option E1832(c) has new boundaries on the Three Nuns section of the site which actually bring it **nearer to the historic assets on both eastern and western boundaries than the rejected E1834.** Therefore if the historic assets were considered to be at risk of significant harm to the extent that option E1834 had to be rejected, then they are at even greater risk from E1832(c), which should be rejected for exactly the same reason as E1834. This is clear written evidence that Kirklees

Council recognised only green belt status could prevent harm to the many historic assets in and around this site.

17. The likely scenario is that the Three Nuns site will be used mainly for warehousing and logistics. These require vast buildings which dominate the landscape and provide very few jobs in relation to their size; even fewer in the future as these operations become increasingly robotised. There may be limited warehousing capacity within Kirklees, but this is more than made up for by existing and proposed sites elsewhere, particularly in parts of Wakefield and Leeds next to the motorway network. Historic England in one of its earlier submissions has specified that any buildings should not exceed 6m in height. This would be impossible to achieve.

18. This proposed allocation cannot be considered justified because it conflicts with key strategic objectives in the Local Plan. These include:
    - The protection & improvement of green infrastructure to support health & wellbeing, giving residents access to good quality open spaces and recreational opportunities, and support habitats, allowing wildlife to flourish
    - The protection and enhancement of the characteristics of the built, natural and historic environments, and local distinctiveness which contribute to the character of Kirklees
    - Promoting the re-use of existing buildings and the use of brownfield land to meet development needs and support the re-generation of areas

19. SVCS considers that Kirklees Council has failed to demonstrate that exceptional circumstances exist to justify removal of this site from the green belt. The need for this large industrial site remains unproven. If such a need existed, the large site at Slipper Lane Mirfield (site ref MX1929) would have been used by now, as it was allocated for employment use over 20 years ago in the UDP (site ref B9.2). It is large at 12 hectares, and located on the A62 less than 0.5 miles from E18329C). It has remained undeveloped and is now proposed as a mixed use site. The same is true for the larger site (36 hectares) at Lindley Huddersfield next to the M62. This has also been a long-standing employment allocation in the UDP, and is now to be changed to mixed-use (ref MX1911), clear evidence that no need exists for large employment sites.

20. The need for a large site for precision engineering manufacture is put forward as a justification for exceptional circumstances. As far as we are aware, precision engineering can be undertaken on most employment sites and a very large site is not an essential pre-requisite. Nearby sites at E1831 and E1985(a) are also promoted for

the same purpose and together with allocation of the land at Cooper Bridge Water Treatment Works would provide approximately 50 hectares of land for such employment use.

21. **All the above information leads SVCS to the conclusion that this part of the Local Plan is unsound.**

22. **It can be made sound by:-**
    - **Separating off that part of the site which covers Cooper Bridge Water Treatment Works and confirming this site as the allocation for employment use**
    - **Removal of the whole of the allocation of land to the north & west of the Three Nuns pub from the proposal and retention of this land as green belt.**

NORTH

NUN BANK WOOD

DOCKENTAIL WOOD

HEARTSHEAD HALL

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TREE PLANTING TO AREAS OUTSIDE SITE BOUNDARY

STRUCTURAL TREE PLANTING WITHIN SITE BOUNDARY

HEDGE PLANTING WITHIN SITE BOUNDARY

RIGHTS OF WAY ROUTES

SUBJECT TO SURVEY

| REV | DRAWN | DATE | DESCRIPTION |
|---|---|---|---|
| C | AS | 30.09.16 | KEY ADDED |
| B | AS | 18.09.16 | MINOR REVISIONS |
| A | AS | 15.09.16 | SCHEME REVISED |

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PROJECT TITLE: COOPER BRIDGE HUDDERSFIELD

TITLE: SCHEME 6

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ONE

TWO

TEN



01

Looking from Robin Hoods Grave

3 THREE

FOUR

4

FIVE

5

SIX
6

SEVEN

8

9