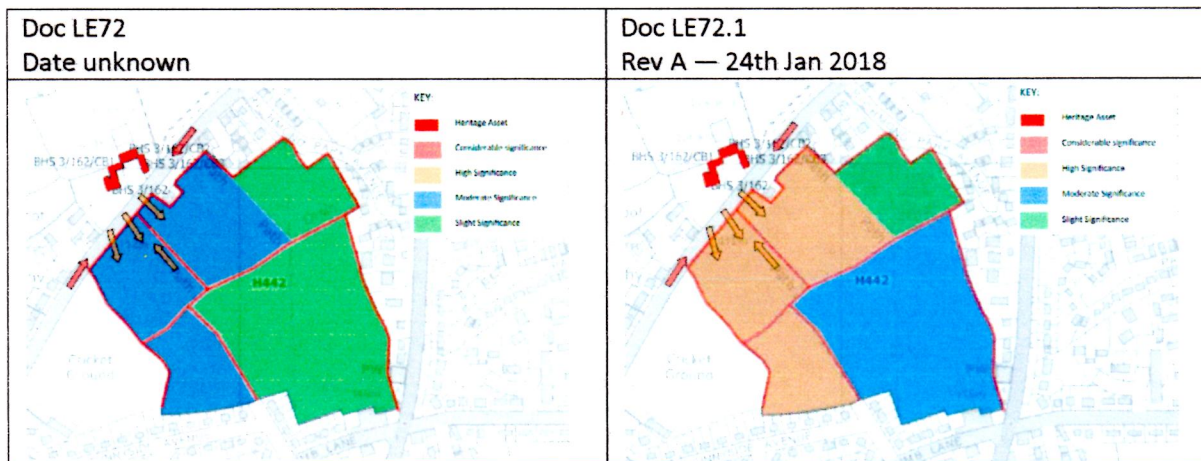


# Document SC012

Before briefly commenting on document SC012, two points should be made:

1/. The validity of the Council’s decision to allocate H442 for housing must be seriously challenged on the basis of a flaw in its site-selection methodology that failed to recognise the strategic importance of existing green belt in maintaining settlement separation (a more detailed exposition of this criticism s provided elsewhere – see comments in relation to document SC013).

2/. Astonishingly, on revisiting the Local Plan Examination Library online, it seems that two distinctly different versions of the Heritage Impact Assessment (HIA) for site H442 have been submitted by Farrell & Clark Architects (documents LE72 and LE72.1). This was not appreciated previously (prior to the examination hearing). One version (doc. LE72) significantly downgrades the overall impact (i.e. level of harm) of the allocation on the heritage asset compared to the other (see the diagram below by way of illustration).



Explanation of key colours above: (upper) red= Heritage Asset; and in relation to level of harm (significance) to the heritage asset (lower) red= Considerable; brown= High; blue= Moderate; green= Slight.

How can such different conclusions have been reached? How have both versions been submitted for consideration by the Inspector? This raises serious questions over the reliability of this Council-commissioned HIA and its fitness to be considered as independent from pro-allocation submissions made under the allocation process. It is difficult not to conclude that the Council have proactively influenced it’s authors (F&C Architects) into producing a modified version of the HIA, which is broadly supportive of allocating H442. The Inspector must seriously question the reliability of the HIA. Document LE72.1 appears to correctly represent the level of harm to the heritage asset caused by allocating H442 (and was the version viewed by myself, prior to the examination hearing). Successful mitigation of that heritage harm is extremely difficult to envisage, since doc LE72.1 refers to the need to retain the views of the open agricultural setting from the road (Roberttown Lane) and from the footpath. This simply cannot be done when the proposed outcome entails replacement of open countryside of historic importance with a high-density housing development.

## Comments re: SC012

3/. The modifications proposed by the Council/Site Promoter under SC012 are supposedly informed by a revised Masterplan. However, no such plan is provided online – page 3 of document SC012 appears blank. No approval of this site should be permitted under this examination process, without first providing the opportunity for all parties to scrutinize a revised Masterplan.

4/. Reduction of the indicative site capacity by a mere 30 houses, from 250 to 220, remains irreconcilable with any serious attempt to mitigate harm to a nationally important grade II\* listed building. Capacity reduction of this order is tokenistic and will still result in a high-density housing development replacing open countryside (the maintenance of which is recognised as important for minimising heritage harm - see Doc LE72.1). A buffer of unspecified distance is pointless. Retaining views of open countryside cannot be achieved by a tokenistic buffer. Retaining the impression of open countryside demands depth of vision across a wide aspect of the site and cannot be achieved by a narrow green strip adjacent to Roberttown Lane. Housing density must, therefore, be drastically reduced.

5/. While Historic England's (HE) input highlighting heritage issues pertaining to H442 is welcomed, it is extremely disappointing that, according to document SC012, HE now appear to accept that even a substantial buffer is capable of mitigating the harm to the setting of a nationally important grade II\* listed building, assuming development of H442 is permitted. This is nonsensical (it runs counter to F&C's HIA comments highlighting the need to retain views of the open countryside) and will not mitigate the harm to the grade II\* listed building.

6/. While proposed modification 2 (doc SC012) is, at face value, commendable - i.e. that:

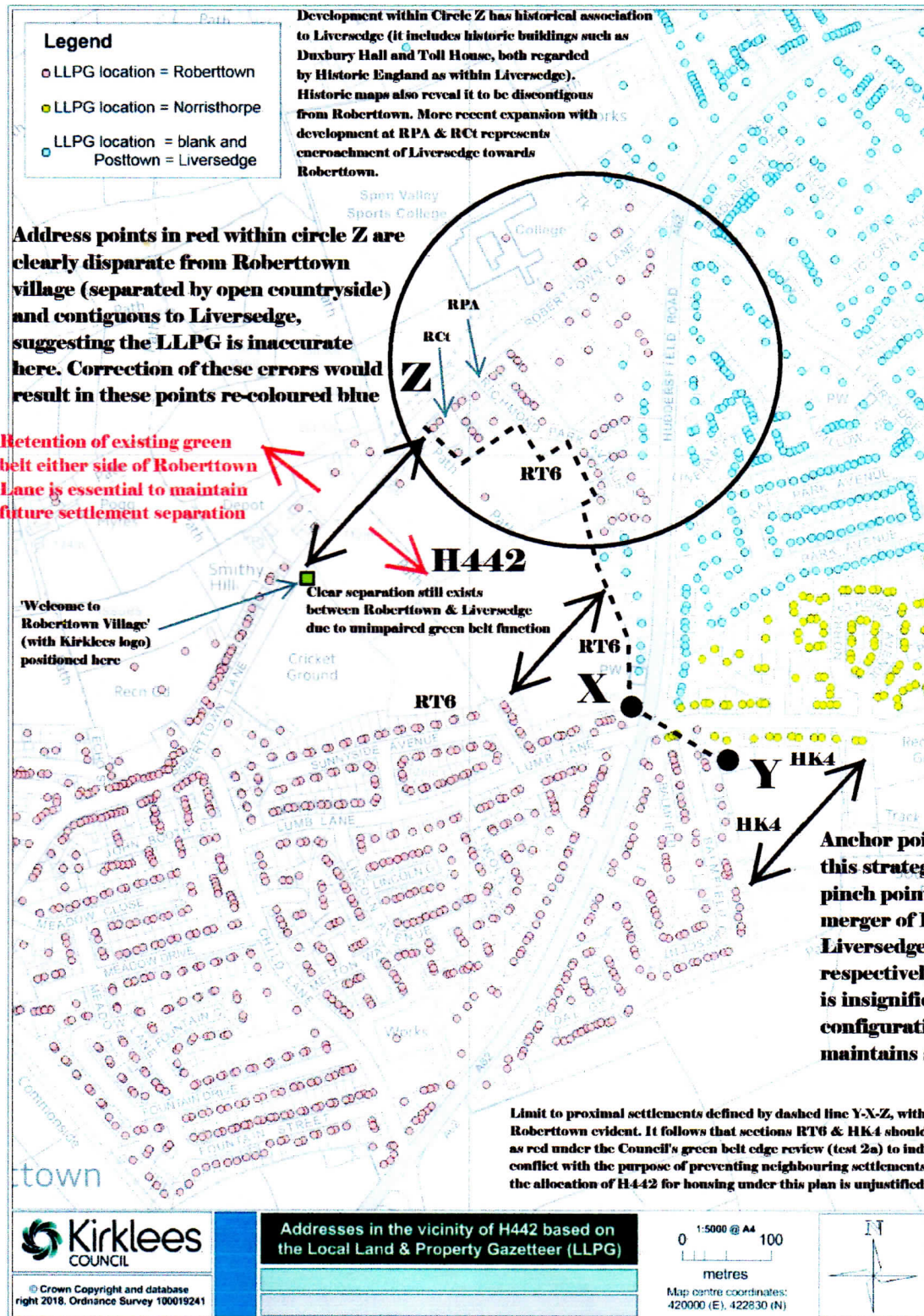
*"There should be a sensitive approach to building orientation, massing height, density and layout on the site in order to minimise harm to the significance of the Listed Building at Old Hall Farmhouse and to preserve existing views."*

The Council's/Site Promoter's continued determination to impose a high density housing layout on the site renders the statement almost meaningless. Housing density, as proposed, is a clear proxy indicator that the likely harm to a historic nationally important historic building will be considerable and irreversible.

## Document SC013

By way of response to the Council's/Site Promoter's *Joint Position Statement: Site H442 and Green Belt Review edge RT6*, **Revised Map 4** is presented here for the Inspector's consideration. Clearly based on Map 4 (document SC013), it aims to provide a more cogent interpretation of settlement distribution in relation to site H442 and to illustrate flaws in the Council's evidence base if document SC013 is accepted. In so doing, it seeks to demonstrate the continued strategic importance of existing green belt at maintaining settlement separation and that, therefore, test 2a of the Council's Green Belt Edge review applied to RT6 (and also HK4) failed to reflect this. Additional supporting material is also provided.

**Revised Map 4: A more cogent interpretation of settlement distribution in relation to site H442, illustrating flaws in the Council's evidence base and the continued strategic importance of existing green belt**



### **Supporting comments in relation to “Revised Map 4”:**

1/. Map 4 (doc. SC013) is clearly based on the Local Land and Property Gazetteer (LLPG): an address database maintained by the local authority. As with any database, LLPG is not infallible. The computer science acronym GIGO is particularly pertinent here - a map based on erroneous content provides no basis for allocating site H442 for housing, particularly in view of the strength of opposition expressed by Roberttown residents in the Council’s consultation exercise. Although most address-points plotted on Map 4 suggest the LLPG is generally accurate and reliable, there are strong grounds to argue that a key clustering of address-point localities on Map 4 are incorrect. These are highlighted as red-coloured points within circle Z on Revised Map 4. These circle-Z anomalies have critical relevance in attempting to provide an accurate interpretation of settlement distribution here. As a consequence, Map 4, as submitted in doc SC013, wrongly portrays the impression of settlement merger and should be regarded as flawed supporting evidence.

2/. Far from decrying the inclusion of Map 4 in SC013, once allowance is made to correct these circle-Z anomalies, a more accurate and cogent interpretation of settlement distribution emerges – see “Revised Map 4”. This powerfully and compellingly demonstrates that settlement separation is still maintained today.

3/. The basis for asserting that these circle-Z anomalies are part of Roberttown as shown on Map 4 (doc SC013) is weak. This presumably primarily stems from their association to Roberttown Lane. Many road names are based on place destinations and it is likely that Roberttown Lane was named to reflect the fact that originally it was essentially a branch road off of Huddersfield Road serving Roberttown and beyond. Attribution of a given location (address point) along such a named road to its place of destination has no validity, unless it is obviously unequivocal to do so. Were it to be so, numerous properties along the Leeds Road (A62) approach into Huddersfield might ‘reasonably’ be ascribed as being part of Leeds, which is clearly nonsense. Limited development in the vicinity of the Roberttown Lane/Huddersfield Road junction was clearly disparate from Roberttown and likely to have had closer association to Huddersfield Road (the listed Toll House at this junction suggests it was an important turnpike historically) being eventually enveloped by the expansion of Liversedge. This settlement separation continues to the present day. Further evidence to suggest that the area covered by circle Z on Revised Map 4, including Richmond Park Avenue, should more correctly be regarded as part of Liversedge not Roberttown is presented in Table 1.

**Table 1 Further sources of address information to support the notion that Circle-Z anomalies should be regarded as part of Liversedge and not Roberttown**

Source	Address Entry	Inferred LLPG Accuracy and thus reliability of Map 4	Within Circle Z† (Y/N)	Comment
Historic England(HE) Listing 1184300	SE 12 SE SPENBOROUGH MB HUDDERSFIELD ROAD LIVERSEEDGE 4/117 No. 134 (Toll House)	✓	Y	Demonstrates that HE regard this historic property, at the junction of Huddersfield Road (A62) and Roberttown Lane, as within LIVERSEEDGE. Address point correctly shown in blue on Map (property is to the south of Roberttown Lane).
HE's Listing 1135408	22 SW SPENBOROUGH MB ROBERTTOWN LANE LIVERSEEDGE 4/161 12/1/67 Headlands Hall	✓	N	As above (except location north of Roberttown Lane).
HE's Listing 1300069	SE 22 SW SPENBOROUGH MB ROBERTTOWN LANE LIVERSEEDGE 4/160 Duxbury Hall and 12/1/67 Cottage	✗	Y	Demonstrates that HE again regard this historic property located on the south side of Roberttown Lane, approx. 120m from the junction with the A62, as within LIVERSEEDGE. This contradicts the Council's LLPG. Address point wrongly shown in red on Map 4
Spenn Valley Sports College website ( <a href="http://www.spennvalleyhighschool.co.uk/contactus">http://www.spennvalleyhighschool.co.uk/contactus</a> )	Roberttown Lane, Liversedge, WF15 7LX	✗	Y	Address for this college (formerly <u>Liversedge</u> Secondary Modern) appears to be incorrect in the LLPG – should be LIVERSEEDGE - and is wrongly shown in red on Map 4
HE's listing 1135409	SE 12 SE SPENBOROUGH MB ROBERTTOWN LANE ROBERTTOWN 3/162 Old Hall Farmhouse 12/1/67 (Formerly listed as No 34 (Old Hall Farmhouse) II*	✓	N	Indicates HE's recognition that property addresses have transitioned to ROBERTTOWN by this point along Roberttown Lane (travelling southwest towards Roberttown). This in no way infers the merger of settlements, but rather indicates reliability in HE's assessment of address locations mentioned above in this table. Other representations elsewhere (e.g. F&C's HIA Doc LE72.1) make clear the relationship of open countryside on both sides of Roberttown Lane relative to this historic grade II* listed building (still evident today), which indicates a clear separation continues to exist between Roberttown and Liversedge.

† See Revised Map 4

4/. When the 1985 Heavy Woollen District Local Plan extended green belt to cover the land now proposed for housing as site H442, it effectively created a strategic green belt pinch point at the Lumb Lane/Huddersfield Road/Norrishorpe Lane junction. No significant alteration to that configuration has since been made and, in effect, it serves to maintain the separation of Roberttown from both Liversedge and Norrishorpe. More than this, together with 'Balmfields' it provides near complete encirclement of the substantive (nucleated) village of Roberttown by green belt, as the UDP map clearly demonstrates. This pinch point is denoted by the line X-Y on Revised Map 4. Its retention is vital. Loss of either anchor point will result in undeniable settlement merger and, in the case of H442 will also result in:

- The loss of a key parcel of open countryside with a strong historic heritage that plays an important role in defining village identity
- Coalescence of disparate settlement fringes (that clearly remain separate), with infill from H442, along a 'tongue' of urban expansion, producing urban sprawl

5/. Balmfield is contiguous to, and therefore may be regarded as part of, the larger expanded settlement of Roberttown (recognition of the merger of these previously disparate settlements is acknowledged in paragraph 11 below). It remains, however, separated from Norrishorpe in anything other than an insignificant manner. The Council's/Site Promoter's assertion that Roberttown and Norrishorpe are merged simply does not stand up to scrutiny, as Revised Map 4 clearly shows. It is acknowledged that Revised Map 4 may challenge an individual's perception of a sense of place. However, an individual's perception does not necessarily provide a reliable means of gauging settlement form/pattern and the relationship settlements have to the wider landscape. A bird's eye view of the landscape is essential, as is an understanding of human-imposed policy constraints such as green belt designation. For example, an individual may contest whether Balmfield is part of Roberttown, on the basis that it is separated by the A62. However, up-to-date aerial photos clearly show it to be most closely associated/connected with Roberttown. The fact that the A62 is a busy strategic highway, at times, heavily-congested, may convey the sense that it acts as a barrier, bringing about separation. Take the traffic away and the connectivity of built-up form becomes as apparent as simply areas on opposite sides of a road. In contrast, Balmfield's association with Norrishorpe can be shown to be weak. Its eastern and southern margins are bounded by open countryside (green belt), which serves to separate it from Norrishorpe. Anchor point Y on Revised Map 4, part of a strategic green belt pinch point, is essential to maintaining settlement separation. The Balmfield area is then similar to the area covered by circle Z on Revised Map 4, in that its association is more closely linked (and contiguous) to the A62 and to the nearest contiguous built-up area (here Roberttown, whereas circle Z is contiguous with Liversedge). The fact that one point of entry to it can be gained from Norrishorpe Lane, makes it no more a part of Norrishorpe than Richmond Park Avenue can be regarded part of Roberttown (i.e. merely on the basis of having access from Roberttown Lane – it is shown elsewhere that road names are commonly based on the place of destination and that a point along that road does not automatically mean it is a part of the settlement referred to in the road name).

6/. Taken together, that is to say: the evidence suggesting misappropriation of anomalous circle-Z address points as being part of Roberttown (when it's more logical to say they form part of

Liversedge), the existence of a strategic green belt pinch point at the junction of Lumb Lane/Huddersfield Road/Norrishorpe Lane, it is possible to draw a line, shown as Y-X-Z on Revised Map 4, that clearly demonstrates settlement separation between Roberttown and its proximal neighbours remains preserved to the present day due to the importance of green belt. This assessment clearly demonstrates that the Council's amber designation, under test 2a of its Green Belt Edge Review applied to RT6 and also HK4 was incorrect. Both should have been classed as 'red' edge(s), indicating that green belt here serves a strategic role in preventing the merger of settlements.

7/. If the strategic importance of RT6 (and HK4) is now acknowledged, based on the assessment provided in Revised Map 4, and above, and that, consequently, under test 2a it should have been designated as red, it is clear that H442 should never have been allocated for housing under this Local Plan.

### **Conclusion**

The Council's/Site Promoter's interpretation of settlement distribution (Map 4 -doc SC013) demands acceptance that the settlement form of Roberttown, both historically and in the present day, was/is disparate consisting of a substantive (nucleated) element and a disparate outlier (near the junction of Roberttown Lane/Huddersfield Road), separated by open countryside. This view also disregards/overlooks the function of green belt in maintaining settlement separation and underplays the importance of a strategic green belt pinch point near the junction of Lumb Lane/Huddersfield Road/Norrishorpe Lane.

A more cogent interpretation of settlement distribution is presented in Revised Map 4, which draws on local knowledge of the area, supporting historical evidence, the function of green belt in this locality as serving to maintain settlement separation and the spatial patterns/relationships of the landscape as a whole. It recognises and rectifies the obvious shortcomings with the Council'/Site Promoter' interpretation and is, therefore, a more robust evidence submission on which the Inspector can more reliably base her final decision. It may not constitute an unequivocal assessment of settlement distribution in relation to H442, and it is acknowledged that an individual's perception of a sense of place may cause people to disagree with it, however, it is coherent and defensible.

Based on the cogent interpretation of settlement distribution presented in Revised Map 4, it seems clear that the Council failed to appreciate the strategic significance of the green belt land on which H442 is situated. This error in terms of test 2a of the Green Belt Edge Review, as applied to RT6, means that H442 should not have been allocated for housing under the Local Plan, as the green belt here serves a strategic role in preventing the merger of settlements.

### **Recommendations:**

The Inspector should:

- Reject H442 for housing under the Local Plan and require that the land here is reinstated as green belt as portrayed under the UDP



- Recommend that Kirklees Council amend its LLPG so that circle-Z anomalies are correctly attributed Liversedge addresses. Unless the Council does this, the potential will exist for future development plans to repeat the same mistake as here.

### **Additional criticisms of document SC013**

8/. The idea that Roberttown is part of a large contiguous urban area is simply incorrect. Yes, it is certainly proximal to both Liversedge and Norristhorpe but, in spite of considerable development pressures that have seen its built up area expanded considerably, it retains a village identity, and is virtually entirely bounded by open countryside designated as green belt (the UDP map reveals this clearly). Its residents strongly value ready access to nearby open countryside, which is demonstrably important to personal wellbeing.

9/. The assessment of the historical growth of Roberttown presented in SC013 is informative, but it does not conclusively demonstrate the joining Roberttown to Liversedge/Norristhorpe. All assertions made by the Council/Site Promoter to that effect are tenuous at best. The inclusion of historic maps of the area is useful, though some omit the land near the Roberttown Lane junction with Huddersfield Road. It is demonstrated via Revised Map 4, and supporting statements above, that development of this locality has remained disparate from Roberttown and should be regarded as part of Liversedge.

10/. Claims attributing specific areas of historic development to present day Roberttown are misleading and unsubstantiated throughout SC013 (e.g. in relation to settlement expansion that had occurred by the late 1800s, the Council/Site Promoter assert: "*properties along Huddersfield Road are [now] mixed between Liversedge and Roberttown*"). This is incorrect and, as Revised Map 4 shows, is based on flawed material proffered as supporting evidence in SC013.

11/. Although the 1955 map (Map 3 in SC013) provides clear evidence to indicate the previously disparate settlements of Roberttown and Balmfield had merged by then ('separated' by the A62), there is no strong evidence to indicate a merger with Norristhorpe then or now. Indeed, Revised Map 4 indicates any direct linkage between Roberttown and Norristhorpe remains insignificant. Additional written comments by the Council in respect of the 1955 map convey the impression of a "*significant degree of merger*" and yet this is not so.

12/. This representation strongly disagrees with the Council's/Site Promoter's assertion that:

*...later development at Richmond Park Avenue to the north of site H442 and all the properties between Richmond Park Avenue and the Roberttown Lane/Huddersfield Road junction are considered to form part of Roberttown (Map 4).*

A more cogent interpretation Map 4 has been presented above, which shows these properties should be regarded as part of Liversedge.