

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

Paragraph/Site: 4.1	Consultee: 943894	Mrs Beverley Lambert	Agent:	Rep ID: PDLP_AD2351	
<b>Council Response</b>	Support noted				
Paragraph/Site: 4.1	Consultee: 968958	Mr Matthew Mills	Agent:	Rep ID: PDLP_AD3619	
<b>Soundness - Positively Prepared</b>	- 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.				
<b>Proposed Change Requested</b>	- 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.				
<b>Council Response</b>	No change.Policy PLP 11 (SD1, Strategy and Policies, page 68) refers to meeting a wide range of needs. The SHMA (SD18) and associated documents include a consideration of student housing needs. The policy also refers to affordable housing including Starter Homes which could be accessed by graduates where they meet the criteria for such housing provision.				
Paragraph/Site: 4.1	Consultee: 1057880		Agent: 1057869	Mrs Andrea Herrick	Rep ID: PDLP_AD1357
<b>Soundness - Justified</b>	- Site Marsh Mills Business Centre, Luck Lane, Huddersfield represents a clear opportunity to contribute towards meeting the Local Plan housing requirement. The site extends to 1.86 acres (0.75 hectares) and supports a converted mill building, 4 storeys with a range of additional buildings, warehousing units providing primarily industrial and office floorspace with car parking. Site has moderate level of occupancy. -Located within a primarily residential area, restricts industrial and business operations to ensure no detrimental impact on residential amenity. Site is not ideally situated to industrial and other employment uses now or in the longer term. - Site in attractive location, close proximity to good range of shops and other facilities, Huddersfield Grammar School to the south, all accessible on foot. Frequent bus services available nearby. -It is a highly sustainable and suitable site for residential development. -Site is not allocated or safeguarded for employment use in emerging Allocations and Designations Local Plan. -Should be recognised as an identified housing allocation within the Local Plan, consistent with all relevant considerations and policy objectives, in particular Spatial Development Strategy, Policy PLP 3: Location of new development, Policy PLP 7: Efficient and effective use of land and buildings and Policy PLP 8: Safeguarding employment land and premises, in terms of securing the efficient and effective use of brownfield land. - Site is of a suitable size, exceeds the 0.4 hectares minimum threshold. There are no known constraints that would prevent the delivery of housing within the next few years, can contribute to the five year housing land supply.				
<b>Proposed Change Requested</b>	- Include site Marsh Mills Business Centre as a housing allocation in the Local Plan – Allocations and Designations. Amend Policies Map No. 3 to identify the site as a housing allocation.				
<b>Council Response</b>	This site at Marsh Mills has been put forward as a new housing option and is in the New Site Options Report April 2017 (SD30), as it is a site that was submitted to the Local Planning Authority for consideration between 12th August 2019 and 7th April 2017.It will be dealt with through the examination process.				
Paragraph/Site: H31	Consultee: 942768	Mr Andrew Wood	Agent:	Rep ID: PDLP_AD1790	
<b>Soundness - Justified</b>	Development will add to traffic problems on Penistone Road.				
<b>Soundness - Consistent with National Policy</b>	Provides much-needed openness along the valley bottom.				
<b>Council Response</b>	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.				

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See Transport Model Technical Paper. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **942789 Mr David Ward**

Agent:

Rep ID: **PDLP\_AD480**

**Soundness - Positively Prepared** The method of commenting is wrong. 50 acres of green belt in Lepton and Fenay Bridge area should be judged as one area. There is no survey of brownfield sites. The council states there should be exceptional circumstances to develop greenbelt .

**Soundness - Justified** Impact on traffic, education and health will be catastrophic. There is no justification for 850 houses in one area. There is no employment and the development will result in urban sprawl, extra commuters and environmental impact.

**Soundness - Consistent with National Policy** NPPF states there should be exceptional circumstances to develop greenbelt .

**Proposed Change Requested** Remove this site and H2684a,H2730a from the Local Plan.

**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. 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. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **943445 Cllr John Taylor**

Agent:

Rep ID: **PDLP\_AD2914**

**Soundness - Justified** Whilst outside of the ward boundaries, the inclusion of sites H2730a , H2684a , H31 , H684 & H1679 represents a development of circa 850 houses in close proximity at the bottom of Lepton & Almondbury villages. This is a significant development which will impact on the capacity of the local road network especially the access onto A629 Penistone Rd where one can already invariably find queuing from Station Rd & Rowley Lane Lepton. This provision will also impact on the availability of other local services such as school places and once more there is nothing within the plan to address these infrastructure concerns. When you consider that within a mile is the brownfield site MDGB2134 which I comment on below and could add a further 800 houses the cumulative impact is unsustainable and questions the soundness of the plan.

**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.

Paragraph/Site: **H31**

Consultee: **943645 Mrs Shirley Barraclough**

Agent:

Rep ID: **PDLP\_AD1128**

**Soundness - Positively Prepared** The Council initially rejected this, and other sites in the Lepton/Fenay Bridge area on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. The council then reconfigured the site(s) on the grounds that the need for housing outweighed the need for green belt. They are the same sites, so this is not logical. Why reject them twice and then INCLUDE them in the plan?

**Soundness - Justified** The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The entrance road of this site is already congested with parking and traffic at drop off & pick up times at the local private nursery, school breakfast and after school club and the JI&N school - all of which are in a few hundred yards. This road is used for the 19 houses to travel to town, to the M1 and M62 motorways and Wakefield, so is already busy. The 2 local schools are full to capacity. Some local residents cannot get both their siblings into either of the 2 schools and have to travel to another area with one of the siblings. Lepton Great Wood is adjacent to this site, and any development will result in the destruction of natural habitats, with a dramatic impact on

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local biodiversity. The Council has not taken into consideration the effect that the whole Plan, which includes this site (H2684a with 286 houses) AND sites H638 (30 houses), Site H2730a (312houses), Site H31,(68 houses) Site H684,(123 houses) and Site H616,(32 houses) which are in very close proximity. They will increase the population of Lepton and Fenay Bridge by 28%, which impacts on all the above points.

### Soundness - Effective

The developments rely entirely on third party agreements, which are not even in place yet. The Council is only speculating that the developments can go ahead.

### Soundness - Consistent with National Policy

The Council is contravening its own policies and the National Planning Policy Framework because it has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the Plan. In relation to this site in 2001 a Government Inspector ruled that "I have come to the planning judgement that it is part of the countryside which is desirable to keep PERMANENTLY open and that any development of the site would encroach into the countryside ..... and I am satisfied that there is no compelling reason to exclude the site from the Green Belt"

### Proposed Change Requested

To remove H2684a, H2730a and H31 sites from the Plan.

### Council Response

No change. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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.

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Paragraph/Site: **H31**

Consultee: **944135**

**Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1078**

### Soundness - Justified

Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck

### 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. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified.

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Paragraph/Site: **H31**

Consultee: **949313**

**Mrs Eleanor Barraclough**

Agent:

Rep ID: **PDLP\_AD331**

### Soundness - Positively Prepared

GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.

### Soundness - Justified

Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the

openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. The critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

**Soundness - Consistent with National Policy**

The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested**

Sites H31, H2684a and H2730a should be removed from the PDLP.

**Council Response**

No change. The differences between the draft and publication draft Local Plan design policy are as a result of consultation, the changes are identified in SD12,

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Statement of Pre-Submission Consultation. The Publication Draft Local Plan is subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012 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 site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. The site has been assessed for its biodiversity value, and no significant constraints have been identified. The site is in an area of undeveloped land that is not considered to be of significant importance to the setting of the Castle Hill Scheduled Ancient Monument as identified in the Castle Hill Setting Study. 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 Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **955288 Mr John Goodyear**

Agent:

Rep ID: **PDLP\_AD1061**

### Soundness - Justified

These sites were initially REJECTED on the grounds that there are no justifications for removing any part of them from the green Belt. The sites were then reconfigured but again rejected for the same reasons. After another reconfiguration the sites were accepted on the (flimsy) grounds that housing should have priority over Green belt. 2. The council has failed to adequately examine the impact on local infrastructure, especially, roads, traffic, education and health. 3. It is a fact that the developments rely on acceptable third party agreements which are not in place. 4. The developments must result in the destruction of many natural habitats with a deleterious adverse impact on local biodiversity in direct conflict with the councils stated aims. 5. The council appears to be contravening its own policies and the National Planning Policy Framework. .

### Proposed Change Requested

Remove H31 from the plan.

### Council Response

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan.

Paragraph/Site: **H31**

Consultee: **955925 Mr Ronald Mayo**

Agent:

Rep ID: **PDLP\_AD414**

### Soundness - Justified

The Local Plan is unsound in relation to this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes in winter and summer.

### Proposed Change Requested

Remove site H31.

### Council Response

No change. The site has been assessed by the council's Environmental Health team and no major constraint relating to air quality has been identified.

Paragraph/Site: **H31**

Consultee: **957368 Mr graham boundy**

Agent:

Rep ID: **PDLP\_AD465**

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<b>Soundness - Justified</b>	I believe the local plan is unsound because this site is proposed on greenbelt land and Kirklees appear to have ignored their own policy of brown field development first. The National Planning Policy Framework (NPPF) recognises the importance of the green belt. This development is "Inappropriate development" as there are no "Very special circumstances" that exist to remove the site from the greenbelt. This development needs to be considered in the context of the other proposed developments on Greenbelt land in our village (H31, H2684a and H2730a)and which cumulatively will significantly impact upon issues such as urban sprawl, open space/character of land, education and health and transport.
<b>Proposed Change Requested</b>	Remove site H31 from the plan.
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: <b>H31</b>	Consultee: <b>964584</b>	<b>Gina Dean</b>	Agent:	Rep ID: <b>PDLP_AD1247</b>
<b>Soundness - Justified</b>	I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and Kirkburton, which would result in significant urban sprawl.			
<b>Soundness - Consistent with National Policy</b>	The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives.			
<b>Council Response</b>	No change.Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.			

Paragraph/Site: <b>H31</b>	Consultee: <b>965798</b>	<b>GAIL</b>	Agent:	Rep ID: <b>PDLP_AD3269</b>
<b>Soundness - Positively Prepared</b>	Recognise that the Council has sought to comply with The Town and Country Planning (Local Planning) (England) Regulations 2012. However, as stated in clause 1.7 of our latest Representation, we have fundamental concerns at the Council's unwillingness/failure to consult with GAIL and the Lepton/Fenay Bridge community on Sites 2684a and H2730a.			
<b>Soundness - Justified</b>	The developments would fundamentally and irretrievably alter the nature of the community (the two Sites represent 578 proposed new dwellings which, together with the other proposed developments in Lepton and Fenay Bridge, would result in a total of 851 additional dwellings, i.e. an increase of c.1,800 (c.28%) in the local population).			
<b>Soundness - Consistent with National Policy</b>	By deciding not to consult with GAIL/the local community, the Council has ignored the provisions of clause 155 of the National Planning Policy Framework (NPPF) which states that 'early and meaningful engagement and collaboration with neighbourhoods, local organisations .... is essential. A wide section of the community should be proactively engaged'.			
<b>Council Response</b>	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.All comments were considered as part of the pre-submission process and published on the council's website.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.			

Paragraph/Site: <b>H31</b>	Consultee: <b>965798</b>	<b>GAIL</b>	Agent:	Rep ID: <b>PDLP_AD3263</b>
<b>Soundness - Positively Prepared</b>	GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.			
<b>Soundness - Justified</b>	Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as			

brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '.... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. the critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. 8GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

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

**Soundness - Consistent with National Policy** The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested** Sites H31, H2684a and H2730a should be removed from the PDLP.

**Council Response** No change. The differences between the draft and publication draft Local Plan design policy are as a result of consultation, the changes are identified in SD12, Statement of Pre-Submission Consultation. The Publication Draft Local Plan is subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012. 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 site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. The site has been assessed for its biodiversity value, and no significant constraints have been identified. The site is in an area of undeveloped land that is not considered to be of significant importance to the setting of the Castle Hill Scheduled Ancient Monument as identified in the Castle Hill Setting Study. 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 Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31** Consultee: **966926** **Mr Chris Dean** Agent: Rep ID: **PDLP\_AD1300**

**Soundness - Justified** I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and Kirkburton, which would result in significant urban sprawl.

**Soundness - Consistent with National Policy** The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives.

**Council Response** No change. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31** Consultee: **967018** **Mrs Ann Priestman** Agent: Rep ID: **PDLP\_AD231**

**Soundness - Justified** Penistone Road cannot accommodate the additional traffic generated by this site and sites H2684a and H2730a. The economy will be detrimentally affected if Penistone Road is not kept as a free flowing road into Huddersfield.

**Proposed Change Requested** Reduce the number of houses proposed for the site alongside improvements to Penistone Road.

**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.

Paragraph/Site: **H31** Consultee: **967207** **Mr and Mrs S Dutton** Agent: Rep ID: **PDLP\_AD739**

**Soundness - Positively Prepared** Use of this site is contrary to Council policies.



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<b>Soundness - Justified</b>	There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.
<b>Soundness - Effective</b>	There is no evidence that development of the site is viable.
<b>Soundness - Consistent with National Policy</b>	Use of this site is contrary to the National Planning Policy Framework, concerning the purposes of including land in the green belt.
<b>Proposed Change Requested</b>	Delete sites H2730a, H2684a and H31.
<b>Council Response</b>	No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: H31

Consultee: 967370

Mrs Gayle Corrigan

Agent:

Rep ID: PDLP\_AD685

<b>Soundness - Positively Prepared</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan.
<b>Soundness - Justified</b>	The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.
<b>Soundness - Consistent with National Policy</b>	The council is contravening its own policies and the National Planning Policy Framework.
<b>Proposed Change Requested</b>	To remove Sites H2730a, H2684a, H31, from the Plan.
<b>Council Response</b>	No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: H31

Consultee: 967947

Mr Bryan Standing

Agent:

Rep ID: PDLP\_AD519

<b>Soundness - Positively Prepared</b>	Kirklees has failed to comply with clause 155 of the NPPF which states that 'early and meaningful engagement and collaboration with neighbourhoods .... is essential. A wide section of the community should be proactively engaged'. The community of Lepton and Fenay Bridge has not been consulted on Sites H2684a and H2730a. Reports on various aspects of the proposed plan have however been submitted by parties engaged by developers and land owners leading to an unbalanced perspective on many elements contained within the PDLP
<b>Soundness - Justified</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework. Comments contained in the Accepted Development Site Options Report relative to site H2730A are inaccurate and misleading: Public Health Education Flood/drainage
<b>Proposed Change Requested</b>	Remove site H31.

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**Council Response** No change. The differences between the draft and publication draft Local Plan design policy are as a result of consultation, the changes are identified in SD12, Statement of Pre-Submission Consultation. The Publication Draft Local Plan is subject to a representations period in accordance with Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012. 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 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 site has been assessed for its biodiversity value, and no significant constraints have been identified. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31** Consultee: **968829 Farnley Estates Ltd** Agent: **942125 Chris Creighton** Rep ID: **PDLP\_AD1908**

**Council Response** No change. Support noted.

Paragraph/Site: **H31** Consultee: **968968 Mr Christopher Hirst** Agent: Rep ID: **PDLP\_AD674**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested** Remove site H31.

**Council Response** No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31** Consultee: **972238 Karl Jenkinson** Agent: Rep ID: **PDLP\_AD201**

**Soundness - Justified** Development here would add considerably to the already overloaded roads, increase drainage/flooding issues as drains are frequently old & not able to cope as it is. There is no provision for the increased number of children in the schools which are already oversubscribed. Doctors appointments are an issue at the moment - you are often struggling to get one in a reasonable timescale let alone an urgent one. The hospital in Huddersfield has already downsized. We should keep our green areas otherwise Fenay Bridge/Lepton will no longer be villages but just extensions/suburbs of Huddersfield & lose their identity.

**Proposed Change Requested** Suggest you reconsider & drastically reduce the amount of development in the area as it is not workable - everyone will suffer when services are even more stretched than now.

**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. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. 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

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allocations in the local plan and how it can influence NHS forward planning and investment including GP estates strategies and hospital infrastructure needs.

Paragraph/Site: **H31**

Consultee: **972519 Mr Jeremy Gledhill**

Agent:

Rep ID: **PDLP\_AD1382**

### Soundness - Justified

Roads and local infrastructure – the junction of Rowley Hill and Penistone Road is congested and clogged constantly. Turning into Penistone Road is difficult and prone to incident. Rowley Hill is already used a rat run by many vehicles. Adding more housing and traffic into what is already a very congested area is ill advised and dangerous. It does not meet the soundness test. What access would there be to the proposed development in areas H31, H2684a and H2370a? Not clear where the access will be. Schools – Rowley Lane junior school is oversubscribed, it is surrounded on all sides by housing. The developments would introduce a significant number of children of school age. Against this back drop they would require the construction of a new junior school – again at the cost of millions. Farnley Estates – we have already seen the approach taken here, with the promotion of a country park used as a shield to develop new houses. The approach seemed designed to confuse the public and demonstrates clearly how sensitive Farnley Estates believe that development in these areas is. It has cast doubt on the credibility of any future proposals and I believe was ill advised. Local amenities/doctors/health care provision – Lepton surgery is also oversubscribed. Green Belt – the woodland and walks are used by me and my family personally and also by the community of Lepton and Fenay Bridge extensively. To build in the proposed areas would be strongly to the detriment of the local community as this well used and much loved area would be gone. The proposed size of the developments is completely out of scale and character with the local area I urge the council to reconsider these developments in the plans and would welcome a response to my objection.

### Council Response

No change. 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 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 nature of development including density and levels of affordable housing can be clarified at planning application stage considering relevant local and national policies.

Paragraph/Site: **H31**

Consultee: **976279 Mr & Mrs J Billington**

Agent:

Rep ID: **PDLP\_AD3809**

### Soundness - Positively Prepared

Loss of aesthetic natural beauty and outstanding visual amenity.

### Soundness - Justified

Existing roads in the locality are already unsuitable for purpose and will not be able to accommodate the additional traffic that will potentially be generated by the new development.

### Soundness - Consistent with National Policy

Increasing harmful traffic fumes and increasing traffic noise pollution to the severe detriment of potential residents. Destruction of vitally important wildlife habitat. Urban sprawl and consequent merging of Huddersfield with rural settlements. Damage to the 'setting' of the town of Huddersfield and of Castle Hill.

### Proposed Change Requested

Remove site H31 from the Local Plan.

### Council Response

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. The site has been assessed for its biodiversity value, and no significant constraints have been identified. The site is in an area of undeveloped land that is not considered to be of significant importance to the setting of the Castle Hill Scheduled Ancient Monument as identified in the Castle Hill Setting Study.

Paragraph/Site: **H31**

Consultee: **1038182 Mr Mark O'Donoghue**

Agent:

Rep ID: **PDLP\_AD453**

### Soundness - Positively Prepared

The council is contravening its own policies. It doesn't make sense to reject this site twice on the grounds that there can be no justification for removing it from the green belt but then accept it on the grounds the need for housing outweighs the need for green belt.

### Soundness - Justified

The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The development will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

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

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<b>Soundness - Effective</b>	The development relies entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead.
<b>Soundness - Consistent with National Policy</b>	The council is contravening the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Remove sites H2730a, H2684a, H31 from the Plan.
<b>Council Response</b>	No change.The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan. 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. 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.Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H31**

Consultee: **1042349 Mrs Mary Hirst**

Agent:

Rep ID: **PDLP\_AD665**

<b>Soundness - Justified</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework
<b>Proposed Change Requested</b>	Remove H31 from the plan.
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

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Paragraph/Site: **H31**

Consultee: **1042415 Mr Michael Birchall**

Agent:

Rep ID: **PDLP\_AD619**

<b>Soundness - Positively Prepared</b>	The council is contravening its own policies.
<b>Soundness - Justified</b>	The council initially rejected these sites on two occasions but then included them in the plan. The council has failed to properly assess the impact on the local infrastructure including education and traffic. The developments rely on third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation plans have been put forward to lesson such impacts.
<b>Soundness - Consistent with National Policy</b>	The council is contravening the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Removal of the site from the plan.
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in

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

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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31**

Consultee: **1043310 Mr Mark Sykes**

Agent:

Rep ID: **PDLP\_AD500**

**Soundness - Positively Prepared** Use of this site is contrary to Council policies.

**Soundness - Justified** There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.

**Soundness - Effective** There is no evidence that development of the site is viable.

**Soundness - Consistent with National Policy** Use of this site is contrary to the National Planning Policy Framework.

**Proposed Change Requested** Delete sites H2730a, H2684a and H31

**Council Response** No change. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **1043836 Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3822**

**Soundness - Positively Prepared** Site H31 is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. The site is unsustainable in conjunction with the other proposed sites but might be acceptable if it were the only development. The Local plan process has been difficult to follow.

**Soundness - Justified** The transport assessment for the site is flawed. No proper assessment has been made of local school place provision, nor of the impact of additional home to school journeys. There is a lack of evidence to show that local services and facilities will be able to accommodate an increase in the local population.

**Proposed Change Requested** Reduce the overall quantity of housing allocations in the Lepton and Fenay Bridge area.

**Council Response** No change. The Local Plan is supported by an Infrastructure Delivery Plan which considers the cumulative infrastructure impact of the spatial strategy outlined in the Local Plan. 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. 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.

Paragraph/Site: **H31**

Consultee: **1044528 Ms Joanne Sparagna**

Agent:

Rep ID: **PDLP\_AD723**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt; they then reconfigured the sites but rejected them for exactly the same reasons. However, following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure, including education, traffic and access to local medical services. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate, therefore, that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework.

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

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**Proposed Change Requested**

Remove site H31 from the plan.

**Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

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Paragraph/Site: **H31**

Consultee: **1044668 Mr Rodney Hirst**

Agent:

Rep ID: **PDLP\_AD442**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

Remove site H31 from the plan.

**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. The site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H31**

Consultee: **1045321 Mr Patrick Marper**

Agent:

Rep ID: **PDLP\_AD3611**

**Soundness - Justified**

Site drains surface water into Beldon Brook and on to Fenay Beck, which floods regularly. Unacceptable volume of traffic on Penistone Road. The development would join up Highburton and Lepton, contrary to purposes of the Green Belt. The amount of development proposed in the area is an unacceptable use of the Green Belt.

**Soundness - Consistent with National Policy**

This is inappropriate use of the Green Belt in contravention of NPPF.

**Proposed Change Requested**

Retain site as Green Belt

**Council Response**

No change. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H31**

Consultee: **1045983 Mr Andrew Peaden**

Agent:

Rep ID: **PDLP\_AD486**

**Soundness - Justified**

The Council initially rejected the site on the grounds that there can be no justifications for removing the site or any part of it from the green belt, they then

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

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reconfigured the site but rejected it for exactly the same reasons. 2. This site erodes the Green Belt. 3. The Council has failed to properly assess the impact on the local infrastructure including education or traffic: Local primary schools are already full. Local roads are already clogged with traffic. Local bus services do not provide sufficient capacity to carry more residents at peak times. Other local services such as doctors, dentists, nursery provision, are either overstretched or inadequate in the local area. 4. The developments rely entirely on robust third party agreements which are not in place. 5. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 6. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

Remove site H31 from the plan

**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. 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. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H31**

Consultee: **1046640 Mr Anthony McNamara**

Agent:

Rep ID: **PDLP\_AD400**

**Soundness - Justified**

The council initially rejected the sites on the grounds that there can be no justification for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. 2: The Council has failed to properly assess the impact on the local infrastructure including education or the traffic load. 3: The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4: The developments will result in irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5: The Council is contravening its own policies and National Planning Policy Framework.

**Proposed Change Requested**

Remove H31, H2730a and H2684a

**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. 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. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H31**

Consultee: **1048002 Mrs Katharine McNab**

Agent:

Rep ID: **PDLP\_AD259**

**Soundness - Positively Prepared**

This is not a proportionate amount of homes to be added to this small community which will increase the village population by around 28%. Brown field sites, according to national policy, should be considered before Green field sites

**Soundness - Effective**

The council has no regard to any possible contingency arrangements and/or alternative strategies should its calculation of the likely number of school age children arising from 850+ homes, traffic modelling at Penistone Road and Wakefield Road or of the forecasted number of people needing to attend the local GP service and the health service as a whole are inaccurate.

**Proposed Change Requested**

Consider all the sites in the Lepton / Fenay Bridge area as a whole instead of individual sites as the whole amount of development will change the village infrastructure. All brownfield sites should be considered.

**Council Response**

No change. The impact of development on school place planning has been assessed through the infrastructure planning work between the Local Plan and

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School Place Planning Teams. This work is on-going to ensure school places are available to meet the needs of future growth. The cumulative impact on housing growth in this area has been considered, and no major constraints have been identified. 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.

Paragraph/Site: **H31**

Consultee: **1049026 Mr Graham Pickles**

Agent:

Rep ID: **PDLP\_AD426**

### **Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. It can be asserted that the Plan fails the Soundness Test laid down in the NPPF because it cannot be Justified as Kirklees has not considered all reasonable alternatives, based on proportionate evidence; The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity

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

It is not Consistent with national policy as Kirklees has not provided any evidence that demonstrates the "exceptional circumstances" that would permit such developments in the Green Belt as proposed by this PLDP especially since Kirklees previously rejected the sites.

### **Proposed Change Requested**

To remove Sites H2730a, H2684a and H31 from the Plan

### **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. 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. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **1049122 Mr Anthony Carter**

Agent:

Rep ID: **PDLP\_AD396**

### **Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

### **Proposed Change Requested**

Remove site H31.

### **Council Response**

No change. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan. Local plan evidence document BP29 explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **1049185 Mrs Carol Mayo**

Agent:

Rep ID: **PDLP\_AD476**

### **Soundness - Justified**

I believe the Local Plan is unsound in relation to the this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes



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

	in winter and summer
<b>Proposed Change Requested</b>	Remove H31 from the plan.
<b>Council Response</b>	No change.The site has been assessed by the council's Environmental Health team and no major constraint relating to air quality has been identified.
Paragraph/Site: <b>H31</b>	Consultee: <b>1049209 Mrs Barbara Jenkinson</b> Agent: Rep ID: <b>PDLP_AD431</b>
<b>Soundness - Justified</b>	Unsound as it will have too much of an impact on the local infrastructure - traffic is already nose to tail on Penistone Road most of the time, entry would be difficult & make the problem worse. Schools are oversubscribed, doctors too. There would be irreversible damage to wildlife & natural habitat, as far as I am aware no plans are in place by the council to mitigate this. This relies on the cooperation of third party agreements which are not yet in place
<b>Council Response</b>	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.The site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified.
Paragraph/Site: <b>H31</b>	Consultee: <b>1049294 mr arragon</b> Agent: Rep ID: <b>PDLP_AD1957</b>
<b>Soundness - Justified</b>	The Council has failed to independently assess the impact on the infrastructure including education and traffic. There is no justification for removing the sites or any part of them from the green belt. The Council has failed to recognise that the development will result in the irreversible destruction of bird and animal habitat with a dramatic impact on biodiversity.
<b>Proposed Change Requested</b>	Remove site H31 from the plan
<b>Council Response</b>	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. 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 site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.
Paragraph/Site: <b>H31</b>	Consultee: <b>1049297 Mr Frank Thackray</b> Agent: Rep ID: <b>PDLP_AD2331</b>
<b>Soundness - Positively Prepared</b>	- Council initially rejected the sites on the grounds that there can be no justification for removing the sites or any part of them from the green belt, then reconfigured the sites but rejected them for the same reasons. Following further reconfiguration the council accepted the sites on the grounds that the need for housing outweighed the need for green belt. Defies logic, they are the same sites. Doesn't make sense to reject them twice but then include them in the plan.
<b>Soundness - Justified</b>	- Council has failed to properly assess the effect on local infrastructure including education and traffic. -Development relies heavily on robust third party agreements which are not in place.Council can only speculate that they will go ahead. -Development will result in irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation to lessen impact has been put forward by the council. -Council is contravening its own policies and National Planning Framework. -You only lose green belt once and when it is gone it is gone.
<b>Proposed Change Requested</b>	Remove H31,H2730A AND H2648A from the plan
<b>Council Response</b>	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

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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. 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 site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **1049346 Mrs Tracy Sykes**

Agent:

Rep ID: **PDLP\_AD507**

**Soundness - Positively Prepared** Use of this site is contrary to Council policies.

**Soundness - Justified** There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.

**Soundness - Effective** There is no evidence that development of the site is viable.

**Soundness - Consistent with National Policy** Use of this site is contrary to the National Planning Policy Framework.

**Proposed Change Requested** Delete sites H2730a, H2684a and H31.

**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. 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. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H31**

Consultee: **1049358 Mrs Cynthia Standing**

Agent:

Rep ID: **PDLP\_AD527**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested** Remove site H31 from the plan.

**Council Response** No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **H31**Consultee: **1049467 Mrs Helene Pickles**

Agent:

Rep ID: **PDLP\_AD609****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

To remove site H31 from the plan.

**Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31**Consultee: **1049578 Mr Peter Moss**

Agent:

Rep ID: **PDLP\_AD1137****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H31 from the plan

**Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31**Consultee: **1049739 Mary Moss**

Agent:

Rep ID: **PDLP\_AD1143****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

Remove H31 from the plan.

**Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing

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the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31**

Consultee: **1049769 Amy Moss**

Agent:

Rep ID: **PDLP\_AD1149**

### Soundness - Justified

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework.

### Proposed Change Requested

Remove site H31 from the plan

### Council Response

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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. 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 site has been assessed for its biodiversity value, and no significant constraints have been identified.

Paragraph/Site: **H31**

Consultee: **1060077 Mr Robert Edward Doyle**

Agent:

Rep ID: **PDLP\_AD1760**

### Soundness - Justified

The land is quality, lowland farm and meadow land which provides good grazing and arable. It provides habitat for the biodiversity and wildlife, including mammals, birds, insects, plant species.. The land supports and protects the woodland. The woodland supports and protects Human Population. It is necessary part of the ecosystem to provide Oxygen and Clean Air. It provides Quality Air levels. It supports the Clean Air Act. The Wood is Ancient. I believe it could be SSSI Status, if the owners were sympathetic to the woodland. The status could be upgraded. Most woodland is strip long and provides only a curtain for screening urban sprawl and the industrial landscape of Huddersfield. Due to pressure of population some wildlife has decline or has been eradicated. The area is home to a diverse range of Wildlife including Bats, Weasels, Stoats, Badgers, Foxes, Owls, Buzzards, Robins, Blue tits, Starlings, Wood Peckers, Woodcock, Kingfishers, Kestrel's, Sparrow Hawks, Heron's, Mallard, Doves, Wood pigeon, Jays, Rabbits and Hares. Object to the permanent damage to the environment and urban sprawl and creating a conurbation. The traffic congestion is already significant, dangerous and to levels which are not safe.

### 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. The site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified. Local plan evidence document BP29 summarised the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H2684a**

Consultee: **942410**

Agent: **950095**

**Mr Jonathan Dunbavin**

Rep ID: **PDLP\_AD1684**

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<b>Soundness - Justified</b>	This site performs a more important green belt role than MX1904. It has 5 major negative SA scores.		
<b>Council Response</b>	No change. There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. The site is in a sustainable location immediately to the south of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.		
Paragraph/Site: <b>H2684a</b>	Consultee: <b>942768</b> <b>Mr Andrew Wood</b>	Agent:	Rep ID: <b>PDLP_AD1796</b>
<b>Soundness - Justified</b>	This site provides much-needed openness along the valley bottom and development will add to traffic problems on Penistone Road.		
<b>Council Response</b>	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.		
Paragraph/Site: <b>H2684a</b>	Consultee: <b>942789</b> <b>Mr David Ward</b>	Agent:	Rep ID: <b>PDLP_AD466</b>
<b>Soundness - Positively Prepared</b>	The site was previously rejected then amended without meaningful engagement and collaboration with the neighbourhood. Insufficient information has been put out by the Council and many residents are unaware of the plan. The method of comment and objections is too complicated to follow. More should have been done to survey brown field sites to be used before green belt.		
<b>Soundness - Justified</b>	The plan is not justified. Biodiversity in the area will be affected given proximity to Lepton Great Wood. There are no exceptional circumstances to justify the removal of this site from the Green Belt. Development will increase urban sprawl and join Lepton and Kirkburton. Kirkless have failed to assess the impact on transport infrastructure, education and health. The site contributes to the settings of the scheduled Ancient Monument of Castle Hill.		
<b>Council Response</b>	No changeIn terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements.The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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.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 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		

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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.

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Paragraph/Site: **H2684a**

Consultee: **943160 Mr Gerald Newsome**

Agent:

Rep ID: **PDLP\_AD422**

### **Soundness - Justified**

The proposed development Sites H2684a and H2730a are entirely within the Green Belt It is understood that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. A large proportion of this site was given Green Belt Status in 2001 by the Public Enquiry Inspector following an Appeal hearing. He concluded that the site did not materially contribute to Green Belt purposes and recommended it be designated POL. The comments of the Inspector in 2001 were factually accurate and remain equally valid today in respect of both sites. The Green Belt has a clear relationship with Lepton Great Wood and is readily available to local residents for recreational purposes, including fishing, and is used (as noted in Open Space/Character of Land, see below) by walkers on a daily basis and by the local schools for educational purposes.. It can be concluded that the Plan for building on these sites fails the soundness test laid down in the NPPF because it cannot be justified as Kirklees has not considered all reasonable alternatives, based on proportionate evidence. The Plan cannot be justified as the Council has been inconsistent in its application of the provisions of the NPPF relating to the 'exceptional circumstances' that would permit development having accepted some sites and rejected others when there is no differences between the pieces of land and they are in the same community. The Plan cannot be justified as it is clear that to develop H2684a and H2730a will result in significant urban sprawl contrary to the provisions of the NPPF. The plan is neither sound nor justified as previously at appeal in 2001, Kirklees fought for a large proportion of this land to be designated as Green Belt and they won.

### **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.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

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Paragraph/Site: **H2684a**

Consultee: **943445 Cllr John Taylor**

Agent:

Rep ID: **PDLP\_AD2913**

### **Soundness - Justified**

Whilst outside of the ward boundaries, the inclusion of sites H2730a, H2684a, H31, H684 & H1679 represents a development of circa 850 houses in close proximity at the bottom of Lepton & Almondbury villages. This is a significant development which will impact on the capacity of the local road network especially the access onto A629 Penistone Rd where one can already invariably find queuing from Station Rd & Rowley Lane Lepton. This provision will also impact on the availability of other local services such as school places and once more there is nothing within the plan to address these infrastructure concerns. When you consider that within a mile is the brownfield site MDGB2134 which I comment on below and could add a further 800 houses the cumulative impact is unsustainable and questions the soundness of the plan.

### **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.

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See Transport Model Technical Paper. 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. See Infrastructure Delivery Plan.

Paragraph/Site: **H2684a**

Consultee: **943645**

**Mrs Shirley Barraclough**

Agent:

Rep ID: **PDLP\_AD1125**

**Soundness - Positively Prepared** The Council initially rejected this, and other sites in the Lepton/Fenay Bridge area on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. The council then reconfigured the site(s) on the grounds that the need for housing outweighed the need for green belt. They are the same sites, so this is not logical. Why reject them twice and then INCLUDE them in the plan?

**Soundness - Justified** The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The entrance road of this site is already congested with parking and traffic at drop off & pick up times at the local private nursery, school breakfast and after school club and the JI&N school - all of which are in a few hundred yards. This road is used for the 19 houses to travel to town, to the M1 and M62 motorways and Wakefield, so is already busy. The 2 local schools are full to capacity. Some local residents cannot get both their siblings into either of the 2 schools and have to travel to another area with one of the siblings. Lepton Great Wood is adjacent to this site, and any development will result in the destruction of natural habitats, with a dramatic impact on local biodiversity. The Council has not taken into consideration the effect that the whole Plan, which includes this site (H2684a with 286 houses) AND sites H638 (30 houses), Site H2730a (312houses), Site H31,(68 houses) Site H684,(123 houses) and Site H616,(32 houses) which are in very close proximity. They will increase the population of Lepton and Fenay Bridge by 28%, which impacts on all the above points.

**Soundness - Effective** The developments rely entirely on third party agreements, which are not even in place yet. The Council is only speculating that the developments can go ahead.

**Soundness - Consistent with National Policy** The Council is contravening its own policies and the National Planning Policy Framework because it has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the Plan. In relation to this site in 2001 a Government Inspector ruled that "I have come to the planning judgement that it is part of the countryside which is desirable to keep PERMANENTLY open and that any development of the site would encroach into the countryside ..... and I am satisfied that there is no compelling reason to exclude the site from the Green Belt"

**Proposed Change Requested** To remove H2684a, H2730a and H31 sites from the Plan.

**Council Response** No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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

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

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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.

Paragraph/Site: **H2684a**

Consultee: **944135 Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1083**

### Soundness - Justified

Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck.

### Council Response

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. 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. There are no physical constraints within the site that cannot be mitigated against during the planning application stage. Access is proposed from a new roundabout/road layout from Penistone Road.

Paragraph/Site: **H2684a**

Consultee: **949313 Mrs Eleanor Barraclough**

Agent:

Rep ID: **PDLP\_AD332**

### Soundness - Positively Prepared

GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.

### Soundness - Justified

Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '.... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL



contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. The critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

**Soundness - Consistent with National Policy**

The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested  
Council Response**

Sites H31, H2684a and H2730a should be removed from the PDLP

No Change In terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with

para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.(H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.(H2730a) This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. The site has been considered by the council's drainage team and no major constraints have been identified. 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. 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: **H2684a**

Consultee: **955288**

**Mr John Goodyear**

Agent:

Rep ID: **PDLP\_AD1062**

**Soundness - Justified**

These sites were initially REJECTED on the grounds that there are no justifications for removing any part of them from the green Belt. The sites were then reconfigured but again rejected for the same reasons. After another reconfiguration the sites were accepted on the (flimsy) grounds that housing should have priority over Green belt. 2.The council has failed to adequately examine the impact on local infrastructure, especially, roads, traffic, education and health. 3. It is a fact that the developments rely on acceptable third party agreements which are not in place. 4. The developments must result in the destruction of many natural habitats with a deleterious adverse impact on local biodiversity in direct conflict with the councils stated aims. 5. The council appears to to be

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

contravening its own policies and the National Planning Policy Framework. .

**Proposed Change Requested**

Remove H2684a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.

Paragraph/Site: **H2684a**

Consultee: **955925 Mr Ronald Mayo**

Agent:

Rep ID: **PDLP\_AD415**

**Soundness - Justified**

The Local Plan is unsound in relation to the this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes in winter and summer.

**Proposed Change Requested**

Remove site H2684a.

**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). No objections were raised by Environmental Health in relation to this site option. The site box for H2684a refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

Paragraph/Site: **H2684a**

Consultee: **957368 Mr graham boundy**

Agent:

Rep ID: **PDLP\_AD472**

**Soundness - Justified**

I believe the local plan is unsound because this site is proposed on greenbelt land and Kirklees appear to have ignored their own policy of brown field development first. The National Planning Policy Framework (NPPF) recognises the importance of the green belt. This development is "Inappropriate development" as there are no "Very special circumstances" that exist to remove the site from the greenbelt. This development needs to be considered in the context of the other proposed developments on Greenbelt land in our village (H31, H2684a and H2730a)and which cumulatively will significantly impact upon

issues such as urban sprawl, open space/character of land, education and health and transport.

**Proposed Change Requested**

Remove H2684a from the plan.

**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.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. 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 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.

Paragraph/Site: **H2684a**

Consultee: **964584**

**Gina Dean**

Agent:

Rep ID: **PDLP\_AD1248**

**Soundness - Justified**

I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and Kirkburton, which would result in significant urban sprawl.

**Soundness - Consistent with National Policy**

The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives.

**Council Response**

No changeExceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.In relation to H2684a, the eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to

the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension. In relation to H2730a, the council acknowledges this is a large site. The site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2684a**

Consultee: **965798**

**GAIL**

Agent:

Rep ID: **PDLP\_AD3264**

**Soundness - Positively Prepared**

GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.

**Soundness - Justified**

Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '.... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. the critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the

developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. 8GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

**Soundness - Consistent with National Policy**

The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested Council Response**

Sites H31, H2684a and H2730a should be removed from the PDLP

No change. In terms of the Council's Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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

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the specific characteristics of this site, it is deemed that in this instance the benefits of facilitating housing development on the site outweigh the loss of this part of the green belt.(H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.(H2730a) This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. The site has been considered by the council's drainage team and no major constraints have been identified. 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. 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.

Paragraph/Site: **H2684a**

Consultee: **965798**

**GAIL**

Agent:

Rep ID: **PDLP\_AD3267**

**Soundness - Positively Prepared**

Recognise that the Council has sought to comply with The Town and Country Planning (Local Planning) (England) Regulations 2012. However, as stated in clause 1.7 of our latest Representation, we have fundamental concerns at the Council's unwillingness/failure to consult with GAIL and the Lepton/Fenay Bridge community on Sites 2684a and H2730a.

**Soundness - Justified**

The developments would fundamentally and irretrievably alter the nature of the community (the two Sites represent 578 proposed new dwellings which, together with the other proposed developments in Lepton and Fenay Bridge, would result in a total of 851 additional dwellings, i.e. an increase of c.1,800 (c.28%) in the local population).

**Soundness - Consistent with National Policy**

By deciding not to consult with GAIL/the local community, the Council has ignored the provisions of clause 155 of the National Planning Policy Framework (NPPF) which states that 'early and meaningful engagement and collaboration with neighbourhoods, local organisations .... is essential. A wide section of the community should be proactively engaged'.

**Council Response**

No changeIn terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements.

Paragraph/Site: **H2684a**

Consultee: **966926**

**Mr Chris Dean**

Agent:

Rep ID: **PDLP\_AD1303**

**Soundness - Justified**

I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and

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Kirkburton, which would result in significant urban sprawl.

**Soundness - Consistent with National Policy** The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives

**Council Response** No change  
 Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.(H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.(H2730a) This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2684a** Consultee: **967018 Mrs Ann Priestman** Agent: Rep ID: **PDLP\_AD230**

**Soundness - Justified** Penistone Road will not be able to cope with the volume of traffic generated by this site and sites H2730a and H31. Penistone Road is already slow for commuter traffic to Huddersfield and traffic going to the M1. Residents working locally should not be penalised by making their journey even slower. The Penistone Road junctions with side roads are unsuitable.

**Proposed Change Requested** Reduce the number of houses proposed for the site alongside improvements to Penistone Road.

**Council Response** 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.

Paragraph/Site: **H2684a** Consultee: **967207 Mr and Mrs S Dutton** Agent: Rep ID: **PDLP\_AD740**

**Soundness - Positively Prepared** Use of this site is contrary to Council policies.

**Soundness - Justified** There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.

**Soundness - Effective** There is no evidence that development of the site is viable.

**Soundness - Consistent with National Policy** Use of this site is contrary to the National Planning Policy Framework.

**Proposed Change Requested** Delete site H2684a

**Council Response** No change  
 The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are



the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **967370**

**Mrs Gayle Corrigan**

Agent:

Rep ID: **PDLP\_AD687**

**Soundness - Positively Prepared**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan.

**Soundness - Justified**

The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

**Soundness - Consistent with National Policy**

The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

To remove Sites H2730a, H2684a, H31, from the Plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of

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NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **967398**

**Mrs Judith Carter**

Agent:

Rep ID: **PDLP\_AD108**

**Soundness - Justified**

Impact on adjacent UK BAP priority habitat and impact on site of archaeological importance.

**Soundness - Effective**

No regard to alternative strategy regarding school and transport projections. Impact on adjacent UK BAP priority habitat and impact on site of archaeological importance.

**Proposed Change Requested**

Remove site from the plan.

**Council Response**

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. 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 site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2684a**

Consultee: **967947**

**Mr Bryan Standing**

Agent:

Rep ID: **PDLP\_AD520**

**Soundness - Positively Prepared**

Kirklees has failed to comply with clause 155 of the NPPF which states that ‘early and meaningful engagement and collaboration with neighbourhoods .... is essential. A wide section of the community should be proactively engaged’. The community of Lepton and Fenay Bridge has not been consulted on Sites H2684a and H2730a. Reports on various aspects of the proposed plan have however been submitted by parties engaged by developers and land owners leading to an unbalanced perspective on many elements contained within the PDLP

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework. Comments contained in the Accepted Development Site Options Report relative to site H2730A are inaccurate and misleading: Public Health Education Flood/drainage

**Proposed Change Requested**

Remove H2684a from the plan

**Council Response**

No change The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon

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

Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2684a**

Consultee: **968829**

**Farnley Estates Ltd**

Agent: **942125**

**Chris Creighton**

Rep ID: **PDLP\_AD1916**

### Council Response

Support for the site allocation.

Paragraph/Site: **H2684a**

Consultee: **968968**

**Mr Christopher Hirst**

Agent:

Rep ID: **PDLP\_AD676**

### Soundness - Justified

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

### Proposed Change Requested

Remove H2684a from the plan.

### Council Response

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **972238 Karl Jenkinson**

Agent:

Rep ID: **PDLP\_AD202**

**Soundness - Justified**

Not enough consideration has been given to the after effects of this development, traffic issue, schools, doctors, dentists - it is going to effect everyone's quality of life both locally & in the surrounding areas (as each house will more than likely have two cars, that is almost 600 more cars on the road, at least half at peak times). Also, this area is an important for wildlife & wild flowers. We should be looking after these Green belt areas for future generations, not destroying them. It is wonderful to walk this area & enjoy nature. This area also needs to remain as it is to help with drainage, Rowley Lane often floods as it is, any development will compound the issue.

**Proposed Change Requested**

To leave this area or most of it to nature to help with drainage issues & for our children to enjoy.

**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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **972519 Mr Jeremy Gledhill**

Agent:

Rep ID: **PDLP\_AD1383**

**Soundness - Justified**

Roads and local infrastructure – the junction of Rowley Hill and Penistone Road is congested and clogged constantly. Turning into Penistone Road is difficult and prone to incident. Rowley Hill is already used a rat run by many vehicles. Adding more housing and traffic into what is already a very congested area is ill advised and dangerous. It does not meet the soundness test. What access would there be to the proposed development in areas H31, H2684a and H2370a? Not clear where the access will be. Schools – Rowley Lane junior school is oversubscribed, it is surrounded on all sides by housing. The developments would introduce a significant number of children of school age. Against this back drop they would require the construction of a new junior school – again at the cost of millions. Farnley Estates – we have already seen the approach taken here, with the promotion of a country park used as a shield to develop new houses. The approach seemed designed to confuse the public and demonstrates clearly how sensitive Farnley Estates believe that development in these areas is. It has cast doubt on the credibility of any future proposals and I believe was ill advised. Local amenities/doctors/health care provision – Lepton surgery is also oversubscribed. Green Belt – the woodland and walks are used by me and my family personally and also by the community of Lepton and Fenay Bridge

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extensively. To build in the proposed areas would be strongly to the detriment of the local community as this well used and much loved area would be gone. The proposed size of the developments is completely out of scale and character with the local area I urge the council to reconsider these developments in the plans and would welcome a response to my objection.

### 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. In terms of the primary access to the site, it is acknowledged that the indicative masterplan submitted by Redrow Homes does provide the Hermitage Park access as the main access to this site. This issue may be considered during the public examination during matters arising for this site option. It will be up to the site promoter to provide evidence to demonstrate that Hermitage Park can accommodate the level of traffic proposed contrary to the Councils evidence which at present concludes that Hermitage Park cannot sustain the level of traffic proposed and therefore the primary access to the site should come through site option H2684a.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.

Paragraph/Site: **H2684a**

Consultee: **976279 Mr & Mrs J Billington**

Agent:

Rep ID: **PDLP\_AD3810**

### Soundness - Justified

Existing roads in the locality are already unsuitable for purpose and will not be able to accommodate the additional traffic that will potentially be generated by the new development.

### Soundness - Consistent with National Policy

The environmental consequences of the proposed development are incongruous, unacceptable and disastrous to wildlife. The need for new homes does not justify the urban sprawl and encroachment into the countryside that will be caused by the proposed development.

### Proposed Change Requested

Remove allocation H2684a from the Local Plan.Retain as Green Belt.Consider re-classification as a Local Wildlife Site.

### 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

Paragraph/Site: **H2684a**

Consultee: **1038182 Mr Mark O'Donoghue**

Agent:

Rep ID: **PDLP\_AD455**

### Soundness - Positively Prepared

The council is contravening its own policies. It doesn't make sense to reject this site twice on the grounds that there can be no justification for removing it from the green belt but then accept it on the grounds the need for housing outweighs the need for green belt.

### Soundness - Justified

The Council has failed to properly assess the impact on the local infrastructure including education or traffic.The development will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

### Soundness - Effective

The development relies entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead.

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**Soundness - Consistent with National Policy**

The council is contravening the National Planning Policy Framework.

**Proposed Change Requested**

Remove sites H2730a, H2684a, H31 from the Plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2684a**

Consultee: **1042349 Mrs Mary Hirst**

Agent:

Rep ID: **PDLP\_AD666**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2684a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result

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from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1042415 Mr Michael Birchall**

Agent:

Rep ID: **PDLP\_AD3298**

**Soundness - Positively Prepared**

The council is contravening its own policies.

**Soundness - Justified**

The council initially rejected these sites on two occasions but then included them in the plan. The council has failed to properly assess the impact on the local infrastructure including education and traffic. The developments rely on third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation plans have been put forward to lesson such impacts.

**Soundness - Consistent with National Policy**

The council is contravening the National Planning Policy Framework.

**Proposed Change Requested**

Removal of the site from the plan.

**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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1043310 Mr Mark Sykes**

Agent:

Rep ID: **PDLP\_AD502**

**Soundness - Positively Prepared**

Use of this site is contrary to Council policies.

**Soundness - Justified**

There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including

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

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	education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.
<b>Soundness - Effective</b>	There is no evidence that development of the site is viable.
<b>Soundness - Consistent with National Policy</b>	Use of this site is contrary to the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Delete sites H2730a, H2684a and H31.
<b>Council Response</b>	No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2684a**

Consultee: **1043687 mr stan sys**

Agent:

Rep ID: **PDLP\_AD220**

<b>Soundness - Positively Prepared</b>	object to this plan because it has not demonstrated a coherent or cohesive approach which makes the best use of existing resources or adequately considers the consequences of implementation. Therefore, it is neither sound or sustainable.
<b>Soundness - Effective</b>	object to this plan because it has not demonstrated a coherent or cohesive approach which makes the best use of existing resources or adequately considers the consequences of implementation. Therefore, it is neither sound or sustainable.
<b>Proposed Change Requested</b>	A dramatic reduction in the number of dwellings proposed in the Lepton/Fenay Bridge catchment area
<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. 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



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Paper. 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 housing 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 housing development on the site outweigh the loss of this part of 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: **H2684a**

Consultee: **1043836**

**Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3820**

### **Soundness - Positively Prepared**

Site H2684a is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. No sites in the area have been identified for employment use. The proposed number of homes to be accommodated has increased since the DLP consultation and there has been no opportunity for the local community to comment on this. The Local Plan process has been difficult to follow.

### **Soundness - Justified**

The transport assessment for the site is flawed. No proper assessment has been made of local school place provision, nor of the impact of additional home to school journeys. There is a lack of evidence to show that local services and facilities will be able to accommodate an increase in the local population. The development will impact negatively upon the existing habitat network and will lead to a decrease in biodiversity. The sustainability appraisal for the site is inaccurate.

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

The proposed allocation is unsustainable particularly with regard to: - Transport connectivity; - Access to local facilities; - Negative impact on biodiversity; - Increased pollution.

### **Proposed Change Requested**

Remove allocation H2684a from the Local Plan.

### **Council Response**

No change. In terms of the Council's Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrate 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1044528**

**Ms Joanne Sparagna**

Agent:

Rep ID: **PDLP\_AD724**

### **Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt; they

then reconfigured the sites but rejected them for exactly the same reasons. However, following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure, including education, traffic and access to local medical services. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate, therefore, that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2684a from the plan

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2684a**

Consultee: **1044668 Mr Rodney Hirst**

Agent:

Rep ID: **PDLP\_AD444**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2684a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon

Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1045321 Mr Patrick Marper**

Agent:

Rep ID: **PDLP\_AD3610**

**Soundness - Justified**

Site drains surface water into Beldon Brook and on to Fenay Beck, which floods regularly. Unacceptable volume of traffic on Penistone Road. The development would join up Highburton and Lepton, contrary to purposes of the Green Belt. The amount of development proposed in the area is an unacceptable use of the Green Belt.

**Soundness - Consistent with National Policy**

This is inappropriate use of the Green Belt in contravention of NPPF.

**Proposed Change Requested**

Retain site as Green Belt

**Council Response**

No changeThe site has been considered by the council's drainage team and no major constraints have been identified. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

Paragraph/Site: **H2684a**

Consultee: **1045848 Mrs Toni Rios**

Agent: **1045846 Mr Christopher Yapp**

Rep ID: **PDLP\_AD383**

**Soundness - Justified**

This site does not have a significant individual traffic impact on the motorway network but, by virtue of its location or proximity to other proposed

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

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developments, it may need to contribute to additional schemes identified in the Infrastructure Delivery Plan if committed schemes will not provide sufficient capacity. 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

The 'constraints' section of the site description indicates that "additional mitigation on the wider highway network will be required". It is considered that the cumulative effect in combination with other proposed allocations may necessitate additional highway mitigation. A statement should be added saying that "development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". 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).

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Paragraph/Site: **H2684a**

Consultee: **1045883 Mr Jeff Ellis**

Agent:

Rep ID: **PDLP\_AD682**

### Legally Compliant

The adopted version of the Kirklees statement of community involvement is a basic document of non committal on behalf of the council, it lacks content and context and is evaluatively incomparable with neighbouring councils SCI's. The Kirklees council SCI document neither clarifies or specifies K.M.C's commitment to engage community involvement in planning or its policy's, making the document ineffective. The council have not met their legal obligations regarding community involvement as outlined within 'Kirklees a place to grow, Statement of community Involvement, adopted version September 2015' ( SCI ). As such, The National Planning Policy Framework, 2012, Paragraph 155 ( NPPF, 155 ) has been ignored. The process for the local community has not been 'transparent' . KMC's website set up for general public use is difficult, time consuming and virtually unnavigatable . It requires prior knowledge of planning terminology and site specific information. The online paper trails of related documentation attaining to the PDLP is long, heavy and unsuitable for 'community use'. The council have not provided a feedback report 'documenting the level and nature of comments made' or 'how comments have been used to inform the next stage' for the PDLP.

### Soundness - Positively Prepared

No feedback report has been produced detailing how the community's comments on the original sites have shaped the council's subsequent decisions. Also, no further requests for consultations have been made due to the modifications to the original sites. As set out in K.M.C's SCI (2.18). As a result the council have gone against their own SCI and aim of consultation to 'consult relevant groups where a proposal will directly affect them' (KMC, SCI, 2. 4). Due to the modifications made without further consultations, to the original draft plan, the community has not had an opportunity to comment on the new, reconfigured Sites prior to this representation. The original draft plan which the community commented on has been rejected and amended so the community 's original (and only) submissions can neither be used in the councils audit trail at examination to determine the soundness of inclusion of these sites in the local plan or be submitted to the inspector. As such, H2684a and H2730a should be removed from the PDLP as the council can not fulfil their duty to the inspector or community on these sites.

### Soundness - Justified

The proposed development Sites H31, H2684a and H2730a comprise entirely of land which is classified as Green Belt If these sites are accepted for the PDLP, the village of Lepton will be one field away from the villages of Highburton and Kirkburton, to the south representing urban sprawl. There are a significant number of brownfield sites available in Kirklees that developers are 'sitting on', the council are in agreement. Further financial pressure needs to be put on these parcels of land/ their ownership by the government in the way of land tax to promote regeneration of brownfield sites and prevent the unnecessary use of greenbelt. National developers have already submitted a proposal to K.M.C on H2684a and H2730a, highly presumptive. Rather than the council putting pressure on the developers and discluding these green belt sites as set out in the councils PDLP greenbelt review (2.12), they are encouraging the opposite. Kirklees has failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. The council believe that

exceptional circumstance for removing sites H2684a and H2730a from the green belt is a need for housing in the district. The need for housing is nationwide and not exceptional. Castle Hill is a scheduled ancient monument and recognised as one of the most distinctive and prominent landscape features in the region, it maintains the openness which is fundamental to the character of the area and this must be given careful consideration in any review of the green belt in this location' (KMC. Green Belt Review, 2016. 2.24). Sites H2684a & H2730a are part of the setting of Castle Hill. Greenbelt edge Sites H2684a and H2730a are greenbelt edge, that should have been assessed by K.M.C in accordance with their Green Belt Review, 2016 (3). Following K.M.C's simple qualitative 'methodology' within this document, sites H2684a and H2730 do not pass the test 1 which tests- 1a) topography constraints, 1b) physical constraints and 1c) environmental constraints. The council's 'methodology' in accessing greenbelt edge tests 1b and 1c which are qualitative in nature, should be further expanded to engage a wider perspective to draw an accurate conclusion on 'likely scales of development'. This cannot be assessed through the physical scale of sites alone but should also be assessed on the 'sustainability of development'. So to draw an accurate conclusion greenbelt edge tests 1b and 1c should be assessed against the number of constraints and the 'likely scale and sustainability of a possible development'.

**Proposed Change Requested**

Kirklees need to follow National & local policies / procedures the execute without making the audit trail difficult / impossible to follow by the majority of consultees

**Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation (SD12). This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. SD13 sets out the council's Statement of Publication Consultation. The Council produced a summary of main changes and a comprehensive list of changes at the Publication draft Local Plan consultation stage. Copies of these documents were available to view on-line, at deposit locations and at two drop in events held during the consultation period. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. (H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field

boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.

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Paragraph/Site: **H2684a**

Consultee: **1045983 Mr Andrew Peaden**

Agent:

Rep ID: **PDLP\_AD483**

**Soundness - Justified**

The Council initially rejected the site on the grounds that there can be no justifications for removing the site or any part of it from the green belt, they then reconfigured the site but rejected it for exactly the same reasons. 2. This site erodes the Green Belt. 3. The Council has failed to properly assess the impact on the local infrastructure including education or traffic: Local primary schools are already full. Local roads are already clogged with traffic. Local bus services do not provide sufficient capacity to carry more residents at peak times. Other local services such as doctors, dentists, nursery provision, are either overstretched or inadequate in the local area. 4. The developments rely entirely on robust third party agreements which are not in place. 5. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 6. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2684a.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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.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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **H2684a**Consultee: **1048002 Mrs Katharine McNab**

Agent:

Rep ID: **PDLP\_AD258**

**Soundness - Positively Prepared** This is not a proportionate amount of homes to be added to this small community which will increase the village population by around 28%. Brown field sites, according to national policy, should be considered before Green field sites

**Soundness - Effective** The council has no regard to any possible contingency arrangements and/or alternative strategies should its calculation of the likely number of school age children arising from 850+ homes, traffic modelling at Penistone Road and Wakefield Road or of the forecasted number of people needing to attend the local GP service and the health service as a whole are inaccurate.

**Proposed Change Requested** Consider all the sites in the Lepton / Fenay Bridge area as a whole instead of individual sites as the whole amount of development will change the village infrastructure. All brownfield sites should be considered.

**Council Response** No Change 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 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.

Paragraph/Site: **H2684a**Consultee: **1048600 Dr Mair Tunstall**

Agent:

Rep ID: **PDLP\_AD401**

**Soundness - Positively Prepared** This proposal contravenes the council own policies.

**Soundness - Justified** The plan is unsound. There are no "exceptional circumstances" to justify removing this site from the green belt. The council has failed to assess the impact on local traffic, including at the start and end of the school day when traffic is at its worse. The projected numbers of school children is grossly underestimated and the effect on primary care services has not been taken into account, including impact on villages beyond Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.

**Soundness - Consistent with National Policy** This proposal contravenes the National Planning Policy Framework.

**Proposed Change Requested** Remove sites H2730a, H2684a, H31, from the Plan.

**Council Response** No change Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats

Paragraph/Site: **H2684a**Consultee: **1049026 Mr Graham Pickles**

Agent:

Rep ID: **PDLP\_AD417**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they

then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. It can be asserted that the Plan fails the Soundness Test laid down in the NPPF because it cannot be Justified as Kirklees has not considered all reasonable alternatives, based on proportionate evidence; The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity The Council has not put forward any mitigation to lessen such impacts.

**Soundness - Consistent with National Policy**  
**Proposed Change Requested**  
**Council Response**

It is not Consistent with national policy as Kirklees has not provided any evidence that demonstrates the “exceptional circumstances” that would permit such developments in the Green Belt as proposed by this PLDP especially since Kirklees previously rejected the sites.

To remove Sites H2730a, H2684a and H31 from the Plan

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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.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. In terms of the primary access to H2730a, it is acknowledged that the indicative masterplan submitted by Redrow Homes does provide the Hermitage Park access as the main access to this site. This issue may be considered during the public examination during matters arising for this site option. It will be up to the site promoter to provide evidence to demonstrate that Hermitage Park can accommodate the level of traffic proposed contrary to the Councils evidence which at present concludes that Hermitage Park cannot sustain the level of traffic proposed and therefore the primary access to the site should come through site option H2684a.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.



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

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### Soundness - Justified

I believe that the PDLP is not Justified and is unsound for the following reasons: 1. The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

### Proposed Change Requested

Remove site H2684a from the plan.

### Council Response

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2684a**

Consultee: **1049185 Mrs Carol Mayo**

Agent:

Rep ID: **PDLP\_AD477**

### Soundness - Justified

I believe the Local Plan is unsound in relation to the this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes in winter and summer

### Proposed Change Requested

Remove H624a from the plan.

### 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). No objections were raised by Environmental Health in relation to this site option. The site box for H2684a refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

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

Paragraph/Site: **H2684a**

Consultee: **1049209 Mrs Barbara Jenkinson**

Agent:

Rep ID: **PDLP\_AD432**

### **Soundness - Justified**

It is an important area for wildlife, birds, plants etc and any change would do irreplaceable damage to these. Furthermore it is a recreational area, much used by many residents in Lepton, Kirkburton, Highburton as the footpaths interlink. It is also an important drainage area - developing huge areas like this always creates problems elsewhere in the region. The impact on the roads, on schools and the area in general would be catastrophic. The roads are already congested, schools are oversubscribed. Lepton would no longer be classed as a village, just an extension of Huddersfield. It is unsound also as there is no third party agreement yet in place to enable this development to proceed

### **Proposed Change Requested**

Remove the site.

### **Council Response**

No change Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. The site has been considered by the council's drainage team and no major constraints have been identified. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2684a**

Consultee: **1049294 mr arragon**

Agent:

Rep ID: **PDLP\_AD1958**

### **Soundness - Justified**

The Council has failed to independently assess the impact on the infrastructure including education and traffic. There is no justification for removing the sites or any part of them from the green belt. The Council has failed to recognise that the development will result in the irreversible destruction of bird and animal habitat with a dramatic impact on biodiversity.

### **Proposed Change Requested**

Remove site H2684a from the plan.

### **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. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse

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

ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1049297 Mr Frank Thackray**

Agent:

Rep ID: **PDLP\_AD2344**

**Soundness - Positively Prepared** - Council initially rejected the sites on the grounds that there can be no justification for removing the sites or any part of them from the green belt, then reconfigured the sites but rejected them for the same reasons. Following further reconfiguration the council accepted the sites on the grounds that the need for housing outweighed the need for green belt. Defies logic, they are the same sites. Doesn't make sense to reject them twice but then include them in the plan.

**Soundness - Justified** - Council has failed to properly assess the effect on local infrastructure including education and traffic. -Development relies heavily on robust third party agreements which are not in place. Council can only speculate that they will go ahead. -Development will result in irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation to lessen impact has been put forward by the council. -Council is contravening its own policies and National Planning Framework. -You only lose green belt once and when it is gone it is gone.

**Proposed Change Requested** Remove H31, H2730A AND H2648A from the plan

**Council Response** No change  
The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1049346 Mrs Tracy Sykes**

Agent:

Rep ID: **PDLP\_AD509**

**Soundness - Positively Prepared** Use of this site is contrary to Council policies.

**Soundness - Justified** There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.

**Soundness - Effective** There is no evidence that development of the site is viable.

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

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### Soundness - Consistent with National Policy

Use of this site is contrary to the National Planning Policy Framework.

### Proposed Change Requested

Delete sites H2730a, H2684a and H31.

### Council Response

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2684a**

Consultee: **1049358 Mrs Cynthia Standing**

Agent:

Rep ID: **PDLP\_AD530**

### Soundness - Justified

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. The council is contravening its own policies and the National Planning Policy Framework.

### Proposed Change Requested

remove H2684a from the plan.

### Council Response

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the

accepted site options. 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. 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. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1049374 Mr William Tunstall**

Agent:

Rep ID: **PDLP\_AD545**

**Soundness - Positively Prepared**

In the original proposal, sites H32 and H334 were rejected as there were no "exceptional circumstances" to justify removing them from the greenbelt. There were then 2 reconfigurations that ultimately included these sites into the final H2684a. If there was no justification for removing them from the greenbelt in the original plan, then there is still no justification for removing these sites from the greenbelt.

**Soundness - Justified**

The council has failed to assess the impact on local traffic. This needs to be assessed at a time of day when traffic is at its worst especially at the start and end of the school day, to get a true picture of the impact the development will have on infrastructure. The projected numbers of school aged children as a result of this number of dwellings is grossly underestimated. I do not believe the council have taken into account the effect this development will have on primary care services. Lepton Surgery provides services to Lepton and Kirkheaton. The size of this development will therefore not only affect the provision of primary care in the immediate vicinity but will have a direct impact on a village 4 miles away and therefore impacting GP access over a larger population than just Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.

**Soundness - Consistent with National Policy**

This proposal contravenes the council's own policies on use of Brown Field sites first and the National Planning Policy Framework.

**Proposed Change Requested**

Remove Sites H2730a, H2684a, H31 from the plan.

**Council Response**

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 draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road),

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H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. The Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact: 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. 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.

Paragraph/Site: **H2684a**

Consultee: **1049391 Miss Lucie Jennings**

Agent:

Rep ID: **PDLP\_AD748**

**Soundness - Justified**

This area is of ecological importance and is on a high risk coal referral area. I don't feel it is beneficial to develop here.

**Proposed Change Requested**

To remove site H2684a.

**Council Response**

No change The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1049417 Mr Dave Tunstall**

Agent:

Rep ID: **PDLP\_AD573**

**Soundness - Positively Prepared**

In the original proposal, sites H32 and H334 were rejected as there were no "exceptional circumstances" to justify removing them from the greenbelt. There were then 2 reconfigurations that ultimately included these sites into the final H2684a. If there was no justification for removing them from the greenbelt in the original plan, then there is still no justification for removing these sites from the greenbelt.

**Soundness - Justified**

The council has failed to assess the impact on local traffic. This needs to be assessed at a time of day when traffic is at its worst especially at the start and end of the school day, to get a true picture of the impact the development will have on infrastructure. The projected numbers of school aged children as a result of this number of dwellings is grossly underestimated. I do not believe the council have taken into account the effect this development will have on primary care services. Lepton Surgery provides services to Lepton and Kirkheaton. The size of this development will therefore not only affect the provision of primary care in the immediate vicinity but will have a direct impact on a village 4 miles away and therefore impacting GP access over a larger population than just Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.

**Soundness - Consistent with National Policy**

This proposal contravenes the council own policies on the use of Brown Field sites first and the National Planning Policy Framework

**Proposed Change Requested**

Remove Sites H2730a. H268a. H31 from the plan.

**Council Response**

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 draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable.The Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact. 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. 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.

Paragraph/Site: **H2684a**

Consultee: **1049467 Mrs Helene Pickles**

Agent:

Rep ID: **PDLP\_AD610**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2684a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result

from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1049578 Mr Peter Moss**

Agent:

Rep ID: **PDLP\_AD1138**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2684a from the plan.

**Council Response**

No change The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.

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Paragraph/Site: **H2684a**

Consultee: **1049739 Mary Moss**

Agent:

Rep ID: **PDLP\_AD1147**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

remove H2684a from the plan

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.

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Paragraph/Site: **H2684a**Consultee: **1049769 Amy Moss**

Agent:

Rep ID: **PDLP\_AD1150****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2684a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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.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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.

Paragraph/Site: **H2684a**Consultee: **1050041 Mr Jordan Ellis**

Agent:

Rep ID: **PDLP\_AD767****Legally Compliant**

The adopted version of the Kirklees statement of community involvement is a basic document of non committal on behalf of the council, it lacks content and context and is evaluatively incomparable with neighbouring councils SCI's. The Kirklees council SCI document neither clarifies or specifies K.M.C's commitment to engage community involvement in planning or its policy's, making the document ineffective. The council have not met their legal obligations regarding community involvement as outlined within ‘Kirklees a place to grow, Statement of community Involvement, adopted version September 2015’ ( SCI ). As such, The National Planning Policy Framework, 2012, Paragraph 155 ( NPPF, 155 ) has been ignored. The process for the local community has not been ‘transparent’ . KMC's website set up for general public use is difficult, time consuming and virtually unnavigatable . It requires prior knowledge of planning terminology and site specific information. The online paper trails of related documentation attaining to the PDLP is long, heavy and unsuitable for ‘community use’. The council

have not provided a feedback report 'documenting the level and nature of comments made' or 'how comments have been used to inform the next stage' for the PDLP.

**Soundness - Positively Prepared**

No feedback report has been produced detailing how the community's comments on the original sites have shaped the council's subsequent decisions. Also, no further requests for consultations have been made due to the modifications to the original sites. As set out in K.M.C's SCI (2.18). As a result the council have gone against their own SCI and aim of consultation to 'consult relevant groups where a proposal will directly affect them' (KMC, SCI, 2. 4). Due to the modifications made without further consultations, to the original draft plan, the community has not had an opportunity to comment on the new, reconfigured Sites prior to this representation. The original draft plan which the community commented on has been rejected and amended so the community's original (and only) submissions can neither be used in the councils audit trail at examination to determine the soundness of inclusion of these sites in the local plan or be submitted to the inspector. As such, H2684a and H2730a should be removed from the PDLP as the council can not fulfil their duty to the inspector or community on these sites.

**Soundness - Justified**

The proposed development Sites H31, H2684a and H2730a comprise entirely of land which is classified as Green Belt If these sites are accepted for the PDLP, the village of Lepton will be one field away from the villages of Highburton and Kirkburton, to the south representing urban sprawl. There are a significant number of brownfield sites available in Kirklees that developers are 'sitting on', the council are in agreement. Further financial pressure needs to be put on these parcels of land/ their ownership by the government in the way of land tax to promote regeneration of brownfield sites and prevent the unnecessary use of greenbelt. National developers have already submitted a proposal to K.M.C on H2684a and H2730a, highly presumptive. Rather than the council putting pressure on the developers and discluding these green belt sites as set out in the councils PDLP greenbelt review (2.12), they are encouraging the opposite. Kirklees has failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. The council believe that exceptional circumstance for removing sites H2684a and H2730a from the green belt is a need for housing in the district. The need for housing is nationwide and not exceptional. Castle Hill is a scheduled ancient monument and recognised as one of the most distinctive and prominent landscape features in the region, it maintains the openness which is fundamental to the character of the area and this must be given careful consideration in any review of the green belt in this location' (KMC. Green Belt Review, 2016. 2.24). Sites H2684a & H2730a are part of the setting of Castle Hill. Greenbelt edge Sites H2684a and H2730a are greenbelt edge, that should have been assessed by K.M.C in accordance with their Green Belt Review, 2016 (3). Following K.M.C's simple qualitative 'methodology' within this document, sites H2684a and H26730 do not pass the test 1 which tests- 1a) topography constraints, 1b) physical constraints and 1c) environmental constraints. The councils 'methodology' in accessing greenbelt edge tests 1b and 1c which are qualitative in nature, should be further expanded to engage a wider perspective to draw an accurate conclusion on 'likely scales of development'. This cannot be assessed through the physical scale of sites alone but should also be accessed on the 'sustainability of development'. So to draw an accurate conclusion greenbelt edge tests 1b and 1c should be assessed against the number of constraints and the 'likely scale and sustainability of a possible development'.

**Proposed Change Requested**

Remove site H2684a from the plan.

**Council Response**

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. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. 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 site represents an incursion into the Green Belt however this large site is contained by

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the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2684a**

Consultee: **1060077 Mr Robert Edward Doyle**

Agent:

Rep ID: **PDLP\_AD1759**

**Soundness - Justified**

The land is quality, lowland farm and meadow land which provides good grazing and arable. It provides habitat for the biodiversity and wildlife, including mammals, birds, insects, plant species.. The land supports and protects the woodland. The woodland supports and protects Human Population. It is necessary part of the ecosystem to provide Oxygen and Clean Air. It provides Quality Air levels. It supports the Clean Air Act. The Wood is Ancient. I believe it could be SSSI Status, if the owners were sympathetic to the woodland. The status could be upgraded. Most woodland is strip long and provides only a curtain for screening urban sprawl and the industrial landscape of Huddersfield. Due to pressure of population some wildlife has decline or has been eradicated. The area is home to a diverse range of Wildlife including Bats, Weasels, Stoats, Badgers, Foxes, Owls, Buzzards, Robins, Blue tits, Starlings, Wood Peckers, Woodcock, Kingfishers, Kestrel's, Sparrow Hawks, Heron's, Mallard, Doves, Wood pigeon, Jays, Rabbits and Hares. Object to the permanent damage to the environment and urban sprawl and creating a conurbation. The traffic congestion is already significant, dangerous and to levels which are not safe.

**Council Response**

Proposed changeThe site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2684a**

Consultee: **1061172**

Agent: **968969 Miss Clare Plant**

Rep ID: **PDLP\_AD2251**

**Soundness - Justified**

The site boundary should be amended and buffer zone provided to take account of adjacent employment use to southern boundary.

**Proposed Change Requested**

The site boundary should be amended to ensure that the continuation of existing employment use within site HUD23 is not prejudiced by the development of housing land to the north of the site. Requirement to provide sufficient buffer zone

**Council Response**

No changeThe layout of the site and any necessary buffer zones to protect the amenity of residents will be determined throughout the planning application stage.

Paragraph/Site: **H2730a**

Consultee: **942340 unknown**

Agent: **941854 Mr Mark Johnson**

Rep ID: **PDLP\_AD3259**

**Council Response**

No changeSupport noted.

Paragraph/Site: **H2730a**

Consultee: **942789 Mr David Ward**

Agent:

Rep ID: **PDLP\_AD474**

**Soundness - Positively Prepared**

The Council is going against its own policy. The Council previously rejected the sites on the grounds there was no justification for removing from the Green belt

**Soundness - Justified**

The plan is not justified. The Council has failed to properly assess the impact on the local infrastructure traffic education and health. The development will impact on biodiversity and result in the loss of habitat and leisure use in conjunction of Lepton Great Wood. The Council has not put forward any mitigation to lessen such impacts.

**Soundness - Consistent with National Policy**

The Council is going against the National Planning Policy Framework.

**Proposed Change Requested**

Remove sites H2730a,H2684a and H31 from the plan.

**Council Response**

No change.The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the

accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2730a**

Consultee: **943160**

**Mr Gerald Newsome**

Agent:

Rep ID: **PDLP\_AD421**

**Soundness - Justified**

The proposed development Sites H2684a and H2730a are entirely within the Green Belt. It is understood that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. A large proportion of this site was given Green Belt Status in 2001 by the Public Enquiry Inspector following an Appeal hearing. He concluded that the site did not materially contribute to Green Belt purposes and recommended it be designated POL. The comments of the Inspector in 2001 were factually accurate and remain equally valid today in respect of both sites. The Green Belt has a clear relationship with Lepton Great Wood and is readily available to local residents for recreational purposes, including fishing, and is used (as noted in Open Space/Character of Land, see below) by walkers on a daily basis and by the local schools for educational purposes. It can be concluded that the Plan for building on these sites fails the soundness test laid down in the NPPF because it cannot be justified as Kirklees has not considered all reasonable alternatives, based on proportionate evidence. The Plan cannot be justified as the Council has been inconsistent in its application of the provisions of the NPPF relating to the 'exceptional circumstances' that would permit development having accepted some sites and rejected others when there is no differences between the pieces of land and they are in the same community. The Plan cannot be justified as it is clear that to develop H2684a and H2730a will result in significant urban sprawl contrary to the provisions of the NPPF. The plan is neither sound nor justified as previously at appeal in 2001, Kirklees fought for a large proportion of this land to be designated as Green Belt and they won.

**Council Response**

No change. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook. 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

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

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: **H2730a**

Consultee: **943445 Cllr John Taylor**

Agent:

Rep ID: **PDLP\_AD2912**

### Soundness - Justified

Whilst outside of the ward boundaries, the inclusion of sites H2730a, H2684a, H31, H684 & H1679 represents a development of circa 850 houses in close proximity at the bottom of Lepton & Almondbury villages. This is a significant development which will impact on the capacity of the local road network especially the access onto A629 Penistone Rd where one can already invariably find queuing from Station Rd & Rowley Lane Lepton. This provision will also impact on the availability of other local services such as school places and once more there is nothing within the plan to address these infrastructure concerns. When you consider that within a mile is the brownfield site MDGB2134 which I comment on below and could add a further 800 houses the cumulative impact is unsustainable and questions the soundness of the plan.

### Proposed Change Requested

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### 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

Paragraph/Site: **H2730a**

Consultee: **943645 Mrs Shirley Barraclough**

Agent:

Rep ID: **PDLP\_AD1127**

### Soundness - Positively Prepared

The Council initially rejected this, and other sites in the Lepton/Fenay Bridge area on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. The council then reconfigured the site(s) on the grounds that the need for housing outweighed the need for green belt. They are the same sites, so this is not logical. Why reject them twice and then INCLUDE them in the plan?

### Soundness - Justified

The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The entrance road of this site is already congested with parking and traffic at drop off & pick up times at the local private nursery, school breakfast and after school club and the JI&N school - all of which are in a few hundred yards. This road is used for the 19 houses to travel to town, to the M1 and M62 motorways and Wakefield, so is already busy. The 2 local schools are full to capacity. Some local residents cannot get both their siblings into either of the 2 schools and have to travel to another area with one of the siblings. Lepton Great Wood is adjacent to this site, and any development will result in the destruction of natural habitats, with a dramatic impact on local biodiversity. The Council has not taken into consideration the effect that the whole Plan, which includes this site (H2684a with 286 houses) AND sites H638 (30 houses), Site H2730a (312houses), Site H31,(68 houses) Site H684,(123 houses) and Site H616,(32 houses) which are in very close proximity. They will increase the population of Lepton and Fenay Bridge by 28%, which impacts on all the above points.

### Soundness - Effective

The developments rely entirely on third party agreements, which are not even in place yet. The Council is only speculating that the developments can go ahead.

### Soundness - Consistent with National Policy

The Council is contravening its own policies and the National Planning Policy Framework because it has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the Plan. In relation to this site in 2001 a Government Inspector ruled that "I have come to the planning judgement that it is part of the countryside which is desirable to keep PERMANENTLY open and that any development of the site would encroach into the countryside ..... and I am satisfied that there is no compelling reason to exclude the site from the Green Belt"

### Proposed Change Requested

To remove H2684a, H2730a and H31 sites from the Plan.

### Council Response

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on

data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3699**

**Soundness - Justified**

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 the Listed Building or what harm might result to those elements which contribute to its 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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.

**Proposed Change Requested**

An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its 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 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: **H2730a**

Consultee: **944135 Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1084**

**Soundness - Justified**

Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck

**Council Response**

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. 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. There are no physical constraints within the site that cannot be mitigated against during the planning application stage. Access is proposed from a new roundabout/road layout from Penistone Road.

Paragraph/Site: **H2730a**

Consultee: **949313**

**Mrs Eleanor Barraclough**

Agent:

Rep ID: **PDLP\_AD333**

**Soundness - Positively Prepared**

GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.

**Soundness - Justified**

Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '.... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. The critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the



Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. 8GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

**Soundness - Consistent with National Policy**

The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested Council Response**

Sites H31, H2684a and H2730a should be removed from the PDLP.

No change. In terms of the Council's Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. Exceptional

circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.(H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension.(H2730a) This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. The site has been considered by the council's drainage team and no major constraints have been identified. 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. 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.

Paragraph/Site: **H2730a**

Consultee: **955288**

**Mr John Goodyear**

Agent:

Rep ID: **PDLP\_AD1063**

**Soundness - Justified**

These sites were initially REJECTED on the grounds that there are no justifications for removing any part of them from the green Belt. The sites were then reconfigured but again rejected for the same reasons. After another reconfiguration the sites were accepted on the (flimsy) grounds that housing should have priority over Green belt. 2.The council has failed to adequately examine the impact on local infrastructure, especially, roads, traffic, education and health. 3. It is a fact that the developments rely on acceptable third party agreements which are not in place. 4. The developments must result in the destruction of many natural habitats with a deleterious adverse impact on local biodiversity in direct conflict with the councils stated aims. 5. The council appears to to be contravening its own policies and the National Planning Policy Framework. .

**Proposed Change Requested**

Remove H2730a from the plan

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options.As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states:‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily

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recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2730a**

Consultee: **955925**

**Mr Ronald Mayo**

Agent:

Rep ID: **PDLP\_AD416**

### **Soundness - Justified**

The Local Plan is unsound in relation to the this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes in winter and summer

### **Proposed Change Requested**

Remove site H2730a.

### **Council Response**

No change.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). No objections were raised by Environmental Health in relation to this site option. The site box for H2684a refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

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Paragraph/Site: **H2730a**

Consultee: **957368**

**Mr graham boundy**

Agent:

Rep ID: **PDLP\_AD471**

### **Soundness - Justified**

I believe the local plan is unsound because this site is proposed on greenbelt land and Kirklees appear to have ignored their own policy of brown field development first. The National Planning Policy Framework (NPPF) recognises the importance of the green belt. This development is "Inappropriate development" as there are no "Very special circumstances" that exist to remove the site from the greenbelt. This development needs to be considered in the context of the other proposed developments on Greenbelt land in our village (H31, H2684a and H2730a)and which cumulatively will significantly impact upon issues such as urban sprawl, open space/character of land, education and health and transport.

### **Proposed Change Requested**

Remove site H2730a from the plan.

### **Council Response**

No change.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.Exceptional circumstances exist to amend the green belt boundary as this site is required to

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meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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.

Paragraph/Site: **H2730a**

Consultee: **964584 Gina Dean**

Agent:

Rep ID: **PDLP\_AD1249**

**Soundness - Justified**

I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and Kirkburton, which would result in significant urban sprawl.

**Soundness - Consistent with National Policy**

The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives.

**Council Response**

No change Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

Paragraph/Site: **H2730a**

Consultee: **965798 GAIL**

Agent:

Rep ID: **PDLP\_AD3265**

**Soundness - Positively Prepared**

GAIL has not had an opportunity to comment on the new, re-configured Sites prior to this Representation and, given the proposed 28% (+/- 1,828 people) increase in the population of Lepton and Fenay Bridge, regrets that Kirklees did not see any need or benefit to be gained from following clause 155 and engaging with the local community on the development of the re-configured Sites. With the rejection and amendment of the Sites from the original Draft Plan, the detail of GAIL's original draft submission will not be submitted to the Inspector and that an additional representation had to be made.

**Soundness - Justified**

Green Belt The PLDP shows that only 24% of the proposed development sites across the Kirklees administrative area are currently classified as brownfield/predominantly brownfield, GAIL understands that Kirklees has failed to identify all brownfield sites in the metropolitan borough and previously developed land which must be more appropriate for the developments proposed in the PLDP. Kirklees also seems to have ignored its own policy of 'Brown Field first' and adopted a policy of 'Brown Field last'. It should also be noted that the 1994 Kirklees draft Unitary Development Plan (UDP) designated the then Site K8 (which incorporates the former Site H455, now part of H2730a) as Green Belt. Kirklees has critically failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. Rejected Sites report In the revised PDLP, each of the rejected sites H32, H334 and H455 sites was rejected for housing development by the Infrastructure Development Team on the grounds 'There are no exceptional circumstances to justify removal of this site or any part of this site from the green belt'. It went on to say 'this would represent an encroachment into open countryside to the detriment of the openness of green belt'. Kirklees, however, then re-configured the sites, combining H32 and H334 into a new H2684, and combined H455 and H659 into a new H2730, only to then reject H2684 and H2730 on the same grounds as the original Sites, i.e. 'there are no exceptional circumstances to justify the removal of this site or any part of this site from the green belt'. However, Kirklees further re-configured the Sites, which are now H2684a and H2730a, as part of the PDLP with the comment that 'exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing in the district'. Site H3383 (north of Wakefield Rd Lepton) was rejected for housing development on the same grounds as stated above i.e. 'this

would represent a significant encroachment into open countryside to the detriment of the openness of green belt'. Kirklees has clearly not been consistent in its determination as to what green belt land to accept for residential development and what to reject. Kirklees has failed in its Housing Allocations for the three Sites to reflect the requirements of clause 4.46 of its Site Allocation Methodology Part 2 and clauses 126/132 of the NPPF as they relate to the character and distinctiveness of the three Sites and their contribution to the setting of the Scheduled Ancient Monument of Castle Hill. Kirklees has confirmed that the proposed exclusion of the southern end of UGS930 in the PDLP has been to '... allow access to be achieved to Site H2684a from Penistone Road. It is considered that the overall function of the urban green space as a green corridor and proposed walking, cycling and riding route will not be prejudiced'. GAIL contends, however, that Kirklees' proposal is out of step with its own strategic objective to 'Protect and improve green infrastructure to support health and well-being, giving residents access to good quality open spaces sport and recreation opportunities, and to support habitats, allowing wildlife to flourish'. Kirklees has failed to adequately assess a number of key infrastructure elements, i.e. Education, Transport and Health such that the proposals for Sites H31, H2684a and H2730a fall short of any concept of realism and fail to meet the soundness test. The critical need for Kirklees to consider the likely cumulative impact which the proposed housing developments in Lepton and Fenay Bridge would have on vehicle ownership and, in turn, the implications for traffic volumes, road access/congestion, air/noise pollution and road safety on the local road network and, specifically, the key roads of Penistone Road, Rowley Lane and Wakefield Road. GAIL believes it important to re-assess the scale of the likely increase in vehicle ownership and the impact on the local road network following the issue of revised housing development proposals in the PDLP: using the 2011 Census Kirklees Localities Car Availability data (Reference KS404EW) as a baseline, the projected increase in vehicle ownership resulting from the proposed Lepton and Fenay Bridge housing developments would be +/- 1,100 additional vehicles. GAIL believes that Kirklees has failed to take sufficient account of the pressures currently facing the health providers, the Greater Huddersfield Clinical Commissioning Group (CCG) having already acknowledged the extremely significant challenges facing it particularly in terms of primary care capacity. Local schools have insufficient capacity to cope with this development. By using local census data, GAIL has calculated that the developments would generate an additional 329 pupils leading to a developer contribution in the region of £4.2 million which is much more realistic given that the only solution here would be to build a new school. GAIL contends that the development of Sites H2684a and H2730a would lead to irreversible habitat fragmentation which would reduce both the quantity and quality of habitat. No further detailed analysis of the impact and risks of developing H2684a and H2730a has been carried out to show that their development is of overriding public interest and, as such, their inclusion in the PDLP is ill-prepared and unjustified. The topography of the land proposed for the two Sites must see an increase in surface water into Beldon Brook and Fenay Beck and, by definition, an increased risk of flooding downstream (Fenay Bridge already figuring in Kirklees' list of areas most at risk of future flooding), the potential implications for surface water flooding due to the significant increase in impermeable surfaces as a direct consequence of the proposed housing developments, and the proximity to and the potential impact of the developments on Beldon Brook which, in turn, feeds into Fenay Beck. These concerns are magnified given the new, re-configured Sites H2684a and H2730a which propose an increase in the 503 houses shown in the original Draft Plan to 598 in the PDLP. Kirklees have not sufficiently assessed the cumulative impact on flooding in the area. Kirklees has clearly failed to take full account of the fact that the proposed development sites are in a high risk coal mining area and as such cannot be certain that the developments can be delivered.

**Soundness - Effective**

Third Party Access Sites H2684a and H2730a rely entirely on the land owners/developers securing robust third party access agreements to allow for the intended movement of traffic/primary access to the local road network, without which the development proposals would fail.

**Soundness - Consistent with National Policy**

The plan is not consistent with national policy as Kirklees has not provided any evidence that demonstrates 'exceptional circumstances' that would permit development in the Green Belt as proposed by the PDLP since Kirklees previously rejected the sites. The PDLP is not Consistent with National Policy as Kirklees has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the PDLP and has failed to demonstrate where they expect infrastructure to be provided, by whom, at what cost and to what timetable.

**Proposed Change Requested Council Response**

Sites H31, H2684a and H2730a should be removed from the PDLP.

No change. In terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and

H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. (H2684a) The eastern half of this site has boundaries with properties at Woodsome Park, the disused railway line, woodland, field boundaries and the beck which although not ideal do form potential new green belt boundaries. The site encroaches onto the beck and its priority habitats but its large enough to maintain a buffer. Where the site connects to the western half, the boundary for a short length cuts across the railway line following no feature on the ground which would make the new boundary difficult to define. The western part of this site is contained by development on three sides and Penistone Road to the west. The western part would represent rounding off of Lepton and Penistone Road to the west would present a strong new green belt boundary, although the potential southern boundary is less clearly defined. The eastern half of the site is well contained by the beck and field boundaries and has some relationship with the existing edge of Lepton. Considered as a whole therefore, the scale and location of the site would represent a reasonably well related settlement extension. (H2730a) This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. The site has been considered by the council's drainage team and no major constraints have been identified. 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. 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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<b>Soundness - Positively Prepared</b>	Recognise that the Council has sought to comply with The Town and Country Planning (Local Planning) (England) Regulations 2012. However, as stated in clause 1.7 of our latest Representation, we have fundamental concerns at the Council's unwillingness/failure to consult with GAIL and the Lepton/Fenay Bridge community on Sites 2684a and H2730a.
<b>Soundness - Justified</b>	The developments would fundamentally and irretrievably alter the nature of the community (the two Sites represent 578 proposed new dwellings which, together with the other proposed developments in Lepton and Fenay Bridge, would result in a total of 851 additional dwellings, i.e. an increase of c.1,800 (c.28%) in the local population).
<b>Soundness - Consistent with National Policy</b>	By deciding not to consult with GAIL/the local community, the Council has ignored the provisions of clause 155 of the National Planning Policy Framework (NPPF) which states that 'early and meaningful engagement and collaboration with neighbourhoods, local organisations .... is essential. A wide section of the community should be proactively engaged'.
<b>Council Response</b>	No changeIn terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements.

Paragraph/Site: <b>H2730a</b>	Consultee: <b>965798</b>	<b>GAIL</b>	Agent:	Rep ID: <b>PDLP_AD3850</b>
<b>Soundness - Justified</b>	Various points relating to the access of the site and land ownership.			
<b>Soundness - Effective</b>	various points relating to the access of the site and land ownership.			
<b>Council Response</b>	No changeIn terms of the Councils Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements.In terms of the primary access to H2730a, it is acknowledged that the indicative masterplan submitted by Redrow Homes does provide the Hermitage Park access as the main access to this site. This issue may be considered during the public examination during matters arising for this site option. It will be up to the site promoter to provide evidence to demonstrate that Hermitage Park can accommodate the level of traffic proposed contrary to the Councils evidence which at present concludes that Hermitage Park cannot sustain the level of traffic proposed and therefore the primary access to the site should come through site option H2684a.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.			

Paragraph/Site: <b>H2730a</b>	Consultee: <b>966926</b>	<b>Mr Chris Dean</b>	Agent:	Rep ID: <b>PDLP_AD1305</b>
<b>Soundness - Justified</b>	I believe the local plan is not sound in relation to sites H31, H2684a and H2730a because the NPPF states that the government attaches great importance to Green Belt, the aim of the green belt policy is to prevent urban sprawl. The developments proposed for sites H31, H2684a and H2730a are in conflict with the NPPF and Kirklees own policies, as the development of these sites would result in the joining up of Waterloo and Fenay Bridge, through to Highburton and Kirkburton, which would result in significant urban sprawl.			
<b>Soundness - Consistent with National Policy</b>	The plan fails the soundness test laid down by the NPPF because it cannot be justified as Kirklees have not considered all reasonable alternatives.			
<b>Council Response</b>	No changeExceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.			

Paragraph/Site: <b>H2730a</b>	Consultee: <b>967018</b>	<b>Mrs Ann Priestman</b>	Agent:	Rep ID: <b>PDLP_AD229</b>
<b>Soundness - Justified</b>	This site when considered alongside H2684a and H31 will feed over 660 extra cars onto Penistone Road which is inadequate for cater for this additional volume of traffic. Penistone Road is a commuter road into Huddersfield and a major road from the M1. It is single carriageway, has junctions to side roads and is heavily used by lorries.			

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

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<b>Proposed Change Requested</b>	Reduce the number of houses proposed for the site and carry out junction and road layout improvements to improve the free flow of traffic.
<b>Council Response</b>	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 (BP12).

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Paragraph/Site: **H2730a**

Consultee: **967207**

**Mr and Mrs S Dutton**

Agent:

Rep ID: **PDLP\_AD742**

<b>Soundness - Positively Prepared</b>	Use of this site is contrary to Council policies.
<b>Soundness - Justified</b>	There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.
<b>Soundness - Effective</b>	There is no evidence that development of the site is viable.
<b>Soundness - Consistent with National Policy</b>	Use of this site is contrary to the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Delete site H2730a.
<b>Council Response</b>	No change.The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.



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Paragraph/Site: **H2730a**

Consultee: **967370**

**Mrs Gayle Corrigan**

Agent:

Rep ID: **PDLP\_AD689**

<b>Soundness - Positively Prepared</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan.
<b>Soundness - Justified</b>	The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.
<b>Soundness - Consistent with National Policy</b>	The council is contravening its own policies and the National Planning Policy Framework.
<b>Proposed Change Requested</b>	To remove Sites H2730a, H2684a, H31, from the Plan.
<b>Council Response</b>	No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **967398**

**Mrs Judith Carter**

Agent:

Rep ID: **PDLP\_AD107**

<b>Soundness - Justified</b>	The plan does not consider effect on Habitats of Principal Importance.
<b>Soundness - Effective</b>	The plan is not effective as it does not consider alternative strategies for school projections or traffic projections. The plan does not consider effect on Habitats of Principal Importance.
<b>Council Response</b>	The Council has strategically modelled the transport network (local highway, public transport and strategic road network) in order to assess the cumulative

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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. 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 site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2730a**

Consultee: **967398 Mrs Judith Carter**

Agent:

Rep ID: **PDLP\_AD112**

**Soundness - Effective**

The plan fails to consider the impact of the other proposed developments at adjacent sites H2684a, and nearby H31 , H684 ,H616 and H638

**Proposed Change Requested**

Kirklees Council should undertake a Report on Education provision in and around the Lepton area to take the proposed developments into account.

**Council Response**

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. 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 site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2730a**

Consultee: **967947 Mr Bryan Standing**

Agent:

Rep ID: **PDLP\_AD518**

**Soundness - Positively Prepared**

Kirklees has failed to comply with clause 155 of the NPPF which states that 'early and meaningful engagement and collaboration with neighbourhoods .... is essential. A wide section of the community should be proactively engaged'. The community of Lepton and Fenay Bridge has not been consulted on Sites H2684a and H2730a. Reports on various aspects of the proposed plan have however been submitted by parties engaged by developers and land owners leading to an unbalanced perspective on many elements contained within the PDLP

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework. Comments contained in the Accepted Development Site Options Report relative to site H2730A are inaccurate and misleading: Public Health Education Flood/drainage

**Council Response**

Remove H2730a from the plan.

Paragraph/Site: **H2730a**

Consultee: **968968 Mr Christopher Hirst**

Agent:

Rep ID: **PDLP\_AD675**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

Remove H2730a from the plan.

**Council Response**

No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land

issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **972238**

**Karl Jenkinson**

Agent:

Rep ID: **PDLP\_AD200**

**Soundness - Justified**

Most of this area is considered green belt land, vital for our wildlife, plants, trees and flowers and a wonderful recreational area for Lepton/Highburton/Kirkburton etc. We should be looking after these areas for our children. Also all the problems as before with development - all that is being added to the area is houses, no provision or update on roads, schools, amenities.

**Council Response**

The site represents an incursion into the Green Belt however this large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2730a**

Consultee: **972519**

**Mr Jeremy Gledhill**

Agent:

Rep ID: **PDLP\_AD1384**

**Soundness - Justified**

Roads and local infrastructure – the junction of Rowley Hill and Penistone Road is congested and clogged constantly. Turning into Penistone Road is difficult and prone to incident. Rowley Hill is already used a rat run by many vehicles. Adding more housing and traffic into what is already a very congested area is ill advised and dangerous. It does not meet the soundness test. What access would there be to the proposed development in areas H31, H2684a and H2370a? Not clear where the access will be. Schools – Rowley Lane junior school is oversubscribed, it is surrounded on all sides by housing. The developments would introduce a significant number of children of school age. Against this back drop they would require the construction of a new junior school – again at the cost of millions. Farnley Estates – we have already seen the approach taken here, with the promotion of a country park used as a shield to develop new houses. The approach seemed designed to confuse the public and demonstrates clearly how sensitive Farnley Estates believe that development in these areas is. It has cast doubt on the credibility of any future proposals and I believe was ill advised. Local amenities/doctors/health care provision – Lepton surgery is also

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oversubscribed. Green Belt – the woodland and walks are used by me and my family personally and also by the community of Lepton and Fenay Bridge extensively. To build in the proposed areas would be strongly to the detriment of the local community as this well used and much loved area would be gone. The proposed size of the developments is completely out of scale and character with the local area I urge the council to reconsider these developments in the plans and would welcome a response to my objection.

### 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. In terms of the primary access to H2730a, it is acknowledged that the indicative masterplan submitted by Redrow Homes does provide the Hermitage Park access as the main access to this site. This issue may be considered during the public examination during matters arising for this site option. It will be up to the site promoter to provide evidence to demonstrate that Hermitage Park can accommodate the level of traffic proposed contrary to the Councils evidence which at present concludes that Hermitage Park cannot sustain the level of traffic proposed and therefore the primary access to the site should come through site option H2684a. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

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Paragraph/Site: **H2730a**

Consultee: **976279**

**Mr & Mrs J Billington**

Agent:

Rep ID: **PDLP\_AD3811**

### Soundness - Justified

Existing roads in the locality are already unsuitable for purpose and will not be able to accommodate the additional traffic that will potentially be generated by the new development.

### Soundness - Consistent with National Policy

The environmental consequences of the proposed development are incongruous, unacceptable and disastrous to wildlife. The need for new homes does not justify the urban sprawl and encroachment into the countryside that will be caused by the proposed development.

### Proposed Change Requested

Remove allocation H2730a from the Local Plan.Retain as Green Belt.Consider re-classification as a Local Wildlife 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2730a**

Consultee: **1038182**

**Mr Mark O'Donoghue**

Agent:

Rep ID: **PDLP\_AD456**

### Soundness - Positively Prepared

The council is contravening its own policies. It doesn't make sense to reject this site twice on the grounds that there can be no justification for removing it from the green belt but then accept it on the grounds the need for housing outweighs the need for green belt.

### Soundness - Justified

The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The development will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

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<b>Soundness - Effective</b>	The development relies entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead.
<b>Soundness - Consistent with National Policy</b>	The council is contravening the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Remove sites H2730a, H2684a, H31 from the Plan.
<b>Council Response</b>	No change. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrate ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1042349 Mrs Mary Hirst**

Agent:

Rep ID: **PDLP\_AD667**

<b>Soundness - Justified</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework
<b>Proposed Change Requested</b>	Remove H2730a from the plan.
<b>Council Response</b>	No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land

issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1042415 Mr Michael Birchall**

Agent:

Rep ID: **PDLP\_AD3299**

**Soundness - Positively Prepared**

The council is contravening its own policies.

**Soundness - Justified**

The council initially rejected these sites on two occasions but then included them in the plan. The council has failed to properly assess the impact on the local infrastructure including education and traffic. The developments rely on third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation plans have been put forward to lesson such impacts.

**Soundness - Consistent with National Policy**

The council is contravening the National Planning Policy Framework.

**Proposed Change Requested**

Removal of the site from the plan.

**Council Response**

No change The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of

these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1043310 Mr Mark Sykes**

Agent:

Rep ID: **PDLP\_AD503**

**Soundness - Positively Prepared**

Use of this site is contrary to Council policies.

**Soundness - Justified**

There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.

**Soundness - Effective**

There is no evidence that development of the site is viable.

**Soundness - Consistent with National Policy**

Use of this site is contrary to the National Planning Policy Framework.

**Proposed Change Requested**

Delete sites H2730a, H2684a and H31.

**Council Response**

No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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

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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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1043687 mr stan sys**

Agent:

Rep ID: **PDLP\_AD100**

**Soundness - Positively Prepared**

I object to this plan because it has not demonstrated a coherent or cohesive approach which makes the best use of existing resources or adequately considers the consequences of implementation. Therefore, it is neither sound or sustainable.

**Soundness - Effective**

I object to this plan because it has not demonstrated a coherent or cohesive approach which makes the best use of existing resources or adequately considers the consequences of implementation. Therefore, it is neither sound or sustainable.

**Proposed Change Requested**

A dramatic reduction in the number of dwellings proposed in the Lepton/Fenay Bridge

**Council Response**

No change. In terms of the Council's Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF requirements. 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 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. 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 housing 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 housing development on the site outweigh the loss of this part of 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: **H2730a**

Consultee: **1043836 Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3821**

**Soundness - Positively Prepared**

Site H2730a is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. No sites in the area have been identified for employment use. The proposed number of homes to be



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	accommodated has increased since the DLP consultation and there has been no opportunity for the local community to comment on this. The Local Plan process has been difficult to follow.
<b>Soundness - Justified</b>	The transport assessment for the site is flawed. No proper assessment has been made of local school place provision, nor of the impact of additional home to school journeys. There is a lack of evidence to show that local services and facilities will be able to accommodate an increase in the local population. The development will impact negatively upon the existing habitat network and will lead to a decrease in biodiversity. The sustainability appraisal for the site is inaccurate.
<b>Soundness - Consistent with National Policy</b>	The proposed allocation is unsustainable particularly with regard to: - Transport connectivity; - Access to local facilities; - Negative impact on biodiversity; - Increased pollution.
<b>Proposed Change Requested</b>	Remove allocation H2730a from the Local Plan.
<b>Council Response</b>	No change. In terms of the Council's Statement of Community Involvement it is considered that the Publication Draft consultation provided the opportunity to consult on changes to the draft Local Plan and the process the Council took was in full compliance with the Statement of Community Involvement, regulatory and NPPF 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrate 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1044528 Ms Joanne Sparagna**

Agent:

Rep ID: **PDLP\_AD726**

<b>Soundness - Justified</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt; they then reconfigured the sites but rejected them for exactly the same reasons. However, following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure, including education, traffic and access to local medical services. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate, therefore, that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework
<b>Proposed Change Requested</b>	Remove H2730a from the plan.
<b>Council Response</b>	No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows

the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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 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. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1044668**

**Mr Rodney Hirst**

Agent:

Rep ID: **PDLP\_AD445**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2730a from the plan.

**Council Response**

No change. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrate ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological

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impacts in line with Policy PLP30. Such measures may involve the retention of habitats. 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1045321 Mr Patrick Marper**

Agent:

Rep ID: **PDLP\_AD3609**

### **Soundness - Justified**

Site drains surface water into Beldon Brook and on to Fenay Beck, which floods regularly. Unacceptable volume of traffic on Penistone Road. The development would join up Highburton and Lepton, contrary to purposes of the Green Belt. The amount of development proposed in the area is an unacceptable use of the Green Belt.

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

This is inappropriate use of the Green Belt in contravention of NPPF.

### **Proposed Change Requested**

Retain site as Green Belt

### **Council Response**

No change The site has been considered by the council's drainage team and no major constraints have been identified. 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. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.

Paragraph/Site: **H2730a**

Consultee: **1045848 Mrs Toni Rios**

Agent: **1045846 Mr Christopher Yapp**

Rep ID: **PDLP\_AD384**

### **Soundness - Justified**

This site does not have a significant individual traffic impact on the motorway network but, by virtue of its location or proximity to other proposed developments, it may need to contribute to additional schemes identified in the Infrastructure Delivery Plan if committed schemes will not provide sufficient capacity. 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**

The 'constraints' section of the site description does not indicate that any additional mitigation on the wider highway network will be required. It is considered that the cumulative effect in combination with other proposed allocations may necessitate additional highway mitigation. A statement should be added saying that "development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". 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

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SRN (but that may contribute towards cumulative impact).

Paragraph/Site: **H2730a**

Consultee: **1045883 Mr Jeff Ellis**

Agent:

Rep ID: **PDLP\_AD680**

### **Legally Compliant**

The adopted version of the Kirklees statement of community involvement is a basic document of non committal on behalf of the council, it lacks content and context and is evaluatively incomparable with neighbouring councils SCI's. The Kirklees council SCI document neither clarifies or specifies K.M.C's commitment to engage community involvement in planning or its policy's, making the document ineffective. The council have not met their legal obligations regarding community involvement as outlined within 'Kirklees a place to grow, Statement of community Involvement, adopted version September 2015' ( SCI ). As such, The National Planning Policy Framework, 2012, Paragraph 155 ( NPPF, 155 ) has been ignored. The process for the local community has not been 'transparent' . KMC's website set up for general public use is difficult, time consuming and virtually unnavigatable . It requires prior knowledge of planning terminology and site specific information. The online paper trails of related documentation attaining to the PDLP is long, heavy and unsuitable for 'community use'. The council have not provided a feedback report 'documenting the level and nature of comments made' or 'how comments have been used to inform the next stage' for the PDLP.

### **Soundness - Positively Prepared**

No feedback report has been produced detailing how the community's comments on the original sites have shaped the council's subsequent decisions. Also, no further requests for consultations have been made due to the modifications to the original sites. As set out in K.M.C's SCI (2.18). As a result the council have gone against their own SCI and aim of consultation to 'consult relevant groups where a proposal will directly affect them' (KMC, SCI, 2. 4).

### **Soundness - Justified**

The proposed development Sites H31, H2684a and H2730a comprise entirely of land which is classified as Green Belt If these sites are accepted for the PDLP, the village of Lepton will be one field away from the villages of Highburton and Kirkburton, to the south representing urban sprawl. There are a significant number of brownfield sites available in Kirklees that developers are 'sitting on', the council are in agreement. Further financial pressure needs to be put on these parcels of land/ their ownership by the government in the way of land tax to promote regeneration of brownfield sites and prevent the unnecessary use of greenbelt. National developers have already submitted a proposal to K.M.C on H2684a and H2730a, highly presumptive. Rather than the council putting pressure on the developers and discluding these green belt sites as set out in the councils PDLP greenbelt review (2.12), they are encouraging the opposite. Kirklees has failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. The council believe that exceptional circumstance for removing sites H2684a and H2730a from the green belt is a need for housing in the district. The need for housing is nationwide and not exceptional. Castle Hill is a scheduled ancient monument and recognised as one of the most distinctive and prominent landscape features in the region, it maintains the openness which is fundamental to the character of the area and this must be given careful consideration in any review of the green belt in this location' (KMC. Green Belt Review, 2016. 2.24). Sites H2684a & H2730a are part of the setting of Castle Hill. Greenbelt edge Sites H2684a and H2730a are greenbelt edge, that should have been assessed by K.M.C in accordance with their Green Belt Review , 2016 (3) . Following K.M.C's simple qualitative 'methodology' within this document, sites H2684a and H26730 do not pass the test 1 which tests- 1a) topography constraints, 1b)physical constraints and 1C) environmental constraints. The councils 'methodology' in accessing greenbelt edge tests 1b and 1c which are qualitative in nature, should be further expanded to engage a wider perspective to draw an accurate conclusion on 'likely scales of development'. This cannot be assessed through the physical scale of sites alone but should also be accessed on the 'sustainability of development'. So to draw an accurate conclusion greenbelt edge tests 1b and 1c should be assessed against the number of constraints and the 'likely scale and sustainability of a possible development'.

### **Proposed Change Requested**

Kirklees need to follow National / their own local processes & policies. The process then needs to be executed without creating a trail that is difficult / impossible to follow for the majority of consultees

### **Council Response**

No change.The council's Statement of Community Involvement (BP4) 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.All comments were considered as part of the pre-submission process and published on the council's website.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation (SD12). This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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. The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. This large site (H2730a) is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

Paragraph/Site: **H2730a**

Consultee: **1045983 Mr Andrew Peaden**

Agent:

Rep ID: **PDLP\_AD485**

**Soundness - Justified**

The Council initially rejected the site on the grounds that there can be no justifications for removing the site or any part of it from the green belt, they then reconfigured the site but rejected it for exactly the same reasons. 2. This site erodes the Green Belt. 3. The Council has failed to properly assess the impact on the local infrastructure including education or traffic: Local primary schools are already full. Local roads are already clogged with traffic. Local bus services do not provide sufficient capacity to carry more residents at peak times. Other local services such as doctors, dentists, nursery provision, are either overstretched or inadequate in the local area. 4. The developments rely entirely on robust third party agreements which are not in place. 5. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 6. The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

Remove Site H2730a

**Council Response**

No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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

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on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1046693 Mrs Judy Sys**

Agent:

Rep ID: **PDLP\_AD183**

### Soundness - Positively Prepared

Green Belt - In the past some of the proposed sites in the green belt did not meet the requirements for development, It now appears that there are no barriers to using land designated as 'green belt'. I was brought up to think that 'green belt' land would never be built on, whatever the circumstances. It was designated as 'green belt land' for a reason many years back but now those reasons have just been ignored.

### Soundness - Justified

The following topic areas have not been considered in relation to the site; schools, highways, welfare and recreation, green belt and the requirements of government.

### Proposed Change Requested

A substantial reduction in the number of dwellings planned. That local brownfield sites are reviewed and re-considered before taking the present plan further.

### Council Response

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. 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.

Paragraph/Site: **H2730a**

Consultee: **1048002 Mrs Katharine McNab**

Agent:

Rep ID: **PDLP\_AD261**

### Soundness - Positively Prepared

This is not a proportionate amount of homes to be added to this small community which will increase the village population by around 28%. Brown field sites, according to national policy, should be considered before Green field sites

### Soundness - Effective

The council has no regard to any possible contingency arrangements and/or alternative strategies should its calculation of the likely number of school age children arising from 850+ homes, traffic modelling at Penistone Road and Wakefield Road or of the forecasted number of people needing to attend the local GP service and the health service as a whole are inaccurate.

### Proposed Change Requested

Consider all the sites in the Lepton / Fenay Bridge area as a whole instead of individual sites as the whole amount of development will change the village infrastructure. All brownfield sites should be considered.

### 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. 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 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

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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: **H2730a**

Consultee: **1048600 Dr Mair Tunstall**

Agent:

Rep ID: **PDLP\_AD402**

**Soundness - Positively Prepared** This proposal contravenes the council's own policies.

**Soundness - Justified** The plan is unsound. There are no "exceptional circumstances" to justify removing this site from the green belt. The council has failed to assess the impact on local traffic, including at the start and end of the school day when traffic is at its worse. The projected numbers of school children is grossly underestimated and the effect on primary care services has not been taken into account, including impact on villages beyond Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.

**Soundness - Consistent with National Policy** This proposal contravenes the National Planning Policy Framework.

**Proposed Change Requested** Remove sites H2730a, H2684a and H31 from the plan.

**Council Response** No Change The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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). 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1049026 Mr Graham Pickles**

Agent:

Rep ID: **PDLP\_AD420**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to

reject them twice but then to include them in the plan. It can be asserted that the Plan fails the Soundness Test laid down in the NPPF because it cannot be Justified as Kirklees has not considered all reasonable alternatives, based on proportionate evidence; The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity The Council has not put forward any mitigation to lessen such impacts

**Soundness - Consistent with National Policy**  
**Proposed Change Requested**  
**Council Response**

It is not Consistent with national policy as Kirklees has not provided any evidence that demonstrates the “exceptional circumstances” that would permit such developments in the Green Belt as proposed by this PLDP especially since Kirklees previously rejected the sites.

To remove Sites H2730a, H2684a and H31 from the Plan

No change.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options.As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states:‘When defining green belt boundaries, local planning authorities should:(last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable.The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.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.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.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. 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.

Paragraph/Site: H2730a

Consultee: 1049122 Mr Anthony Carter

Agent:

Rep ID: PDLP\_AD398

**Soundness - Justified**

1. The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to



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reject them twice but then to include them in the plan. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2730a from the plan.

**Council Response**

No ChangeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable.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).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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1049185 Mrs Carol Mayo**

Agent:

Rep ID: **PDLP\_AD478**

**Soundness - Justified**

I believe the Local Plan is unsound in relation to the this site because the Draft Local Plan fails to mention any due diligence that has been undertaken to establish and record Air Pollution readings along the Penistone Road, principal trunk road from Huddersfield to Sheffield, during high and low traffic volumes in winter and summer

**Proposed Change Requested**

Remove H2730a from the plan.

**Council Response**

No change.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). No objections were raised by Environmental Health in relation to this site option. The site box for H2730A in the Publication Draft Local Plan Allocations and Designations document (SD2) refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

Paragraph/Site: **H2730a**

Consultee: **1049209 Mrs Barbara Jenkinson**

Agent:

Rep ID: **PDLP\_AD433**

**Soundness - Justified**

Development here would cause irreversible damage to their natural habitat & the area in general. Kirklees do not appear to have any plans in place to lessen the effect this development will have on the wildlife. This is a drainage area which needs to be retained A development as big as this will have a disastrous

effect on the area/village. The infrastructure cannot cope - schools are full to bursting, roads choc-a-bloc, doctors & dentists full. Sewers and drains are old and will not be able cope. There are no amenities for young people, there is nothing for them to do. It is unsound as all Kirklees are doing is building houses, no proposals to add or provide improvement to the areas in question. Third party cooperation and consent is still required

**Proposed Change Requested**

Remove the site.

**Council Response**

No change.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.This large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.The site allocation text for this site includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplan also demonstrates ‘buffer zones’ in this area. Full technical consultations were carried out.In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.The site has been considered by the council's drainage team and no major constraints have been identified.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.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. It is not within the remit of the Local Plan process to allocate land specifically for amenities for young people.In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1049294 mr arragon**

Agent:

Rep ID: **PDLP\_AD1959**

**Soundness - Justified**

The Council has failed to independently assess the impact on the infrastructure including education and traffic. There is no justification for removing the sites or any part of them from the green belt. The Council has failed to recognise that the development will result in the irreversible destruction of bird and animal habitat with a dramatic impact on biodiversity.

**Proposed Change Requested**

Remove site H2730a from the plan.

**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. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. The site allocation text for both these sites includes mitigation measures which will protect the

environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1049297 Mr Frank Thackray**

Agent:

Rep ID: **PDLP\_AD2333**

**Soundness - Positively Prepared**

- Council initially rejected the sites on the grounds that there can be no justification for removing the sites or any part of them from the green belt, then reconfigured the sites but rejected them for the same reasons. Following further reconfiguration the council accepted the sites on the grounds that the need for housing outweighed the need for green belt. Defies logic, they are the same sites. Doesn't make sense to reject them twice but then include them in the plan.

**Soundness - Justified**

- Council has failed to properly assess the effect on local infrastructure including education and traffic. -Development relies heavily on robust third party agreements which are not in place. Council can only speculate that they will go ahead. -Development will result in irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation to lessen impact has been put forward by the council. -Council is contravening its own policies and National Planning Framework. -You only lose green belt once and when it is gone it is gone.

**Proposed Change Requested**

Remove H31, H2730A AND H2648A from the plan

**Council Response**

No change The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes

mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

Paragraph/Site: **H2730a**

Consultee: **1049298 Mrs J Ellis**

Agent:

Rep ID: **PDLP\_AD688**

**Legally Compliant**

The adopted version of the Kirklees statement of community involvement is a basic document of non committal on behalf of the council, it lacks content and context and is evaluatively incomparable with neighbouring councils SCI’s. The Kirklees council SCI document neither clarifies or specifies K.M.C’s commitment to engage community involvement in planning or its policy’s, making the document ineffective. The council have not met their legal obligations regarding community involvement as outlined within ‘Kirklees a place to grow, Statement of community Involvement, adopted version September 2015’ ( SCI ). As such, The National Planning Policy Framework, 2012, Paragraph 155 ( NPPF, 155 ) has been ignored. The process for the local community has not been ‘transparent’ . KMC’s website set up for general public use is difficult, time consuming and virtually unnavigatable . It requires prior knowledge of planning terminology and site specific information. The online paper trails of related documentation attaining to the PDLP is long, heavy and unsuitable for ‘community use’. The council have not provided a feedback report ‘documenting the level and nature of comments made’ or ‘how comments have been used to inform the next stage’ for the PDLP.

**Soundness - Positively Prepared**

No feedback report has been produced detailing how the community’s comments on the original sites have shaped the council’s subsequent decisions. Also, no further requests for consultations have been made due to the modifications to the original sites. As set out in K.M.C’s SCI (2.18). As a result the council have gone against their own SCI and aim of consultation to ‘consult relevant groups where a proposal will directly affect them’ (KMC, SCI, 2. 4).

**Soundness - Justified**

The proposed development Sites H31, H2684a and H2730a comprise entirely of land which is classified as Green Belt If these sites are accepted for the PDLP, the village of Lepton will be one field away from the villages of Highburton and Kirkburton, to the south representing urban sprawl. There are a significant number of brownfield sites available in Kirklees that developers are ‘sitting on’, the council are in agreement. Further financial pressure needs to be put on these parcels of land/ their ownership by the government in the way of land tax to promote regeneration of brownfield sites and prevent the unnecessary use of greenbelt. National developers have already submitted a proposal to K.M.C on H2684a and H2730a, highly presumptive. Rather than the council putting pressure on the developers and discluding these green belt sites as set out in the councils PDLP greenbelt review (2.12), they are encouraging the opposite. Kirklees has failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. The council believe that exceptional circumstance for removing sites H2684a and H2730a from the green belt is a need for housing in the district. The need for housing is nationwide and not exceptional. Castle Hill is a scheduled ancient monument and recognised as one of the most distinctive and prominent landscape features in the region, it maintains the openness which is fundamental to the character of the area and this must be given careful consideration in any review of the green belt in this location’ (KMC. Green Belt Review, 2016. 2.24). Sites H2684a & H2730a are part of the setting of Castle Hill. Greenbelt edge Sites H2684a and H2730a are greenbelt edge, that should have been assessed by K.M.C in accordance with their Green Belt Review , 2016 (3) . Following K.M.C’s simple qualitative ‘methodology’ within this document, sites H2684a and H26730 do not pass the test 1 which tests- 1a) topography constraints, 1b)physical constraints and 1C) environmental constraints. The councils ‘methodology’ in accessing greenbelt edge tests 1b and 1c which are qualitative in nature, should be further expanded to engage a wider perspective to draw an accurate conclusion on ‘likely scales of development’. This cannot be assessed through the physical scale of sites alone but should also be accessed on the ‘sustainability of development’. So to draw an accurate conclusion greenbelt edge tests 1b and 1c should be assessed against the number of constraints and the ‘likely scale and sustainability of a possible development’.

**Proposed Change Requested**

Removal of sites from the plan

**Council Response**

No change.The council’s Statement of Community Involvement (BP4) 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.All comments were considered as part of the pre-submission process and published on the council’s website.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the

council's Statement of Pre-Consultation (SD12). This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of 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. The local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate. This large site (H2730a) is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook.

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Paragraph/Site: **H2730a**

Consultee: **1049321 Mr David Jordan David**

Agent:

Rep ID: **PDLP\_AD526**

**Soundness - Justified**

Infrastructure issues have not been adequately dealt with in the planning report. These include Education, Transport, Health and the environment within the village. The approach to green belt land which results in the plan failing to meet the soundness test. Aspects of the plan appear to be neither justified nor consistent with national or local policy guidelines which both emphasise the need to conserve and enhance the natural and historic environment, including landscape. Site H2730a immediately adjoins Lepton Great Wood which is ancient woodland, a site of scientific interest and a local geological site. The Kirklees own policy document PLP30 states that proposals having a direct or indirect adverse effect on local geological sites, ancient woodland, will not be permitted unless the development can be shown to be of an overriding public interest and there are no alternative means to deliver the proposal. In 2001 Kirklees spent significant energy and resources fighting to have this same site protected from development. An independent government inspector was appointed and visited the site. He walked through the woods prior to a public hearing and he concluded that the adjoining fields should be "kept permanently open." The inspector referred to walking within the woods and stressed the importance of the open views to the enjoyment of those using and enjoying the woodland environment. I attended that hearing and noted that Kirklees fully supported the inspectors views. The fields immediately adjacent to Lepton Great Wood demand very special consideration given their position in relation to the Lepton Great Wood. Previous opinion has supported this view and it should not be ignored because the site is "required for "objectively assessed housing need" or because a land owner is prepared to sell for development purposes. I believe planning policies are in place to deal with such cases as this and I believe that, at the moment, the Kirklees plan is not sound in relation to development on this site. The plan does not seem regard this site as unique in any way although, in its sustainability appraisal Para 4.69-4.70, it recognises the potential adverse effects on bio-diversity of developing close to sites of special scientific interest (ie Lepton Great Wood). In Para 4.7 there is discussion regarding the distance at which negative effects might be noticed and these ranged from 250 metre to one kilometre from vulnerable sites. In the revised plans Kirklees appears to make a token acknowledgment to the problem by suggesting a 25 metre buffer zone. I believe this is a totally inadequate response as Kirklees appears to be ignoring its own best evidence and its resultant plans must therefore be open to question and potentially unsound.

**Proposed Change Requested**

Remove site H2730a from the local plan

**Council Response**

No change. 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).

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Paragraph/Site: **H2730a**

Consultee: **1049346 Mrs Tracy Sykes**

Agent:

Rep ID: **PDLP\_AD510**

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

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<b>Soundness - Positively Prepared</b>	Use of this site is contrary to Council policies.
<b>Soundness - Justified</b>	There is no justification for removing these sites from the green belt. The Council has failed to properly assess the impact on local infrastructure including education or traffic and development will destroy natural habitats thereby impacting on local biodiversity.
<b>Soundness - Effective</b>	There is no evidence that development of the site is viable.
<b>Soundness - Consistent with National Policy</b>	Use of this site is contrary to the National Planning Policy Framework.
<b>Proposed Change Requested</b>	Delete sites H2730a, H2684a and H31.
<b>Council Response</b>	<p>No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.</p>

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Paragraph/Site: **H2730a**

Consultee: **1049358 Mrs Cynthia Standing**

Agent:

Rep ID: **PDLP\_AD529**

<b>Soundness - Justified</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The
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<p><b>Proposed Change Requested</b></p> <p><b>Council Response</b></p>	<p>Council has not put forward any mitigation to lessen such impacts. The council is contravening its own policies and the National Planning Policy Framework.</p> <p>remove H2730a from the plan.</p> <p>No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.</p>
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<p>Paragraph/Site: <b>H2730a</b></p>	<p>Consultee: <b>1049374</b></p>	<p><b>Mr William Tunstall</b></p>	<p>Agent:</p>	<p>Rep ID: <b>PDLP_AD546</b></p>
<p><b>Soundness - Positively Prepared</b></p>	<p>In the original proposal, sites H32 and H334 were rejected as there were no "exceptional circumstances" to justify removing them from the greenbelt. There were then 2 reconfigurations that ultimately included these sites into the final H2684a. If there was no justification for removing them from the greenbelt in the original plan, then there is still no justification for removing these sites from the greenbelt.</p>			
<p><b>Soundness - Justified</b></p>	<p>The council has failed to assess the impact on local traffic. This needs to be assessed at a time of day when traffic is at its worst especially at the start and end of the school day, to get a true picture of the impact the development will have on infrastructure. The projected numbers of school aged children as a result of this number of dwellings is grossly underestimated. I do not believe the council have taken into account the effect this development will have on primary care services. Lepton Surgery provides services to Lepton and Kirkheaton. The size of this development will therefore not only affect the provision of primary care in the immediate vicinity but will have a direct impact on a village 4 miles away and therefore impacting GP access over a larger population than just Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.</p>			
<p><b>Soundness - Consistent with National Policy</b></p>	<p>This proposal contravenes the council own policies on the use of Brown Field sites first and the National Planning Policy Framework.</p>			

**Proposed Change Requested** Remove Sites H2730a, H2684a, H31 from the plan

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

<b>Council Response</b>	<p>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 individual site assessment <a href="https://www.kirklees.gov.uk/beta/planning-policy/pdf/accepted-site-options-technical-appraisals-2016.pdf">https://www.kirklees.gov.uk/beta/planning-policy/pdf/accepted-site-options-technical-appraisals-2016.pdf</a> provides the justification and evidence for allocating this site.The Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact: <a href="https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/TransportInfrastructure/Infrastructure-Development-Plan.pdf">https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/TransportInfrastructure/Infrastructure-Development-Plan.pdf</a> <a href="https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/transportInfrastructure/Infrastructure-Development-Plan-Addendum-2016.pdf">https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/transportInfrastructure/Infrastructure-Development-Plan-Addendum-2016.pdf</a><a href="https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/methodologyTechnicalPapers/Infrastructure-Technical-Paper-2016.pdf">https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/methodologyTechnicalPapers/Infrastructure-Technical-Paper-2016.pdf</a></p>		
Paragraph/Site: <b>H2730a</b>	Consultee: <b>1049374 Mr William Tunstall</b>	Agent:	Rep ID: <b>PDLP_AD578</b>
<b>Soundness - Positively Prepared</b>	<p>In the original proposal, sites H455 and H659 were rejected as there were no "exceptional circumstances" to justify removing them from the greenbelt. There were then 2 reconfigurations that ultimately included these sites into the final H2730a. If there was no justification for removing them from the greenbelt in the original plan, then there is still no justification for removing these sites from the greenbelt.</p>		
<b>Soundness - Justified</b>	<p>The council has failed to assess the impact on local traffic. This needs to be assessed at a time of day when traffic is at its worst especially at the start and end of the school day, to get a true picture of the impact the development will have on infrastructure. The projected numbers of school aged children as a result of this number of dwellings is grossly underestimated. I do not believe the council have taken into account the effect this development will have on primary care services. Lepton Surgery provides services to Lepton and Kirkheaton. The size of this development will therefore not only affect the provision of primary care in the immediate vicinity but will have a direct impact on a village 4 miles away and therefore impacting GP access over a larger population than just Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.</p>		
<b>Soundness - Consistent with National Policy</b>	<p>This proposal contravenes the council's own policies and the National Planning Policy Framework.</p>		
<b>Proposed Change Requested</b>	<p>Remove H2730a, H268a and H31 from the plan.</p>		
<b>Council Response</b>	<p>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 draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the</p>		



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

new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. The Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact: 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. 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.

Paragraph/Site: **H2730a**

Consultee: **1049391 Miss Lucie Jennings**

Agent:

Rep ID: **PDLP\_AD750**

### **Soundness - Justified**

There are too many concerns about this proposal affecting the local habitat and wildlife for this to be a sound idea. It would lead to loss of public access paths and the council has noted that it is sceptical about the proposal in the technical document.

### **Proposed Change Requested**

To remove site H2730a.

### **Council Response**

No change. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. A public right of way crosses the site and is recognised as a constraint in the site allocation text box set out in Publication Draft Local Plan Site Allocations and Designations document (SD2). The potential impact on this would be considered in detail as part of any future planning application.

Paragraph/Site: **H2730a**

Consultee: **1049417 Mr Dave Tunstall**

Agent:

Rep ID: **PDLP\_AD574**

### **Soundness - Positively Prepared**

In the original proposal, sites H455 and H659 were rejected as there were no "exceptional circumstances" to justify removing them from the greenbelt. There were then 2 reconfigurations that ultimately included these sites into the final H2730a. If there was no justification for removing them from the greenbelt in the original plan, then there is still no justification for removing these sites from the greenbelt.

### **Soundness - Justified**

The council has failed to assess the impact on local traffic. This needs to be assessed at a time of day when traffic is at its worst especially at the start and end of the school day, to get a true picture of the impact the development will have on infrastructure. The projected numbers of school aged children as a result of this number of dwellings is grossly underestimated. I do not believe the council have taken into account the effect this development will have on primary care services. Lepton Surgery provides services to Lepton and Kirkheaton. The size of this development will therefore not only affect the provision of primary care in the immediate vicinity but will have a direct impact on a village 4 miles away and therefore impacting GP access over a larger population than just Lepton. The development will result in an irreversible destruction of natural habitat and impact on biodiversity.

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

This proposal contravenes the council's own policies to use Brown Field sites first and the National Planning Policy Framework.

### **Proposed Change Requested**

Remove H2730a, H2684a and H31 from the plan.

### **Council Response**

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 Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact: 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. 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.

Paragraph/Site: **H2730a**

Consultee: **1049467 Mrs Helene Pickles**

Agent:

Rep ID: **PDLP\_AD611**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. 2. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 3. The developments rely entirely on robust third party agreements which are not in place. 4. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. 5. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2730a from the plan.

**Council Response**

No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website.

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Paragraph/Site: **H2730a**

Consultee: **1049578 Mr Peter Moss**

Agent:

Rep ID: **PDLP\_AD1139**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2730a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options.As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: 'When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates 'buffer zones' in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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

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Paragraph/Site: **H2730a**Consultee: **1049739 Mary Moss**

Agent:

Rep ID: **PDLP\_AD1146****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove site H2730a from the plan.

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options.As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states:‘ When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**Consultee: **1049769 Amy Moss**

Agent:

Rep ID: **PDLP\_AD1151****Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The council is contravening its own policies and the National Planning Policy Framework

**Proposed Change Requested**

Remove H2730a from the plan

**Council Response**

No changeThe draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon

Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. 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. 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 site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

Paragraph/Site: **H2730a**

Consultee: **1050041 Mr Jordan Ellis**

Agent:

Rep ID: **PDLP\_AD766**

**Legally Compliant**

The adopted version of the Kirklees statement of community involvement is a basic document of non committal on behalf of the council, it lacks content and context and is evaluatively incomparable with neighbouring councils SCI’s. The Kirklees council SCI document neither clarifies or specifies K.M.C’s commitment to engage community involvement in planning or its policy’s, making the document ineffective. The council have not met their legal obligations regarding community involvement as outlined within ‘Kirklees a place to grow, Statement of community Involvement, adopted version September 2015’ ( SCI ). As such, The National Planning Policy Framework, 2012, Paragraph 155 ( NPPF, 155 ) has been ignored. The process for the local community has not been ‘transparent’ . KMC’s website set up for general public use is difficult, time consuming and virtually unnavigatable . It requires prior knowledge of planning terminology and site specific information. The online paper trails of related documentation attaining to the PDLP is long, heavy and unsuitable for ‘community use’. The council have not provided a feedback report ‘documenting the level and nature of comments made’ or ‘how comments have been used to inform the next stage’ for the PDLP.

**Soundness - Positively Prepared**

No feedback report has been produced detailing how the community’s comments on the original sites have shaped the council’s subsequent decisions. Also, no further requests for consultations have been made due to the modifications to the original sites. As set out in K.M.C’s SCI (2.18). As a result the council have gone against their own SCI and aim of consultation to ‘consult relevant groups where a proposal will directly affect them’ (KMC, SCI, 2. 4). Due to the modifications made without further consultations, to the original draft plan, the community has not had an opportunity to comment on the new, reconfigured Sites prior to this representation. The original draft plan which the community commented on has been rejected and amended so the community’s original (and only) submissions can neither be used in the councils audit trail at examination to determine the soundness of inclusion of these sites in the local plan or be submitted to the inspector. As such, H2684a and H2730a should be removed from the PDLP as the council can not fulfil their duty to the inspector or community on these sites.

**Soundness - Justified**

The proposed development Sites H31, H2684a and H2730a comprise entirely of land which is classified as Green Belt If these sites are accepted for the PDLP,

the village of Lepton will be one field away from the villages of Highburton and Kirkburton, to the south representing urban sprawl. There are a significant number of brownfield sites available in Kirklees that developers are 'sitting on', the council are in agreement. Further financial pressure needs to be put on these parcels of land/ their ownership by the government in the way of land tax to promote regeneration of brownfield sites and prevent the unnecessary use of greenbelt. National developers have already submitted a proposal to K.M.C on H2684a and H2730a, highly presumptive. Rather than the council putting pressure on the developers and discluding these green belt sites as set out in the councils PDLP greenbelt review (2.12), they are encouraging the opposite. Kirklees has failed to identify any exceptional circumstances to demonstrate why the proposed Sites should be developed. The council believe that exceptional circumstance for removing sites H2684a and H2730a from the green belt is a need for housing in the district. The need for housing is nationwide and not exceptional. Castle Hill is a scheduled ancient monument and recognised as one of the most distinctive and prominent landscape features in the region, it maintains the openness which is fundamental to the character of the area and this must be given careful consideration in any review of the green belt in this location' (KMC. Green Belt Review, 2016. 2.24). Sites H2684a & H2730a are part of the setting of Castle Hill. Greenbelt edge Sites H2684a and H2730a are greenbelt edge, that should have been assessed by K.M.C in accordance with their Green Belt Review, 2016 (3). Following K.M.C's simple qualitative 'methodology' within this document, sites H2684a and H2730 do not pass the test 1 which tests- 1a) topography constraints, 1b) physical constraints and 1c) environmental constraints. The councils 'methodology' in accessing greenbelt edge tests 1b and 1c which are qualitative in nature, should be further expanded to engage a wider perspective to draw an accurate conclusion on 'likely scales of development'. This cannot be assessed through the physical scale of sites alone but should also be assessed on the 'sustainability of development'. So to draw an accurate conclusion greenbelt edge tests 1b and 1c should be assessed against the number of constraints and the 'likely scale and sustainability of a possible development'.

**Proposed Change Requested**

Remove site H2730a from the plan.

**Council Response**

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. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. 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 site represents an incursion into the Green Belt however this large site is contained by the edge of Lepton to the west, Lepton Great Wood to the east and follows field boundaries, so there is little risk of sprawl or further encroachment. While this is an area of countryside its degree of containment limits its relationship to the wider countryside. The site would be large enough to allow a buffer with the woodland to the east to protect its habitats and in the south to maintain a buffer with the brook

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Paragraph/Site: **H2730a**

Consultee: **1050094 mr Christopher Pate**

Agent:

Rep ID: **PDLP\_AD792**

**Soundness - Justified**

The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

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

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**Soundness - Consistent with National Policy**

The council is contravening its own policies and the National Planning Policy Framework.

**Proposed Change Requested**

To remove site H2730a from the plan.

**Council Response**

No change. The draft Local Plan included accepted sites H32 (immediately adjacent to Penistone Road), H334 (the south western portion adjacent to Beldon Brook), H659 (the middle portion of the land area) and H455 (the north eastern portion of the land area). Historically, the four site options were based on data from the Strategic Housing Land Availability Assessment. Since the land ownership of H32 and H334 are the same (and there are no third party land issues) it was sensible to create a new site option to combine both sites – hence the creation of H2684. Similarly, the land ownerships of H659 and H455 are the same – hence the creation of H2730. As the development of H659 could not happen feasibly in isolation, this was another determinant as to combine the accepted site options. As work on the Local Plan progressed following the draft, it was essential to analyse the new green belt boundaries that would result from accepting the proposed site options. In doing so, the Council has to consider para. 85 of the NPPF (National Planning Policy Framework) which states: ‘When defining green belt boundaries, local planning authorities should: (last bullet) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.’ Upon analysis of the newly created H2684 and H2730 it became apparent that both south eastern boundaries of these options did not follow strong physical features of the ground to create a defensible green belt boundary and thus would not comply with para. 85 of NPPF. A decision was taken therefore to create new site options again – H2684a and H2730a which provided an amended southern site boundary that follows the physical features of Lepton Great Wood and Beldon Brook – permanent features and readily recognisable. Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt. 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 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. In terms of land ownership, the Council can confirm that the Council has received a letter from the owner of UGS930 which makes the land available for development i.e a willing landowner, this information was available at the draft Local Plan stage and is publically viewable on the website. The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats.

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Paragraph/Site: **H2730a**

Consultee: **1060077 Mr Robert Edward Doyle**

Agent:

Rep ID: **PDLP\_AD1756**

**Soundness - Justified**

The land is quality, lowland farm and meadow land which provides good grazing and arable. It provides habitat for the biodiversity and wildlife, including mammals, birds, insects, plant species.. The land supports and protects the woodland. The woodland supports and protects Human Population. It is necessary part of the ecosystem to provide Oxygen and Clean Air. It provides Quality Air levels. It supports the Clean Air Act. The Wood is Ancient. I believe it could be SSSI Status, if the owners were sympathetic to the woodland. The status could be upgraded. Most woodland is strip long and provides only a curtain for screening urban sprawl and the industrial landscape of Huddersfield. Due to pressure of population some wildlife has decline or has been eradicated. The area is home to a diverse range of Wildlife including Bats, Weasels, Stoats, Badgers, Foxes, Owls, Buzzards, Robins, Blue tits, Starlings, Wood Peckers, Woodcock, Kingfishers, Kestrel’s, Sparrow Hawks, Heron’s, Mallard, Doves, Wood pigeon, Jays, Rabbits and Hares. Object to the permanent damage to the environment and urban sprawl and creating a conurbation. The traffic congestion is already significant, dangerous and to levels which are not safe.

**Council Response**

No Change The site allocation text for both these sites includes mitigation measures which will protect the environmental amenity of the wood and the brook. The indicative masterplans also demonstrates ‘buffer zones’ in these areas. Full technical consultations were carried out on both site options. In addition

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

proposed modification AD-MM9 specifically refers to avoidance, mitigation or compensation measures being required to address any identified adverse ecological impacts in line with Policy PLP30. Such measures may involve the retention of habitats. 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). No objections were raised by Environmental Health in relation to this site option. The site box for H2684a refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

Paragraph/Site: **H616**

Consultee: **943645**

**Mrs Shirley Barraclough**

Agent:

Rep ID: **PDLP\_AD1130**

**Soundness - Positively Prepared** The Council initially rejected this, and other sites in the Lepton/Fenay Bridge area on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. The council then reconfigured the site(s) on the grounds that the need for housing outweighed the need for green belt. They are the same sites, so this is not logical. Why reject them twice and then INCLUDE them in the plan?

**Soundness - Justified** The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The entrance road of this site is already congested with parking and traffic at drop off & pick up times at the local private nursery, school breakfast and after school club and the JI&N school - all of which are in a few hundred yards. This road is used for the 19 houses to travel to town, to the M1 and M62 motorways and Wakefield, so is already busy. The 2 local schools are full to capacity. Some local residents cannot get both their sibilings into either of the 2 schools and have to travel to another area with one of the sibilings. Lepton Great Wood is adjacent to this site, and any development will result in the destruction of natural habitats, with a dramatic impact on local biodiversity. The Council has not taken into consideration the effect that the whole Plan, which includes this site (H2684a with 286 houses) AND sites H638 (30 houses), Site H2730a (312houses), Site H31,(68 houses) Site H684,(123 houses) and Site H616,(32 houses) which are in very close proximity. They will increase the population of Lepton and Fenay Bridge by 28%, which impacts on all the above points.

**Soundness - Effective** The developments rely entirely on third party agreements, which are not even in place yet. The Council is only speculating that the developments can go ahead.

**Soundness - Consistent with National Policy** The Council is contravening its own policies and the National Planning Policy Framework because it has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the Plan. In relation to this site in 2001 a Government Inspector ruled that "I have come to the planning judgement that it is part of the countryside which is desirable to keep PERMANENTLY open and that any development of the site would encroach into the countryside ..... and I am satisfied that there is no compelling reason to exclude the site from the Green Belt"

**Proposed Change Requested** To remove H2684a, H2730a and H31 sites from the Plan.

**Council Response** No change. The site is an accepted housing option. Site access achievable onto Wakefield Road and Fenay Bridge Road. The site has been assessed for its impact on the local road network and no significant constraints have been identified. The site has been considered for its impact on biodiversity and no major constraints have been identified. 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 Local Plan is supported by an Infrastructure Delivery Plan which sets out the required Infrastructure to support the spatial strategy outlined in the Local Plan. Elements of local character and amenity can be considered as part of any planning application for development of the site. The sloping nature of the site is not considered an overriding constraint to the site's allocation. Slope can be considered in the layout of any future development.

Paragraph/Site: **H616**

Consultee: **1043836**

**Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3825**

**Soundness - Positively Prepared** Site H616 is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. The site is unsustainable in conjunction with the other proposed sites but may be acceptable if it were the only development. The Local Plan process has been difficult to follow.

**Soundness - Justified** The positive aspects of this site have been overestimated but the overall judgement is sound.

**Proposed Change Requested** Reduce the overall quantity of housing allocations in the Lepton and Fenay Bridge area.



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

**Council Response** No change.The site in an accepted housing option. Site access achievable onto Wakefield Road and Fenay Bridge Road.The site has been assessed for its impact on the local road network and no significant constraints have been identified.The site has been considered for its impact on biodiversity and no major constraints have been identified.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 Local Plan is supported by an Infrastructure Delivery Plan which sets out the required Infrastructure to support the spatial strategy outlined in the Local Plan.Elements of local character and amenity can be considered as part of any planning application for development of the site.The sloping nature of the site is not considered an overriding constraint to the site's allocation. Slope can be considered in the layout of any future development.

Paragraph/Site: **H616**

Consultee: **1060077**

**Mr Robert Edward Doyle**

Agent:

Rep ID: **PDLP\_AD1762**

### **Soundness - Justified**

The land is quality, lowland farm and meadow land which provides good grazing and arable. It provides habitat for the biodiversity and wildlife, including mammals, birds, insects, plant species.. The land supports and protects the woodland. The woodland supports and protects Human Population. It is necessary part of the ecosystem to provide Oxygen and Clean Air. It provides Quality Air levels. It supports the Clean Air Act. The Wood is Ancient. I believe it could be SSSI Status, if the owners were sympathetic to the woodland. The status could be upgraded. Most woodland is strip long and provides only a curtain for screening urban sprawl and the industrial landscape of Huddersfield. Due to pressure of population some wildlife has decline or has been eradicated. The area is home to a diverse range of Wildlife including Bats, Weasels, Stoats, Badgers, Foxes, Owls, Buzzards, Robins, Blue tits, Starlings, Wood Peckers, Woodcock, Kingfishers, Kestrel's, Sparrow Hawks, Heron's, Mallard, Doves, Wood pigeon, Jays, Rabbits and Hares. Object to the permanent damage to the environment and urban sprawl and creating a conurbation. The traffic congestion is already significant, dangerous and to levels which are not safe

### **Council Response**

No change.The site in an accepted housing option. Site access achievable onto Wakefield Road and Fenay Bridge Road.The site has been assessed for its impact on the local road network and no significant constraints have been identified.The site has been considered for its impact on biodiversity and no major constraints have been identified.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 Local Plan is supported by an Infrastructure Delivery Plan which sets out the required Infrastructure to support the spatial strategy outlined in the Local Plan.Elements of local character and amenity can be considered as part of any planning application for development of the site.The sloping nature of the site is not considered an overriding constraint to the site's allocation. Slope can be considered in the layout of any future development.

Paragraph/Site: **H684**

Consultee: **942768**

**Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1797**

### **Soundness - Justified**

This is a difficult site to develop. It is hard to access and a right of way crosses the site. Development will impact on open space.

### **Council Response**

No change.There are no significant constraints with the site which cannot be mitigated against at the planning application stage.

Paragraph/Site: **H684**

Consultee: **943445**

**Cllr John Taylor**

Agent:

Rep ID: **PDLP\_AD2915**

### **Soundness - Justified**

Whilst outside of the ward boundaries, the inclusion of sites H2730a , H2684a , H31 , H684 & H1679 represents a development of circa 850 houses in close proximity at the bottom of Lepton & Almondbury villages. This is a significant development which will impact on the capacity of the local road network especially the access onto A629 Penistone Rd where one can already invariably find queuing from Station Rd & Rowley Lane Lepton. This provision will also impact on the availability of other local services such as school places and once more there is nothing within the plan to address these infrastructure concerns. When you consider that within a mile is the brownfield site MDGB2134 which I comment on below and could add a further 800 houses the cumulative impact is unsustainable and questions the soundness of the plan.

### **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

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

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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. 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.

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Paragraph/Site: **H684**

Consultee: **943645**

**Mrs Shirley Barraclough**

Agent:

Rep ID: **PDLP\_AD1129**

### **Soundness - Positively Prepared**

The Council initially rejected this, and other sites in the Lepton/Fenay Bridge area on the grounds that there can be no justifications for removing the sites or any part of them from the green belt. The council then reconfigured the site(s) on the grounds that the need for housing outweighed the need for green belt. They are the same sites, so this is not logical. Why reject them twice and then INCLUDE them in the plan?

### **Soundness - Justified**

The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The entrance road of this site is already congested with parking and traffic at drop off & pick up times at the local private nursery, school breakfast and after school club and the JI&N school - all of which are in a few hundred yards. This road is used for the 19 houses to travel to town, to the M1 and M62 motorways and Wakefield, so is already busy. The 2 local schools are full to capacity. Some local residents cannot get both their siblings into either of the 2 schools and have to travel to another area with one of the siblings. Lepton Great Wood is adjacent to this site, and any development will result in the destruction of natural habitats, with a dramatic impact on local biodiversity. The Council has not taken into consideration the effect that the whole Plan, which includes this site (H2684a with 286 houses) AND sites H638 (30 houses), Site H2730a (312houses), Site H31,(68 houses) Site H684,(123 houses) and Site H616,(32 houses) which are in very close proximity. They will increase the population of Lepton and Fenay Bridge by 28%, which impacts on all the above points.

### **Soundness - Effective**

The developments rely entirely on third party agreements, which are not even in place yet. The Council is only speculating that the developments can go ahead.

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

The Council is contravening its own policies and the National Planning Policy Framework because it has failed to give adequate and appropriate consideration of the infrastructure requirements generated by the Plan. In relation to this site in 2001 a Government Inspector ruled that "I have come to the planning judgement that it is part of the countryside which is desirable to keep PERMANENTLY open and that any development of the site would encroach into the countryside ..... and I am satisfied that there is no compelling reason to exclude the site from the Green Belt"

### **Proposed Change Requested**

To remove H2684a, H2730a and H31 sites from the Plan.

### **Council Response**

No change. 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 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 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. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H684**

Consultee: **944135**

**Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1079**

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<b>Soundness - Justified</b>	Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck
<b>Council Response</b>	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.The site has been considered by the council's strategic drainage team and no major constraints have been identified.

Paragraph/Site: **H684**

Consultee: **956613**

**Ms Judith Harding**

Agent:

Rep ID: **PDLP\_AD618**

<b>Soundness - Positively Prepared</b>	- Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons. Following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. Defies logic. They are the same sites, doesn't make sense to reject them twice then to include them in the plan.
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<b>Soundness - Justified</b>	- Council has failed to properly assess the impact on the local infrastructure including education or traffic. - Developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. - Developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts. - Council is contravening its own policies and the National Planning Policy Framework.
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<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. 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 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.The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.
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Paragraph/Site: **H684**

Consultee: **956613**

**Ms Judith Harding**

Agent:

Rep ID: **PDLP\_AD2348**

<b>Soundness - Justified</b>	- Site has already been rejected as green belt which is needed to define the boundaries of "the Village". Using green belt areas villages will start to blend into one another. Green belt land is required to separate villages and give children the opportunity to live in a village rather than one big urban sprawl. - Roads to this area are already extremely busy and the village can not withstand any more traffic. - All of the schools for this area are over subscribed including Lepton C of E School, Rowley Lane School and King James School - This green area is full of wildlife including deer which have been spotted by residents recently, foxes and owls.
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<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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.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 site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.
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Paragraph/Site: **H684**

Consultee: **966966**

**Mr Mark Wall**

Agent:

Rep ID: **PDLP\_AD249**

<b>Soundness - Justified</b>	The PDI P is not Effective as Kirklees has failed to properly address the likely impact of these developments on the local schools network has failed to properly
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	calculate the number of school age children likely to be generated from developments of this magnitude and has failed to learn from its previous mistake of seriously under estimating the number of school age children per residential dwelling in new developments. It has also failed to heed the advice and guidance of the Education Funding Agency to calculate and validate school age children numbers by using local census information which is readily available to Kirklees.
<b>Proposed Change Requested</b>	Re-evaluate the additional school provision required in the area of Fenay Bridge/Lepton due to this site and the 850 total homes that are on the Local Plan using a more acceptable gauge. To simply assume that 850 homes will only generate an increased demand of just over 40 defies all logic and equates to one child per twenty new homes.
<b>Council Response</b>	No change.The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.

Paragraph/Site: <b>H684</b>	Consultee: <b>967370 Mrs Gayle Corrigan</b>	Agent:	Rep ID: <b>PDLP_AD691</b>
<b>Soundness - Positively Prepared</b>	The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan.		
<b>Soundness - Justified</b>	The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.		
<b>Soundness - Consistent with National Policy</b>	The council is contravening its own policies and the National Planning Policy Framework.		
<b>Proposed Change Requested</b>	To remove Site H684 from the Plan.		
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from 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.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 site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.		

Paragraph/Site: <b>H684</b>	Consultee: <b>969392 Mrs Caroline Jowett</b>	Agent:	Rep ID: <b>PDLP_AD1386</b>
<b>Soundness - Justified</b>	1. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. 2. The developments rely entirely on robust third party agreements which are not in place "3rd party land may be required". The Council cannot guarantee agreement will be achieved.		
<b>Council Response</b>	No change.The council's highways development management team consider that site access is achievable.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 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.		

Paragraph/Site: <b>H684</b>	Consultee: <b>1042415 Mr Michael Birchall</b>	Agent:	Rep ID: <b>PDLP_AD615</b>
<b>Soundness - Justified</b>	Impact on the local infrastructure including education and traffic. The impact that further housing would have on Oak Tree road would make the already busy		

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and much used roads like Station road impossible. It would ruin Fenay Park, and the planted woodlands. The drainage on the proposed land would also cause problems. The schools are full ,the doctors in lepton strained. The iconic view of Castle hill under threat.

**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.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 site has been considered by the council's drainage team and no major constraints have been identified.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 local plan is supported by the Castle Hill Setting Study and the impact of developing this site is not identified as inappropriate.

Paragraph/Site: **H684**

Consultee: **1042415 Mr Michael Birchall**

Agent:

Rep ID: **PDLP\_AD3300**

**Soundness - Positively Prepared**

The council is contravening its own policies

**Soundness - Justified**

The council initially rejected these sites on two occasions but then included them in the plan. The council has failed to properly assess the impact on the local infrastructure including education and traffic. The developments rely on third party agreements which are not in place. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. No mitigation plans have been put forward to lesson such impacts.

**Soundness - Consistent with National Policy**

The council is contravening the National Planning Policy Framework.

**Proposed Change Requested**

Removal of the site from the plan.

**Council Response**

No change.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 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.The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.

Paragraph/Site: **H684**

Consultee: **1043836 Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3826**

**Soundness - Positively Prepared**

Site H684 is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. The site is unsustainable in conjunction with the other proposed sites but may be acceptable if it were the only development. The Local Plan process has been difficult to follow.

**Soundness - Justified**

The positive aspects of this site have been overestimated but the overall judgement is sound.

**Proposed Change Requested**

Reduce the overall quantity of housing allocations in the Lepton and Fenay Bridge area.

**Council Response**

No change.The cumulative impact of development has been considered as part of the local plan process, including the Infrastructure Delivery Plan evidence.

Paragraph/Site: **H684**

Consultee: **1045321 Mr Patrick Marper**

Agent:

Rep ID: **PDLP\_AD3612**

**Soundness - Justified**

The amount of development proposed in the area is an unacceptable use of the Green Belt.

**Soundness - Consistent with**

This is inappropriate use of the Green Belt in contravention of NPPF.

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### National Policy

**Proposed Change Requested** Retain site as Green Belt

**Council Response** No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H684**

Consultee: **1048002 Mrs Katharine McNab**

Agent:

Rep ID: **PDLP\_AD257**

**Soundness - Positively Prepared** This is not a proportionate amount of homes to be added to this small community which will increase the village population by around 28%. Brown field sites, according to national policy, should be considered before Green field sites

**Soundness - Effective** The council has no regard to any possible contingency arrangements and/or alternative strategies should its calculation of the likely number of school age children arising from 850+ homes, traffic modelling at Penistone Road and Wakefield Road or of the forecasted number of people needing to attend the local GP service and the health service as a whole are inaccurate.

**Proposed Change Requested** Consider all the sites in the Lepton / Fenay Bridge area as a whole instead of individual sites as the whole amount of development will change the village infrastructure. All brownfield sites should be considered.

**Council Response** No change. 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 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.

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Paragraph/Site: **H684**

Consultee: **1049478 Mr Ross Harding**

Agent:

Rep ID: **PDLP\_AD779**

**Soundness - Justified** The Council initially rejected the sites on the grounds that there can be no justifications for removing the sites or any part of them from the green belt, they then reconfigured the sites but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

**Soundness - Consistent with National Policy** The council is contravening its own policies and the National Planning Policy Framework

**Council Response** No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. 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 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

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Technical Paper. The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.

Paragraph/Site: **H684**

Consultee: **1050094 mr Christopher Pate**

Agent:

Rep ID: **PDLP\_AD791**

### Soundness - Justified

The Council initially rejected the site on the grounds that there can be no justifications for removing the site or any part of them from the green belt, they then reconfigured the site but rejected them for exactly the same reasons but following further reconfiguration the Council accepted the sites on the grounds that the need for housing outweighed the need for green belt. This reasoning defies logic. They are the same sites. It just doesn't make sense to reject them twice but then to include them in the plan. The Council has failed to properly assess the impact on the local infrastructure including education or traffic. The developments rely entirely on robust third party agreements which are not in place. The Council can only speculate therefore that the developments can go ahead. The developments will result in the irreversible destruction of natural habitats with a dramatic impact on local biodiversity. The Council has not put forward any mitigation to lessen such impacts.

### Soundness - Consistent with National Policy

The council is contravening its own policies and the National Planning Policy Framework.

### Proposed Change Requested

To remove the site H684 from the plan.

### Council Response

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. 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 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. The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.

Paragraph/Site: **H684**

Consultee: **1060077 Mr Robert Edward Doyle**

Agent:

Rep ID: **PDLP\_AD1761**

### Soundness - Justified

The land is quality, lowland farm and meadow land which provides good grazing and arable. It provides habitat for the biodiversity and wildlife, including mammals, birds, insects, plant species.. The land supports and protects the woodland. The woodland supports and protects Human Population. It is necessary part of the ecosystem to provide Oxygen and Clean Air. It provides Quality Air levels. It supports the Clean Air Act. The Wood is Ancient. I believe it could be SSSI Status, if the owners were sympathetic to the woodland. The status could be upgraded. Most woodland is strip long and provides only a curtain for screening urban sprawl and the industrial landscape of Huddersfield. Due to pressure of population some wildlife has decline or has been eradicated. The area is home to a diverse range of Wildlife including Bats, Weasels, Stoats, Badgers, Foxes, Owls, Buzzards, Robins, Blue tits, Starlings, Wood Peckers, Woodcock, Kingfishers, Kestrel's, Sparrow Hawks, Heron's, Mallard, Doves, Wood pigeon, Jays, Rabbits and Hares. Object to the permanent damage to the environment and urban sprawl and creating a conurbation. The traffic congestion is already significant, dangerous and to levels which are not safe

### Council Response

No change. The site has been assessed by Natural England and West Yorkshire Ecology and no major concerns have been raised. The site requires a Low Emission Travel Plan discouraging the use of high emission vehicles. No objections have been raised to Air Quality Management. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H1679**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1793**

### Soundness - Justified

The scale of the proposed development appears inappropriate for this peripheral location on a busy road.

### Proposed Change Requested

Consider the opportunities for the provision of affordable housing and Green Infrastructure.

### Council Response

No change. The site is being promoted by a willing land owner and is adjacent to the build up area.

Paragraph/Site: **H1679**

Consultee: **943445 Cllr John Taylor**

Agent:

Rep ID: **PDLP\_AD2916**

### Soundness - Justified

Whilst outside of the ward boundaries, the inclusion of sites H2730a, H2684a, H31, H684 & H1679 represents a development of circa 850 houses in close

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proximity at the bottom of Lepton & Almondbury villages. This is a significant development which will impact on the capacity of the local road network especially the access onto A629 Penistone Rd where one can already invariably find queuing from Station Rd & Rowley Lane Lepton. This provision will also impact on the availability of other local services such as school places and once more there is nothing within the plan to address these infrastructure concerns. When you consider that within a mile is the brownfield site MDGB2134 which I comment on below and could add a further 800 houses the cumulative impact is unsustainable and questions the soundness of the plan.

### Council Response

No change. The local plan is supported by an Infrastructure Delivery Plan which assesses the current infrastructure provision and future needs to support growth. 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. 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.

Paragraph/Site: **H1679**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3700**

### Soundness - Justified

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.

### 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: **H1679**

Consultee: **944135 Mr Anthony Clifton**

Agent:

Rep ID: **PDLP\_AD1080**

### Soundness - Justified

Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck

### 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. The site has been assessed against the relevant environment agency flood risk layers and has been considered by the Council's Strategic Drainage team. An area of the net developable area has been removed. The remainder of the site does not have a level of constraint significant enough to prevent its allocation.

Paragraph/Site: **H1679**

Consultee: **969122 Mr Steve Barr**

Agent:

Rep ID: **PDLP\_AD1134**

### Legally Compliant

The local community living around this site has not been sufficiently informed or involved in the preparation of this plan, which if implemented will have a severe adverse affect upon their social, economic, health and environmental welfare. Not a single local resident approached recently even knew anything about the plan.

### Soundness - Positively Prepared

The plan is based on a strategy which has not objectively assessed local housing development needs. The population growth forecasts do not reflect most -



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Brexit reductions, and the assumed average house occupancy rates are much lower than average. The proportion of housing accommodated by brownfield sites has been 'assumed' to reduce by nearly 50% for this plan, without proper evidence of such a marked change. House building in people's gardens, and house extensions, have been excluded from the plan, despite their significant addition to the local housing stock. The plan will therefore over supply a fragile local housing market, causing prices to fall, and thereby reducing overall construction.

**Soundness - Justified**

The plan is not the most appropriate strategy because reasonable alternatives - such as more widespread use of brownfield sites - have not been properly considered. The evidence used is also not proportionate, for example the assumption of much less brownfield availability even though this is unsupported by the historic data.

**Soundness - Effective**

The plan is not deliverable over its period because it is flawed and too ambitious.

**Soundness - Consistent with National Policy**

Not Consistent With National Policy - As well as the above inconsistencies, the plan is contrary to NPPF/National Policy because all the requirements for establishing and retaining greenbelt land are met by this site, and the required "exceptional reasons" for removing it from the greenbelt have not been properly advanced or substantiated.

**Proposed Change Requested Council Response**

The plan to remove this site from the greenbelt should be dropped.

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. All comments were considered as part of the pre-submission process and published on the council's website. 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. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H1679**

Consultee: **1043836 Mrs Alison Munro**

Agent:

Rep ID: **PDLP\_AD3824**

**Soundness - Positively Prepared**

Site H1679 is one of a number of sites proposed for housing development in the Lepton and Fenay Bridge area. The totality of these developments will put unsustainable pressure on the local community. The site is unsustainable in conjunction with the other proposed sites but might be acceptable if it were the only development. The Local Plan process has been difficult to follow.

**Proposed Change Requested**

Reduce the overall quantity of housing allocations in the Lepton and Fenay Bridge area.

**Council Response**

No change. The cumulative impact of the site has been considered as part of the local plan site assessment methodology and infrastructure planning evidence.

Paragraph/Site: **H1679**

Consultee: **1045321 Mr Patrick Marper**

Agent:

Rep ID: **PDLP\_AD3613**

**Soundness - Justified**

The development would join up Highburton and Lepton with Almondbury and Huddersfield creating urban sprawl, contrary to purposes of the Green Belt. The amount of development proposed in the area is an unacceptable use of the Green Belt.

**Soundness - Consistent with National Policy**

This is inappropriate use of the Green Belt in contravention of NPPF.

**Proposed Change Requested**

Retain site as Green Belt

**Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

Paragraph/Site: **H1679**

Consultee: **1049286 Mr Nicholas Willock**

Agent: **1049237 Mr Nicholas Willock**

Rep ID: **PDLP\_AD1098**

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<b>Soundness - Consistent with National Policy</b>	Accepting H1679 would leave an island of Green Belt north of Fenay Lane surrounded by development to the north, east and west and proposes an awkward stepped green belt boundary. The approach is not consistent with NPPF paragraph 85.
<b>Proposed Change Requested</b>	1) Remove all remaining land north of Fenay Lane from the Green Belt.2) Allocate rejected site H510 for housing development, (and possibly H1681 & H2596 – although we are not appointed to represent those landowners) and safeguard other land north of Fenay Lane for possible future development.
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H1679** Consultee: **1069754 Mr & Mrs Nichols** Agent: **941934 Mr M Sizer** Rep ID: **PDLP\_AD3635**

<b>Soundness - Justified</b>	The plan is unsound due to the failure to include site H2596 as part of an enlarged site H1679. The refusal to identify the site as an extension to H1679 is illogical. If it is appropriate to release H1679 then there is no reasonable objection to release H2596. It is illogical to release an open greenfield site (H1679) from the green belt but not a garden within a loose knit residential area. The garden to the west of the existing house could accommodate a second dwelling. There is no reason why a site in multiple ownership should not be identified for housing and no reason for rejection on sustainability grounds. Access can accommodate to serve both the existing and proposed house without any undue detriment to highway safety. Development of an extra dwelling will have no adverse impacts. Continued designation as green belt would mean a new dwelling would be inappropriate unless very special circumstances were shown. Allocation for housing would not require such a test.
<b>Proposed Change Requested</b>	Exclude site H2596 fromn the green belt and and allocate the land for housing as an extension to site H1679.
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.

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Paragraph/Site: **H87** Consultee: **944083 Mr and Mrs M H & S Howker** Agent: Rep ID: **PDLP\_AD3626**

<b>Duty to Co-operate</b>	Concerns have not been discussed with adjoining Calderdale Council.
<b>Soundness - Positively Prepared</b>	Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.
<b>Soundness - Justified</b>	Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse
<b>Soundness - Consistent with National Policy</b>	Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.
<b>Council Response</b>	No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology.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.All comments were considered as part of the pre-submission process and published on the council’s website.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. There are no constraints to developing the site that cannot be mitigated against at the planning application stage.The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against.A Transport model and Air Quality model have been commissioned to assess the cumulative impacts of development.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.This site is not currently allocated as green belt and it is not within a flood zone.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

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outcomes of any discussions. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: <b>H87</b>	Consultee: <b>1059309</b>	<b>John Hardesty</b>	Agent:	Rep ID: <b>PDLP_AD1225</b>
<b>Soundness - Positively Prepared</b>	Objection to site H87. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.			
<b>Soundness - Justified</b>	The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.			
<b>Proposed Change Requested</b>	Re-consider site H87.			
<b>Council Response</b>	No Change The site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology. 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. There are no constraints to developing the site that cannot be mitigated against at the planning application stage. The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against.			

Paragraph/Site: <b>H351</b>	Consultee: <b>942142</b>	<b>unknown</b>	Agent: <b>950095</b>	<b>Mr Jonathan Dunbavin</b>	Rep ID: <b>PDLP_AD1839</b>
<b>Soundness - Justified</b>	The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.				
<b>Soundness - Effective</b>	None of the current access points are of sufficient width to be the main point of access				
<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 site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the SA objectives. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent would not compromise the strategic role of the green belt. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).				

Paragraph/Site: <b>H351</b>	Consultee: <b>942409</b>		Agent: <b>950095</b>	<b>Mr Jonathan Dunbavin</b>	Rep ID: <b>PDLP_AD1812</b>
<b>Soundness - Justified</b>	The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.				
<b>Soundness - Effective</b>	None of the current access points are of sufficient width to be the main point of access				
<b>Proposed Change Requested</b>	The allocation should be deleted. It performs less well than alternatives such as site H366				
<b>Council Response</b>	No change. The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the SA objectives. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent would not compromise the strategic role of the green belt. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).				

Paragraph/Site: <b>H351</b>	Consultee: <b>942410</b>		Agent: <b>950095</b>	<b>Mr Jonathan Dunbavin</b>	Rep ID: <b>PDLP_AD1685</b>
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<b>Soundness - Justified</b>	. The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.
<b>Soundness - Effective</b>	None of the current access points are of sufficient width to be the main point of access
<b>Proposed Change Requested</b>	The allocation should be deleted. It performs less well than alternatives such as site MX1904
<b>Council Response</b>	No change. The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the SA objectives. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent would not compromise the strategic role of the green belt. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).

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Paragraph/Site: **H351**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3701**

<b>Soundness - Justified</b>	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 the Listed Building or what harm might result to those elements which contribute to its significance by its eventual development. 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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is eventually submitted for this area, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving this Listed Building or its setting may mean that, either, the anticipated quantum of development is undeliverable or the site cannot actually be developed. In the absence of any assessment of the degree of harm which this proposed Allocation might cause to this Listed Building, or, indeed, what measures the Plan might need to put in place in order to ensure that this harm is minimised, the Plan cannot demonstrate that the allocation of this area is compatible with the requirements of the NPPF, or that the site is capable of delivering the quantum of development anticipated. Before allocating this area, therefore, there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the special architectural or historic interest or setting of this Listed Building and what effect the loss of this site and its subsequent development might have upon the elements which contribute to its significance.
<b>Soundness - Consistent with National Policy</b>	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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is eventually submitted for this area, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving this Listed Building or its setting may mean that, either, the anticipated quantum of development is undeliverable or the site cannot actually be developed.
<b>Council Response</b>	No change. A Heritage Impact Assessment has been undertaken for H1474 and H351 (LE92). Correspondence within BP28 (dated 24 th 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).

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Paragraph/Site: <b>H351</b>	Consultee: <b>952439</b>	<b>Mr philip hawksworth</b>	Agent:	Rep ID: <b>PDLP_AD101</b>
<b>Soundness - Justified</b>	Development would be better suited at west of A641 between Fixby Road and M62 as access is better. Surface water drainage will be an issue.			
<b>Proposed Change Requested</b>	Development would be better suited at west of A641 between Fixby Road and M62 as access is better.			
<b>Council Response</b>	No change. All site options have been assessed in accordance with the Local Plan site allocations methodology. In relation to the green belt element of H1747, the site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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.			
Paragraph/Site: <b>H351</b>	Consultee: <b>973538</b>		Agent: <b>950095</b>	<b>Mr Jonathan Dunbavin</b> Rep ID: <b>PDLP_AD1480</b>
<b>Soundness - Justified</b>	The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.			
<b>Soundness - Effective</b>	None of the current access points are of sufficient width to be the main point of access			
<b>Proposed Change Requested</b>	The allocation should be deleted. It performs less well than alternatives such as site H672			
<b>Council Response</b>	No change. The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the SA objectives. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent would not compromise the strategic role of the green belt. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).			
Paragraph/Site: <b>H351</b>	Consultee: <b>974190</b>		Agent: <b>941908</b>	<b>Mr Andrew Rose</b> Rep ID: <b>PDLP_AD1804</b>
<b>Council Response</b>	No change. Support noted.			
Paragraph/Site: <b>H351</b>	Consultee: <b>1049005</b>	<b>Mr John Hayles</b>	Agent:	Rep ID: <b>PDLP_AD358</b>
<b>Soundness - Justified</b>	I realise that Transport links for this area are being included however, what looks ok on paper, in reality can be very different. Bradley road has changed from a pleasant thoroughfare to an extremely busy road where there is persistent speeding. This can be verified by the number of accidents recorded and unfortunately some fatal. The signage shows speed cameras which there are none!. I cannot possibly see how this road can supporting roads could cope with the numbers of dwellings and hence cars proposed. 2) Schools- I believe provision for extra schooling will be included. If this is the case why is there a new school being built at All Saints now when it is likely to be too small as soon as it opens? 3) Bradley Golf course is the only municipal course in Huddersfield. Having played many courses I can honestly say I know of no better municipal course in the country. Therefore why should us residents give up such a high class facility? 4) Doctors. The Bradley area has insufficient capacity at the Grange Group Practice now. To get a specific appointment can take several weeks. How will this area hope to cope with an influx of 1958 extra homes containing approx. 8000 extra people?			
<b>Council Response</b>	No change. 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: <b>H351</b>	Consultee: <b>1049121</b>	<b>Mr Anthony Rae</b>	Agent:	Rep ID: <b>PDLP_AD797</b>

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

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<b>Duty to Co-operate</b>	In terms of overall sustainability the combined Kirklees and Calderdale proposed allocations are not sustainable in view of the transport impacts (and in addition to the local environmental impact on existing greenfield sites). Both authorities should be required to produce a combined sustainability assessment to demonstrate how they believe the proposals can be delivered without adverse impacts on generated traffic, local and strategic highways congestion, travel-to-work carbon emissions, and loss of Greenbelt functionality.
<b>Soundness - Positively Prepared</b>	Loss of green belt
<b>Soundness - Justified</b>	Object - on cumulative traffic impact grounds, in both Kirklees and Calderdale, and on the M62: The Bradley Park Masterplan Delivery Statement Part 1 identifies the traffic impact for the site on its own, current capacity constraints at junctions, queuing and congestion at the signalised junction where Bradley Road intersects with the A62. Support allocation text that there is the potential for a severe impact on the operation of the Strategic Road Network. However, this does not take into account cumulative impact of development including the impact of H351 and E1832c and high level of development in Calderdale. Adjacent site H351 which is part of the Bradley Park Masterplan: the combined number of new housing units at both H1747 and H351 would be 1,938. As at December 2016 the number of new units proposed across the district boundary on the two adjacent possible Calderdale urban extension sites – Woodhouse: 1,223 units, and Thornhill Lane: 1,926 units see Strategic Vision for South East Calderdale, WSP Nov 2016 - total 3,149 in Calderdale, which when set alongside the Kirklees housing proposals would bring the number of proposed new units to 5,087 in both districts. This very high weight of new housing should have been explicitly referred to, but is not. Additionally the adjacent and allocated employment site at Cooper Bridge E1832c, identified at 33-35 ha and 161,000 square metres capacity, should also have been explicitly referred to. It is this combined cumulative transport impact that should be assessed in relation to site H1747. But such proposals also operate in the opposite direction. By increasing road traffic demand to a very considerable extent at this location alongside the M62 they also apply pressure to authorities such as Highways England to increase capacity and accessibility on the strategic highway network (beyond that now been provided by the smart motorways programme) which will consequently undermine the sustainability of overall transport and climate change policies, both in this local plan and beyond (see: 'Development proposals will need to demonstrate that any committed RIS schemes are sufficient to deal with the additional demand generated by that site.')
<b>Proposed Change Requested</b>	A reassessment of the overall spatial direction and sustainability of the Plan, and then the selection of Spatial Priority Areas in the LCR Strategic Economic Plan. That both authorities should be required to produce a combined sustainability assessment to demonstrate how they believe the proposals can be delivered without adverse impacts on generated traffic, local and strategic highways congestion, travel-to-work carbon emissions, and loss of Greenbelt functionality.
<b>Council Response</b>	No change. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. This site is reasonably well related to the existing settlement being bounded on two sides by the ribbon development along Bradford Road and Bradley Road and its northern extent would not compromise the strategic role of the green belt. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. Site access is achievable. 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 BP12 (Transport Model Technical Paper). 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). No objections were raised by Environmental Health in relation to this site option. The site box for H351 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

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Paragraph/Site: H519

Consultee: 942410

Agent: 950095

Mr Jonathan Dunbavin

Rep ID: PDLP\_AD1681

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**Council Response**

No changeSupport noted.

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Agent:

Rep ID: **PDLP\_AD679****Soundness - Justified**

I believe that building additional housing on the land north and west of Gernhill Avenue of Flxby, Huddersfield will have a detrimental effect on the local area in the following ways: - Adds to congestion - Road safety implications - Health and wellbeing of current inhabitants - Adds to air pollution - Impacts on school and health service provision - Impacts on environment reducing the amount of green space - Impacts on wildlife - Impacts on emergency services for example the new fire station on Fixby road

**Proposed Change Requested**

much needed surface water study would be needed as the area regularly becomes flooded with large pools of standing water. So much so that a couple of years back the water pressure build up from the field broke the substantial stone wall and flooded the road. A bat study survey would also be needed. I am a member of the national bat conservation trust as this area is home to a number of different bat species including pipistrelle and short eared bats, under the national guidelines all bats and their habitats are protected by law:<http://www.bats.org.uk/pages/batsurveyguide.html>

**Council Response**

No change Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The West Yorkshire Fire and Rescue Service have been consulted on the Kirklees Local Plan (Kirklees Council Statement of Publication Consultation and Summary of Main Issues April 2017 document ref: SD13).

Paragraph/Site: **H519**Consultee: **942687****Eric and Angela Stevens**

Agent:

Rep ID: **PDLP\_AD3561****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 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. Brownfield sites and other alternatives must be used first.

**Soundness - Justified**

The local infrastructure is under tremendous strain - roads, schools, doctors and will only get worse. Pollution levels will increase as traffic gets worse. Local road flooding is already an issue and will only get worse. These open spaces are used for jogging, golf, walking and rambling via the Kirklees Way.

**Soundness - Consistent with National Policy**

The destruction of the green belt that protects open spaces and prevents uncontrolled urban sprawl.

**Council Response**

No change 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19).

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Paragraph/Site: **H519**

Consultee: **943199**

**Ian, Denise and Olivia Thompson**

Agent:

Rep ID: **PDLP\_AD413**

**Duty to Co-operate**

There is no evidence of communication with Calderdale Council regarding the amount of proposed building in a small residential area. The roads in the area are gridlocked and the amount of additional traffic will lead to air pollution, affecting the health and well-being of residents in the area.

**Soundness - Positively Prepared**

The inclusion of site H519 in the plan is contrary to the Local Plan vision & objectives. All available brownfield sites should be used first.

**Soundness - Justified**

The plans will destroy the green belt that protects open spaces and prevents urban sprawl. There are concerns about the loss of open spaces used for outdoor recreation, loss of green belt and impact on a variety of wildlife. Local infrastructure around Fixby & Bradley is already at breaking point, and roads are gridlocked most days. There are insufficient schools or medical practices to deal with the increased population. There will be an increase in air pollution due to increased traffic and local flooding on Clough Lane will get worse. Yorkshire Water should be consulted regarding the capacity of the water supply and sewage systems to cope with increased demand

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47



and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria ‘a’ that “the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape”. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 ‘Highway safety and access’ states at criteria ‘a’ that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 ‘Sustainable travel’ and PLP 51 ‘Protection and improvement of local air quality’ which states that “development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people”. The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 ‘Drainage’ recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **943338 Andrew and Heather Blair**

Agent:

Rep ID: **PDLP\_AD353**

**Soundness - Positively Prepared**

Make use of brownfield land before irreversible destruction of green belt - preserving nature, habitat, history and open space.

**Soundness - Justified**

Development will stretch safety to the current infrastructure - additional say 2 vehicles per dwelling using road system not capable of taking extra load - access to / from Fixby Road is now a dangerous junction - will only get worse - alternative traffic accessed from Lightridge Road and Netheroyd Hill joining Bradford Road dual carriageway at Mumbai Spice another dangerous junction. Increased demand for other services - water, school, doctor, shop health and safety from pollution created by additional dwellings loss of public open space e.g. Kirklees Way

**Council Response**

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 Infrastructure Delivery Plan, Addendum and Technical Paper provide a summary of the assessments and evidence that is available in assessing the cumulative infrastructure impact: LE40, LE40.1 and BP11The individual site assessment provides site specific infrastructure evidence for allocating this site. BP29

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Paragraph/Site: **H519**

Consultee: **943394 Mr and Mrs Magner**

Agent:

Rep ID: **PDLP\_AD1356**

**Duty to Co-operate**

Has proper consultation been made with Calderdale Council regarding the volumes and the close proximity of the Kirklees and Calderdale development proposals? If not - please do - as I believe that our existing roads, schools, sewerage (including rain run off which contributes to flooding the main road under the M62, and further problems down hill), Doctors and public transport infrastructure can not cope.

**Soundness - Positively Prepared**

All Brownfield sites must be utilised before destruction of the green belt can even be considered. This is valuable green belt land. We must “Protect and improve green infrastructure” as your own policy states

**Soundness - Justified**

The area of Fixby will be unable to absorb so many (377) proposed new homes. This is an important area for wildlife within our location, and should be enhanced rather than destroyed. The greenery helps to fight the already high levels of pollution and flood risks in the area. Such large numbers of new homes (Bradley, Sun Inn pub and the Round Hill pub in Calderdale) will negatively impact the existing residents and the roads with much higher traffic and pollution - we will be completely overwhelmed with 3377 new dwellings within such a small area. Our existing roads, schools, sewerage (including rain run off which contributes to flooding the main road under the M62, and further problems down hill), Doctors and public transport infrastructure can not cope.

**Council Response**

No changeThe need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19).The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 ‘Highway safety and access’ states at criteria ‘a’ that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1).The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 ‘Sustainable travel’ and PLP 51 ‘Protection and improvement of local air quality’ which states that “development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people”. The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report.The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 ‘Drainage’ recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised.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

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

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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H519**

Consultee: **943568**

**John Watkinson**

Agent:

Rep ID: **PDLP\_AD1166**

### **Legally Compliant**

Yet again, and despite an overwhelming number of objections against destroying this Green Belt Farm Land at the last consultation, Kirklees Planning has chosen to disregard these objections in favour of building 377 more houses.

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

With a number of developments already planned by neighbouring Calderdale Council which will be close to or adjoining developments in the Kirklees draft plan, it seems evident to me that there cannot have been any meaningful consultations with Calderdale on this issue.

### **Soundness - Positively Prepared**

Kirklees own policy is to protect and improve green infrastructure so their own plan goes against their own policy.

### **Soundness - Justified**

Where on earth are residents going to walk, Fixby is already almost void of any open spaces. Lower Cote supports a variety of wildlife. There is one corner shop in Fixby that services 3000 residents and certainly no doctors, dentists etc. Roads are already oversubscribed, dangerous and liable to flooding. The M62 here is already nothing more than a Car Park at peak times and air pollution is worsening. Lower Cote floods easily and regularly causes flooding to gardens at the rear of Lightridge Road.

### **Council Response**

No change. Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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

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

compliant with regulatory and NPPF requirements. All comments were considered as part of the pre-submission process and published on the council's website. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H519**

Consultee: **943580 A and E Meadowcroft**

Agent:

Rep ID: **PDLP\_AD617**

**Soundness - Positively Prepared** Your stated vision is to: Protect & Improve green infrastructure, provide access to good quality open spaces and opportunity for sport, recreation and play; Protect enhance the characteristics of the built, natural & historic environment and local distinctiveness; Promote the use of brown field land; These plans will destroy green belt land that protects open spaces and prevents urban sprawl. Why are Brown filed sites not being used / considered before green field sites.

**Soundness - Justified** These open spaces are used for social & outdoor purposes, dog walking, rambling via The Kiklees way and contributes to the semi-rural ambience of Fixby. The green belt land supports a variety of wild life, such as Birds Fox's Pheasants, Deer and Bats. Local infrastructure is already strained ( roads, schools, doctors, etc.) and will only get worse. Pollution levels already high will along with other health and safety risks side roads already dangerous with speeding car in built up housing areas. Local roads flood at certain times of the year.

**Council Response** 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 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: **H519**

Consultee: **943640 Mr Paul Oldfield**

Agent:

Rep ID: **PDLP\_AD1364**

**Duty to Co-operate** There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building by both Council's in a small localised residential area demonstrates a lack of joined up thinking and planning. Both Councils are proposing building on land that adjoins the others and in essence will create one big urban sprawl. This consultation cannot have taken place and as such fails to meet the requirement of legal compliance or if it has there is no evidence and the proposals are negligent.

**Soundness - Positively Prepared** The plan is unsound because there has been a failure to listen to the concerns of local residents stated in previous consultations and the proposals remain directly at odds with the Council's own vision and strategic objectives. These are to protect and improve green infrastructure; provide access to good quality open spaces and opportunities for sport, recreation and play; protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness; and promote the use of brownfield land. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

**Soundness - Justified** The plan will destroy the balance of open spaces and residential areas that make Fixby a desirable place to live. New houses are not required at the expense of damaging existing communities and all other available options must be exhausted before any building on green belt land that serves a vital purpose is destroyed forever. The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. These open spaces are used for social outdoor purposes (golf, dog walking and rambling via The Kirklees Way that passes through Lower Cote green belt) and contributes to the semi-rural ambience of Fixby. The green belt land supports a variety of wildlife including birds, pheasants, foxes, deer and bats. The local infrastructure

is already strained (roads, schools, doctors) and will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

**Proposed Change Requested**

1) Consult with Calderdale Council. 2) Further consultation with concerned local residents is required and evidence provided to show that the Council's own stated objectives (upon which the Local Plan is allegedly based) will be met per any new house building plans. 3) Clear plans must be produced to show how all available brownfield land (of which there is plenty) will be used first to meet new house building demand before any green belt land is allocated, used and destroyed.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. 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The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. All comments were considered as part of the pre-submission process and published on the council's website. DTC

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

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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H519**

Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3624**

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

Concerns have not been discussed with adjoining Calderdale Council.

### **Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

### **Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.

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

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the

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

natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. All comments were considered as part of the pre-submission process and published on the council's website. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H519**

Consultee: **944151 K & J Wootton**

Agent:

Rep ID: **PDLP\_AD3576**

**Soundness - Positively Prepared** Brownfield sites should be the first option - there are many in Kirklees.

**Soundness - Justified**

Will cause an increase in air pollution. Extra traffic. Strain on doctors, schools and roads. This is precious open space. Fixby infrastructure cannot stand the strain of this development.

**Council Response**

No change 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.

Paragraph/Site: **H519**

Consultee: **944175 R & M Cocking**

Agent:

Rep ID: **PDLP\_AD2274**

**Soundness - Positively Prepared** All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

**Soundness - Justified**

Objection to site H519 as it will destroy the current green belt that protects against uncontrolled urban sprawl. These open spaces are well used for outdoor

activities (jogging, dog walking and rambling) and contribute to the semi-rural ambience of Fixby. The green belt supports a variety of wildlife, local infrastructure (roads, school and doctors) is already strained and will get worse. Pollution levels (already high) and other health and safety risks through increased traffic will increase. Local road flooding is an issue, so will get worse.

**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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23).Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report.Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1).The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised.

Paragraph/Site: **H519**

Consultee: **956612**

**Mr Brian Craven**

Agent:

Rep ID: **PDLP\_AD663**

**Duty to Co-operate**

The site is very close to the Calderdale boundary and there is no evidence of consultation with Calderdale to prevent urban sprawl.

**Soundness - Positively Prepared**

The proposals are contrary to Kirklees' stated vision and objectives in that there is no protection of and certainly no improvement of green infrastructure, access to open space will be restricted especially considering that the Kirklees Way runs through the site. It appears that none of the comments made previously have been taken into consideration.

**Soundness - Justified**

No provision has been made for an improved road network, additional school facilities nor medical centre.

**Proposed Change Requested**

No development should take place until sufficient work has been carried out on the infrastructure of the area(roads, schools, medical amenities) Air and noise pollution should also be seriously assessed.

**Council Response**

No change.The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the



site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. 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Paragraph/Site: H519

Consultee: 960530 Mrs Pam Chapman

Agent:

Rep ID: PDLP\_AD1122

**Soundness - Justified**

Infrastructure - Fixby Road is extremely busy at rush hour, doctors and schools are full. This land is used for exercise by many people - The Kirklees Way is used by ramblers, as well as supporting the local wildlife.

**Council Response**

No change Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their

diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.

Paragraph/Site: **H519**

Consultee: **963723 Mr Nolan**

Agent:

Rep ID: **PDLP\_AD366**

**Duty to Co-operate**

Concern that the council has not consulted with Calderdale council regarding the number of houses in a small area. This shows a lack of joined up planning.

**Soundness - Positively Prepared**

Kirklees vision and objectives is to preserve green infrastructure, provide access to good quality open spaces and opportunities for sport and recreation and promote the use of brownfield land. Building on this site will destroy green belt land that is currently used for outdoor purposes and prevents urban sprawl.

**Soundness - Justified**

This land is a haven for wildlife, including birds, foxes, deer and bats.

**Soundness - Consistent with National Policy**

Building on this land will destroy the current green belt that protect open spaces and prevents urban sprawl.

**Proposed Change Requested**

All brownfield sites should be exhausted prior to irreversibly destroying green belt land.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

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

Paragraph/Site: H519

Consultee: 964440

Mrs Karen Oldfield

Agent:

Rep ID: PDLP\_AD580

### Duty to Co-operate

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building by both Council's in a small localised residential area demonstrates a lack of joined up thinking and planning.

### Soundness - Positively Prepared

The plan is neither Justified nor has it been Positively Prepared because the proposals remain directly at odds with the Council's own stated strategic objectives (below). The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

### Soundness - Justified

These open spaces are used for social outdoor purposes (exercise, dog walking and rambling via The Kirklees Way that passes through Lower Cote green belt) and contributes to the semi-rural ambience of Fixby. The green belt land supports a variety of wildlife including birds, pheasants, foxes, deer and bats. The local infrastructure is already strained (roads, schools, doctors) and will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

### Proposed Change Requested

3 major changes are required:1. Consultation with Calderdale Council is required. Both Council's are proposing building on land that adjoins the others and in essence will create one big urban sprawl. This consultation cannot have taken place and as such fails to meet the requirement of legal compliance or if it has there is no evidence and the proposals are negligent.2. The Local Plan proposals are contrary to Kirklees' own stated vision and strategic objectives and are at odds with the desires of local residents as clearly stated in previous consultations. As such the Local Plan cannot possibly be sound as defined. Further consultation with concerned local residents is required and evidence provided to show that the Council's own stated objectives (upon which the Local Plan is allegedly based) will be met per any new house building plans.3. Clear plans must be produced to show how ALL AVAILABLE BROWNFIELD LAND (of which there is plenty) will be used first to meet new house building demand BEFORE ANY green belt land is allocated, used and destroyed.

### Council Response

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality,

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

including PLP 20 ‘Sustainable travel’ and PLP 51 ‘Protection and improvement of local air quality’ which states that “development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people”. The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 ‘Drainage’ recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. All comments were considered as part of the pre-submission process and published on the council’s website. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: <b>H519</b>	Consultee: <b>964930 Mrs Susan Dagg</b>	Agent:	Rep ID: <b>PDLP_AD1292</b>
<b>Soundness - Positively Prepared</b>	All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.		
<b>Soundness - Justified</b>	Lightridge Road is already too busy with traffic. There is a natural spring coming from the field into our garden, development may cause disturbance and cause flooding,		
<b>Council Response</b>	No change Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 ‘Highway safety and access’ states at criteria ‘a’ that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 ‘Drainage’ recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.		

Paragraph/Site: <b>H519</b>	Consultee: <b>964933 Mr John Wardle</b>	Agent:	Rep ID: <b>PDLP_AD325</b>
<b>Duty to Co-operate</b>	No evidence that Kirklees has consulted with Calderdale with regard to the amount of proposed building in a small residential area demonstrating a lack of joined up planning.		
<b>Soundness - Positively Prepared</b>	Where is the evidence of the use of brownfield land which must surely be used before destruction of green spaces?		
<b>Soundness - Justified</b>	There is no evidence that Kirklees has done anything to protect and improve the infrastructure. There is no provision of good quality open spaces for sport, recreation and play. Nothing in evidence to protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness.		
<b>Council Response</b>	No change. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria ‘a’ that “the form, scale, layout and details of all development respects and enhances the		

character of the townscape, heritage assets and landscape”. Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **964941**

**Mr Raymond Dando**

Agent:

Rep ID: **PDLP\_AD136**

**Duty to Co-operate**

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.

**Soundness - Positively Prepared**

The plan has not been Positively Prepared because the proposals remain directly at odds with the Council's own stated strategic objectives, i.e. Protect and improve green infrastructure; Provide access to good quality open spaces and opportunities for sport, recreation and play; Protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness; Promote the use of brownfield land. The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. These open spaces are used for social outdoor purposes, rambling via The Kirklees Way that passes through Lower Cote green belt and contributes to the semi-rural ambience of Fixby. The green belt land supports a variety of wildlife including birks, pheasants, foxes, deer and bats. All available brownfield sites and other alternatives must be used before and irreversible destruction of green belt land.

**Soundness - Justified**

The plan is not Justified. The local infrastructure is already strained (roads, schools, doctors) and will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. The potential increase in local traffic could be in the region of up to 10,000 vehicles with proposed developments by Kirklees and Calderdale. Local road flooding is already an issue and will only get worse.

**Proposed Change Requested**

Delete allocation H519 from the plan. Use all available brownfield sites and other alternatives before green belt land.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria ‘a’ that “the form, scale, layout and details of

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Paragraph/Site: **H519**

Consultee: **964947 Ms Maureen Croghan**

Agent:

Rep ID: **PDLP\_AD137**

**Duty to Co-operate**

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrated a lack of joined up planning.

**Soundness - Positively Prepared**

The plan is neither Justified nor has it been Positively Prepared because the proposals remain directly at odds with the Council's own stated strategic objectives i.e. To protect and improve green infrastructure; To provide access to good quality open spaces and opportunities for sport, recreation and play; To protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness; To promote the use of brownfield land.

**Soundness - Justified**

2. The plan is neither Justified nor has it been Positively Prepared because the proposals remain directly at odds with the Council's own stated strategic objectives i.e. To protect and improve green infrastructure; To provide access to good quality open spaces and opportunities for sport, recreation and play; To protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness; To promote the use of brownfield land.

**Council Response**

No change.The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19).Any application for development will need to take into account any existing rights of way, including

the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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Paragraph/Site: **H519**

Consultee: **966873 Mr Chris Aitken**

Agent:

Rep ID: **PDLP\_AD885**

**Duty to Co-operate**

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.

**Soundness - Positively Prepared**

The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the Council's own stated objectives. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

**Soundness - Justified**

These open spaces are used for social outdoor purposes and contributes to the semi rural ambience of Fixby. The greenbelt supports a variety of wildlife including birds, pheasants, foxes and bats. The local infrastructure (roads, schools, doctors) is already strained and will only get worse. Pollution levels (that

**Soundness - Consistent with National Policy**

**Council Response**

are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

The plans destroy the current green belt that protects open spaces and prevents uncontrolled urban sprawl.

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). 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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

Paragraph/Site: H519

Consultee: 966955 Mr Mark Flinders

Agent:

Rep ID: PDLP\_AD155

### Duty to Co-operate

Kirklees council have not consulted with Calderdale council in regard to the building of small residential area and therefore demonstrates a lack of joined up planning.

### Soundness - Positively Prepared

The plan is not positively prepared because brownfield sites must be utilised before irreversible destruction of green belt land.

### Soundness - Justified

The plan is not justified because the proposals remain at odds with the councils own strategic objectives. The green belt and wildlife will be lost forever. Already high pollution levels will increase. The local infrastructure is already highly strained. Local flooding which is already bad will only worsen.

### Proposed Change Requested

Brownfield sites must be utilised before irreversible destruction of green belt land.

### Council Response

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). 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Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. DTC Response: The DTC statement (SD14) demonstrates how

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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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **966984**

**MRS PAULINE ALGAR**

Agent:

Rep ID: **PDLP\_AD979**

**Soundness - Positively Prepared** Oppose to the Councils own objectives - it does not promote the use of brownfield land. Brownfield sites and other alternatives must be used before destroying green belt land.

**Soundness - Justified** The roads cannot cope with the increased volume of traffic, the schools cannot cope, nor the doctors, dentists or hospitals. The traffic congestion from the motorway along Clough Lane/Fixby Road and Bradley road is already to a standstill each morning. The pollution levels due to increased traffic is also a major concern.

**Soundness - Consistent with National Policy** Brownfield sites and other alternatives must be used before destroying green belt land.

**Council Response** No change  
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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report.

Paragraph/Site: **H519**

Consultee: **968680**

**Mrs Nolan**

Agent:

Rep ID: **PDLP\_AD367**

**Duty to Co-operate** Concern whether there is evidence that the council has consulted with Calderdale council regarding the amount of proposed building in a small residential area - if not this would show lack of joined up planning.

**Soundness - Positively Prepared** Kirklees stated vision and objectives are to protect and improve green infrastructure; Provide access to good quality open spaces and opportunities for sport, recreation and play and promote use of brownfield land. Yet this proposal will build on current green belt land that protects open spaces and prevents urban sprawl and is used dog walking, jogging, walking and rambling.

**Soundness - Justified** The land is home to wildlife e.g. foxes, birds, deers and bats.

**Soundness - Consistent with** This proposal will build on current green belt that protects open spaces and prevents urban sprawl.

**National Policy**

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **969381**

**Mrs Kathryn Brown**

Agent:

Rep ID: **PDLP\_AD1380**

**Soundness - Positively Prepared**

The proposal to build new homes on this green belt land goes against the strategic objectives of Kirklees Council listed below: 1. To protect and improve green infrastructure. 2. To provide access to good quality open spaces and opportunities for sport, recreation and play. 3. To protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness. 4. To promote the use of brownfield land. The proposal will destroy green belt land. All Brownfield sites should be considered and if possible used before considering this green belt land.

**Soundness - Justified**

Development of the site will lead to: Loss of wildlife Loss of recreational land for exercise, health and well being Local infrastructure can not cope including: schools, health services and local roads Pollution, air quality and noise has not been considered. A natural watercourse runs through the site.

**Proposed Change Requested**

Exclude the site from the plan.

**Council Response**

No change Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Green Belt Review (SD19) at edge reference AS10 acknowledges that there is a relatively narrow gap with Calderdale in this location but that the presence of the M62 and the existing landform create both a physical and visual barrier to merger. The extent of the green belt, as well as containment from existing development and Toothill Lane, means that some settlement extension could be found that would not fundamentally undermine the role of the green belt in preventing the merger of settlements. Postcodes are not indicative of built up areas or the position of the green belt boundary. The Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only approach will not meet the district's

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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. PLP 52 'Protection and improvement of environmental quality' states that proposals which have the potential to increase pollution from noise, among other things, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment. Developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised.

Paragraph/Site: **H519**

Consultee: **969542**

**MS JUDITH CORK**

Agent:

Rep ID: **PDLP\_AD198**

**Duty to Co-operate**

I would like reassurance that Calderdale council is confident that building this number of houses will NOT increase the likelihood of flooding down in the valley (remember Boxing day last year?).

**Soundness - Positively Prepared**

I would like reassurances that ALL brown field site opportunities have been taken as the current plans are taking valuable green infrastructure.

**Soundness - Justified**

There will be a smaller area of green land leading to an increase in rainfall run-off increasing the potential for regular flooding and on going disruption to infrastructure, but more importantly directly impacting people's homes and businesses when they are already struggling.

**Proposed Change Requested**

Full use of brown field sites.

**Council Response**

No change. 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. DTC Response: The Calder Catchment Strategic Flood Risk Assessment (SFRA) (LE43) was undertaken by JBA Consulting. This work was jointly commissioned between Kirklees Council, Calderdale Council and Wakefield Council to ensure updated

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flood risk assessment for the Calder Catchment. The SFRA process included working with planning, flood management and drainage officers from Calderdale and Wakefield to agree the approach and ensure consistency, and also with the Environment Agency to utilise their expertise and ensure the approach taken in the document met their requirements. The Environment Agency confirmed in writing on 25th August 2016 that they found the Calder Catchment Level 1 SFRA to be acceptable. Subsequently on 19th December 2016, the Environment Agency confirmed in writing (with respect to the duty to cooperate) that they have been consulted at various stages of the production of the local Plan, worked with the council to reach satisfactory outcomes, and are satisfied that issues they raised have been given due consideration.

Paragraph/Site: **H519**

Consultee: **969614 Miss Charmian Johnson**

Agent:

Rep ID: **PDLP\_AD361**

**Soundness - Positively Prepared** All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

**Soundness - Justified** These open spaces are used for social outdoor purposes and contribute to the semi-rural character of Fixby. The green belt land supports a variety of wildlife. The local infrastructure is already strained (roads, schools, doctors) and will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

**Soundness - Consistent with National Policy** The plans will destroy the current green belt that protects open spaces and prevents uncontrolled urban sprawl.

**Proposed Change Requested**

Remove site H519 from the plan.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off

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

rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.

Paragraph/Site: **H519**

Consultee: **1045734 MR ROBERT BRIGGS**

Agent:

Rep ID: **PDLP\_AD124**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed buildings in a small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the councils own stated strategic objectives.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1045886 Mr Ben Hodgson**

Agent:

Rep ID: **PDLP\_AD147**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building within this small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

All available brown field sites and other alternatives must be used before any irreversible destruction of green belt land takes place.

### **Soundness - Justified**

The plan is not sound as it is at odds with Kirklees Council's own strategic objectives because it will destroy greenbelt; the open spaces are used for social and outdoor purposes; the greenbelt supports a variety of wildlife; the local infrastructure is already strained; pollution levels are already high and local road flooding is already an issue

### **Proposed Change Requested**

Consultation with Calderdale Council is essential. All available brown field sites and other alternatives should be considered first.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). 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Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. 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Paragraph/Site: **H519**

Consultee: **1045955 Mr Steven Holme**

Agent:

Rep ID: **PDLP\_AD156**

**Duty to Co-operate**

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined

up planning.

**Soundness - Positively Prepared** The proposals remain directly at odds with the Council's own stated strategic objectives.

**Soundness - Justified** The huge influx in people and particularly cars will have a catastrophic effect on the local roads and minimal amenities.

**Council Response** No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: H519

Consultee: 1046020 Mr Ian Chilton

Agent:

Rep ID: PDLP\_AD162

**Soundness - Positively Prepared** The plan destroys areas of green belt land which is against Kirklees stated vision and objectives. There is brownfield land available that should be used as a priority. There is no justification or need for additional housing in this area.

**Soundness - Justified** There is no justification or need for additional housing in this area.



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

<b>Proposed Change Requested</b>	This option should be removed from the development plan.
<b>Council Response</b>	No changeNational 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. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23).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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.

Paragraph/Site: <b>H519</b>	Consultee: <b>1046902</b>	<b>Mr Raymond Pukacz</b>	Agent:	Rep ID: <b>PDLP_AD199</b>
<b>Duty to Co-operate</b>	There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates lack of joined planning.			
<b>Soundness - Positively Prepared</b>	The plan is neither justified nor has it been positively prepared because the proposals are directly at odds with the councils own stated strategic objectives.			
<b>Soundness - Justified</b>	The plan is neither justified nor has it been positively prepared because the proposals are directly at odds with the councils own stated strategic objectives.			
<b>Council Response</b>	No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria ‘a’ that “the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape”. Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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.Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.			

Paragraph/Site: <b>H519</b>	Consultee: <b>1047705</b>	<b>Mr Reza Nafari</b>	Agent:	Rep ID: <b>PDLP_AD245</b>
<b>Soundness - Positively Prepared</b>	The proposal fails to protect and improve green infrastructure, provide access to good quality open space and opportunities for sport, recreation and play and			

<p><b>Proposed Change Requested</b></p>	<p>protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness and fails to promote the use of brownfield land</p>
<p><b>Council Response</b></p>	<p>The proposals remain directly at odds with the Council's own stated strategic objectives.</p> <p>No change. The Duty to Cooperate Statement April 2017 (document ref SD14) and the Statement of Publication Consultation and Summary of Main Issues (Regulation 22) (document ref SD13) demonstrate 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. These highlight how such bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.</p>

<p>Paragraph/Site: <b>H519</b></p>	<p>Consultee: <b>1048043</b></p>	<p><b>Mrs J Eastwood</b></p>	<p>Agent:</p>	<p>Rep ID: <b>PDLP_AD265</b></p>
<p><b>Duty to Co-operate</b></p>	<p>There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.</p>			
<p><b>Soundness - Positively Prepared</b></p>	<p>The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the council's own stated strategic objectives.</p>			
<p><b>Council Response</b></p>	<p>No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.</p>			

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

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**Soundness - Positively Prepared** The plans for Ashbrow Ward, particularly site H519 and the development of Bradley Golf course are at odds with key local plan objectives 5,6,7,8 and 9. For example objective 6 talks about protecting and improving green infrastructure, allowing residents access to good open spaces, sport and recreation facilities and encouraging wildlife to flourish. The plans will destroy the green belt that protects open spaces and prevents against uncontrolled urban sprawl, particularly prevalent for this site. The plan is being driven by local land owners, rather than the council building housing in locations that meet the objectives and are appropriate for development that will not destroy the characteristics of a particular area. The need for this volume of housing is unproven and recent political changes will also see a reduced demand over the coming years.

**Soundness - Justified** The plan calls out issues with air pollution at present around site H519 and building 300+ houses here, plus the 2,000 houses in Bradley, plus the 1000 houses planned by Calderdale Council the other side of the M62 will make air quality even worse and not improved as the plan says by making road infrastructure changes. The proposal for exit 24A, is just that, with no certainty it will go ahead. The queues to exit at J24 will only get longer, increasing the pollution and safety issues of stationary traffic on a motorway. The plan does not talk give any meaningful information about infrastructure e.g. schools and doctors, which are already full in the area. It's clear the area cannot sustain such large development plans in all in the same area.

**Council Response** No change.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 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).

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Paragraph/Site: **H519**

Consultee: **1049135 Mrs Jane Ali**

Agent:

Rep ID: **PDLP\_AD404**

**Soundness - Justified** There are concerns about increased pollution; destruction of the green belt and urban sprawl; impact on wildlife and traffic on Lightridge Road which would not cope with an increased population.

**Proposed Change Requested** Do not build on this green belt land.

**Council Response** No changeThe Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report.The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19).The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1).

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Paragraph/Site: **H519**

Consultee: **1049144 Mrs Helen Barrett**

Agent:

Rep ID: **PDLP\_AD410**

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

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**Soundness - Positively Prepared** All available brownfield sites should be used before the green belt.

**Soundness - Justified** The local roads are already congested and waiting times will be increased at the doctor's surgery.

**Council Response** No change. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.

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Paragraph/Site: **H519**

Consultee: **1049283 Mrs Lesley Senior**

Agent:

Rep ID: **PDLP\_AD462**

**Duty to Co-operate** There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.

**Soundness - Positively Prepared** The proposals remain directly at odds with the Council's own stated strategic objections.

**Council Response** No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of

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

common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049284 Mr Alan Dutton**

Agent:

Rep ID: **PDLP\_AD467**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in such a small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

The plan is not positively prepared because the proposals are contrary to the plan's objectives to protect and improve green infrastructure; provide access to good quality open spaces and opportunities for sport, recreation and play; protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness; and promote the use of brownfield land. All available brownfield sites should be used before green belt.

### **Soundness - Justified**

The plan is not justified as it will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. There are concerns about the impact on wildlife and the capacity of local infrastructure to cope with additional housing, including the road network and the lack of school places and doctors. Pollution levels and health and safety risks will increase through increased and congested traffic.

### **Proposed Change Requested**

Remove site H519 from the plan.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication

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

Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049366 Mr Wayne Raistrick**

Agent:

Rep ID: **PDLP\_AD534**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed buildings in a small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the council's own stated strategic objectives. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

### **Soundness - Justified**

The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. These open spaces are used for social outdoor purposes (jogging, dog walking and rambling via the Kirklees way that passes through lower cote green belt) and contributes to the semi-rural ambience of fixby. The green belt land supports a variety of wildlife including birds, pheasants, foxes, deer and bats. The local infrastructure is already strained (roads, schools, doctors) will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Local Plan seeks to encourage the development of

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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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049369 Mrs Kirsten Halstead**

Agent:

Rep ID: **PDLP\_AD537**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed buildings in a small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the councils own stated strategic objectives. The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

### **Soundness - Justified**

These open spaces are used for social outdoor purposes such as jogging, dog walking, and rambling via the Kirklees way that passes through lower cote green belt and contributes to the semi-rural ambience of fixby. The green belt land supports a variety of wildlife including birds, pheasants, foxes, deer and 3 types of bats. The local infrastructure is already strained ( roads, schools and doctors) surely this will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns.

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

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Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Kirklees Local Plan Strategy and Policies (document ref SD1) PLP 28 'Drainage' recognises that when proposing new developments surface water issues need to be addressed and will ensure that expected run off rates will be minimised. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

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Paragraph/Site: **H519**

Consultee: **1049372 Mr Chris Thorpe**

Agent:

Rep ID: **PDLP\_AD536**

### **Soundness - Positively Prepared**

The plans will destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

### **Soundness - Justified**

These open spaces are used for social outdoor purposes (jogging, dog walking and rambling via the Kirklees Way that passes through Lower Cote green belt) and contributes to the semi rural ambience of Fixby. The green belt land supports a variety of wildlife including birds, pheasants, foxes, deer and bats. The local infrastructure is already strained (roads, schools, doctors) and will only get worse. Pollution levels (that already high) and health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.

### **Council Response**

No Change 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 site option is contained by existing residential development to the south and east and by the line of Toothill Lane to the north which could present a new green belt boundary. The western boundary appears to be a strong feature on the ground which would prevent sprawl or further encroachment. The character of this site as countryside is somewhat compromised by its containment and overlooking by existing residential property. 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 contains policies which require new housing development to provide or contribute towards open space, sport and recreation facilities in the district. No objections raised from West Yorkshire Ecology. 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).

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<b>Duty to Co-operate</b>	The area is shared between Kirklees and Calderdale but no plans seen showing consultation with Calderdale.
<b>Soundness - Positively Prepared</b>	The plan is not justified as it contravenes Kirklees vision to protect and improve green infrastructure and will destroy a green belt section of the Kirklees Way used for centuries to enjoy nature easily accessed.
<b>Soundness - Justified</b>	There is already inadequate school infrastructure. Pollution will be increased for families to have to travel to other areas for schools. Only one local shop preserving the historic nature of locality as small suburb surviving well without need for increased infrastructure development such as medical centre and extra bus routes.
<b>Proposed Change Requested</b>	Use of brownfield sites as stated as Kirklees objective. Do not destroy green belt sites which should be protected at all costs.
<b>Council Response</b>	No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that

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

Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049416 Mr Allan Raw**

Agent:

Rep ID: **PDLP\_AD583**

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

There is no evidence that Kirklees has consulted with Calderdale Council. The proximity of such an expansion of housing in what is a small residential area illustrates this.

### **Soundness - Positively Prepared**

The plan is at odds with the strategic objectives. Protecting and improving green infrastructure; provide access to good quality open spaces and opportunities for sport, recreation and play; protect and enhance the characteristics of the built, natural, historic environment and local distinctiveness; and promote the use of brownfield sites.

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

Development in this area will lead to urban sprawl, which is conflict to national policy on Green Belt.

### **Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. All comments were considered as part of the pre-submission process and published on the council's website. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049418 Mr Ian Brown**

Agent:

Rep ID: **PDLP\_AD591**

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

There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of planning.

### **Soundness - Positively Prepared**

The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the Kirklees council's own stated strategic objectives. This is green belt and the Kirklees Way passes through the land. All available brownfield sites and other alternatives must be used.

### **Soundness - Justified**

The proposed number of dwellings intended for this site means that the access is totally inadequate. This number of properties will place too much strain on the existing infrastructure particularly schools, roads and doctors.

**Council Response**

No change. The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Health issues have been factored into the site assessment process for the local plan. Kirklees Public Health has provided evidence regarding indicators of public health and the details of this process can be found in the Local Plan Methodology Statement Part 2 Site Allocation Methodology (document ref BP23). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). It is expected that specific site access details will be discussed at planning application stage. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

Paragraph/Site: **H519**

Consultee: **1049784 Mr A Abbasi**

Agent:

Rep ID: **PDLP\_AD681**

**Duty to Co-operate**

There is no evidence that Kirklees council has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.

**Soundness - Positively Prepared**

The plan is neither Justified nor has it been Positively Prepared because the proposals remains directly at odds with the Council's own stated strategic objectives, as stated below: - Protect and improve green infrastructure - Provide access to good quality open spaces and opportunities for sport, recreation and play - Protect and enhance the characteristics of the built, natural and historic environment and local distinctiveness - Promote the use of brownfield land

**Council Response**

No change. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be

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

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at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

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Paragraph/Site: **H519**

Consultee: **1049788 Mrs A Nasr**

Agent:

Rep ID: **PDLP\_AD683**

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

There is no evidence that Kirklees council has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.

### **Soundness - Positively Prepared**

The proposals remains directly at odds with the Council's own stated strategic objectives.

### **Council Response**

No change. The Kirklees Local Plan Strategy and Policies (document ref SD1) contains policies which will help to ensure that green infrastructure is safeguarded and enhanced (PLP 31), healthy, active and safe lifestyles and new open space are promoted (PLP 47 and PLP 63) and that good design should be at the core of all planning proposals (PLP 24) which states at criteria 'a' that "the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape". Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

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Paragraph/Site: **H519**

Consultee: **1057640 Mr SF Markham**

Agent:

Rep ID: **PDLP\_AD954**

### **Soundness - Positively Prepared**

Should use brownfield sites.

### **Soundness - Justified**

Development would have negative impact on road, education and health infrastructure.

**Council Response** No change Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 ‘Highway safety and access’ states at criteria ‘a’ that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.

Paragraph/Site: **H519** Consultee: **1057688 Mr Christopher Dunne** Agent: Rep ID: **PDLP\_AD964**

**Soundness - Positively Prepared** All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.

**Soundness - Justified** The local infrastructure is already strained (roads, schools, doctors). Pollution levels and other health and safety risks though increased traffic. These open spaces are used for social outdoor purposes and contributes to the semi-rural ambience of Fixby.

**Soundness - Consistent with National Policy** Destroy the current green belt that protects open spaces and prevents against uncontrolled urban sprawl. Green belt supports a variety of wildlife.

**Council Response** No change The need to meet the objectively assessed need for housing and employment land confers the exceptional circumstances required to amend the green belt boundary to accommodate new development allocations, for those sites deemed acceptable following the site assessment process set out in the site allocation methodology (Local Plan Methodology Statement Part 2: Site Allocation Methodology April 2017 document ref. BP23). The green belt review of site H519 has concluded that the existing degree of containment and strong potential new green belt boundaries would prevent sprawl or further encroachment into the countryside (document ref SD19). Any application for development will need to take into account any existing rights of way, including the Kirklees Way, or formally apply for their diversion (Kirklees Local Plan Strategy and Policies paragraph 10.103) (document ref SD1). The council recognises that it is important to ensure that development is sensitive to its location and considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 ‘Sustainable travel’ and PLP 51 ‘Protection and improvement of local air quality’ which states that “development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people”. The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. The Local Plan seeks to encourage the development of brownfield sites but acknowledges that a brownfield only

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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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.

Paragraph/Site: **H519**

Consultee: **1059309 John Hardesty**

Agent:

Rep ID: **PDLP\_AD1219**

**Soundness - Positively Prepared** Objection to site H519. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

**Soundness - Justified** The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

**Proposed Change Requested** Re-consider site H519.

**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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1).The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).

Paragraph/Site: **H519**

Consultee: **1059562 Helen Drabble**

Agent:

Rep ID: **PDLP\_AD1358**

**Soundness - Positively Prepared** There are plenty of brownfield sites which should be used instead of green belt.

**Soundness - Justified** Development will be detrimental to the area and quality of life. Will result in loss of open green space. It will cause higher pollution and noise levels. Wildlife will be badly affected. The roads in the proposed area are already extremely busy, and incredibly hard to get across at the best of times, and they would certainly not be able to support the substantial increase in traffic. The whole area will change from a quiet residential area to an over crowded, over polluted area.

**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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes.The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. PLP 52 'Protection and improvement of environmental quality' states that proposals which have the potential to increase pollution from noise, among other things, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment. Developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.The council recognises that it is important to ensure that development is sensitive to its location and

considers its impact on the landscape character of the area. Policy PLP 30 (document ref SD1) states that development proposals will be required to avoid significant loss or harm to biodiversity. Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1).

Paragraph/Site: **H519**

Consultee: **1059633 Andy Foody**

Agent:

Rep ID: **PDLP\_AD1395**

**Soundness - Positively Prepared**

There are concerns about building 3000 in the Ashbrow ward. Building will be contrary to the council's objectives and vision to (1) protect and improve green infrastructure, (2) provide access to good quality open space for sport, recreation and play, (3) protect and enhance the natural and historic environment and (4) promote the use of brownfield sites. All available brownfield sites should be used before green field areas, such as Thurston Mills at Honley and Royd Edge Dyeworks in Meltham. There are approximately 6000 empty properties in Kirklees which should be used before greenfield sites.

**Soundness - Justified**

More green belt which separates the urban areas will be destroyed, outdoor activities will be affected and habitat for birds, foxes and other animals will be destroyed. Local infrastructure, including schools, doctor's surgeries and roads, is struggling without adding further unsustainable housing in the area. There are transport issues such as congestion, highway safety, air pollution and noise. The University is investing millions of pounds in new student accommodation which will free up much property formally used by students near the town centre.

**Soundness - Effective**

There are concerns about the impact on Ainley Top roundabout from development on Lindley Moor and proposed development in the Local Plan in the Fixby area.

**Council Response**

No change When proposing new developments, surface water issues need to be addressed in terms of existing surface water and potential increases to run-off resulting from the development. The management of surface water in development proposals is set out in Policy PLP 28 (SD1, Strategy and Policies, page 127) which includes reference to maintaining typical greenfield run-off rates from sites. 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 SD1 (Strategy and Policies) Policy PLP3 Location of new development and PLP7 Effective and Efficient use of land and buildings. Paragraph 6.41 of the Publication Draft lists a variety of measures which aim to maintain a reasonable supply of brownfield land for new jobs and homes. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield Clinical Commissioning Groups 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes. (Kirklees Local Plan Duty to Cooperate Statement April 2017) (document ref SD14). The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Each site option has been assessed in terms of its impact on the strategic road network as well as its direct impact on the local road network in terms of site access and highway safety. Site H519 has been assessed and site access is considered to be achievable and there are no local highway safety concerns. Policy PLP 21 'Highway safety and access' states at criteria 'a' that all proposals shall ensure the safe and efficient flow of traffic within the development and on the surrounding highway network (document ref SD1). The Kirklees Local Plan contains a number of policies designed to reduce or mitigate poor air quality, including PLP 20 'Sustainable travel' and PLP 51 'Protection and improvement of local air quality' which states that "development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people". The Council has commissioned an Air Quality Assessment (AQA) (document ref LE118) to assess the potential cumulative impacts of sites allocated in the Local Plan. The Council will monitor air quality annually and set out its findings in its annual monitoring report. PLP 52 'Protection and improvement of environmental quality' states that proposals which have the potential to increase pollution from noise, among other things, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the

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environment. Developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted. In any housing market, there will be homes for sale as part of the normal operation of the housing market. This also applies to homes which are empty on a short-term basis. The council has an Empty Homes Strategy which aims to address the number of long-term empty homes. In Kirklees, 1.2% of properties are long term vacant (at 2015) which is slightly higher than the national average.

Paragraph/Site: **H734**

Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3630**

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

Concerns have not been discussed with adjoining Calderdale Council.

### **Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

### **Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.

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

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

### **Council Response**

No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology.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.All comments were considered as part of the pre-submission process and published on the council's website.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. There are no constraints to developing the site that cannot be mitigated against at the planning application stage.The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against.A Transport model and Air Quality model have been commissioned to assess the cumulative impacts of development.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.This site is not currently allocated as green belt and it is not within a flood zone.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.Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H734**

Consultee: **1059309 John Hardesty**

Agent:

Rep ID: **PDLP\_AD1220**

### **Soundness - Positively Prepared**

Objection to site H734. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

### **Soundness - Justified**

The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

### **Proposed Change Requested**

Re-consider site H734.

### **Council Response**

No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology.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. There are no constraints to developing the site that cannot be



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mitigated against at the planning application stage. The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against.

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Paragraph/Site: **H809**

Consultee: **944083**

**Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3629**

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

Concerns have not been discussed with adjoining Calderdale Council.

### **Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

### **Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse

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

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

### **Council Response**

No Change The site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology. 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. All comments were considered as part of the pre-submission process and published on the council's website. 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. There are no constraints to developing the site that cannot be mitigated against at the planning application stage. The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against. A Transport model and Air Quality model have been commissioned to assess the cumulative impacts of development. 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. This site is not currently allocated as green belt and it is not within a flood zone. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

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Paragraph/Site: **H809**

Consultee: **1059309**

**John Hardesty**

Agent:

Rep ID: **PDLP\_AD1221**

### **Soundness - Positively Prepared**

Objection to site H809. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

### **Soundness - Justified**

The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

### **Proposed Change Requested**

Re-consider site H809.

### **Council Response**

No Change The site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). The allocation is considered consistent with Councils site allocation methodology. 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. There are no constraints to developing the site that cannot be mitigated against at the planning application stage. The local connecting links assessment confirms there will be no detrimental impacts on the local highway network that cannot be mitigated against.

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**Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations**Paragraph/Site: **H1647**Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3631****Duty to Co-operate**

Concerns have not been discussed with adjoining Calderdale Council.

**Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

**Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.

**Soundness - Consistent with National Policy**

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

**Council Response**

No change. 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 impact on local infrastructure including doctors, schools and roads has been considered through the site assessment process and Infrastructure Delivery Plan. The site has been considered by Natural England and West Yorkshire Ecology and no biodiversity constraints have been identified. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H1656**Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3627****Duty to Co-operate**

Concerns have not been discussed with adjoining Calderdale Council.

**Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

**Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.

**Soundness - Consistent with National Policy**

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

**Council Response**

No change. The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. The impact on local infrastructure including doctors, schools and roads has been considered through the site assessment process and Infrastructure Delivery Plan. 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

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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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H1656**

Consultee: **1059309 John Hardesty**

Agent:

Rep ID: **PDLP\_AD1224**

### **Soundness - Positively Prepared**

Objection to site H1656. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

### **Soundness - Justified**

The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

### **Proposed Change Requested**

Re-consider site H1656.

### **Council Response**

No change. Develop brownfield sites first (rather than 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. 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.

Paragraph/Site: **H1657**

Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3628**

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

Concerns have not been discussed with adjoining Calderdale Council.

### **Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

### **Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse

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

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

### **Council Response**

No change. Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt. The site has been assessed for its biodiversity value, and no significant constraints have been identified. The impact on local infrastructure including doctors, schools and roads has been considered through the site assessment process and Infrastructure Delivery Plan. The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have been identified. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up

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planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H1657**

Consultee: **1059309 John Hardesty**

Agent:

Rep ID: **PDLP\_AD1223**

**Soundness - Positively Prepared**

Objection to site H1657. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

**Soundness - Justified**

The roads around Fixby Road are already busy and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

**Proposed Change Requested**

Re-consider site H1657.

**Council Response**

No change. 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 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.

Paragraph/Site: **H1747**

Consultee: **942142 unknown**

Agent: **950095 Mr Jonathan Dunbavin**

Rep ID: **PDLP\_AD1840**

**Soundness - Justified**

The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.

**Soundness - Effective**

None of the current access points are of sufficient width to be the main point of access

**Proposed Change Requested**

The allocation should be deleted. It performs less well than alternatives such as Fieldhead Farm

**Council Response**

No change. There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.

Paragraph/Site: **H1747**

Consultee: **942409**

Agent: **950095 Mr Jonathan Dunbavin**

Rep ID: **PDLP\_AD1813**

**Soundness - Justified**

The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.

**Soundness - Effective**

None of the current access points are of sufficient width to be the main point of access

**Proposed Change Requested**

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

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**Council Response** No change. There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.

Paragraph/Site: **H1747** Consultee: **942410** Agent: **950095** **Mr Jonathan Dunbavin** Rep ID: **PDLP\_AD1686**

**Soundness - Justified** The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.

**Soundness - Effective** None of the current access points are of sufficient width to be the main point of access

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

**Council Response** No change. There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.

Paragraph/Site: **H1747** Consultee: **942687** **Eric and Angela Stevens** Agent: Rep ID: **PDLP\_AD3574**

**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 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 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. The Local Plan has considered a range of issues which include meeting housing needs as well as the protection of valuable open spaces. As such the Local Plan seeks to protect a number of sites as Urban Green Space where justified. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".

Paragraph/Site: **H1747** Consultee: **942768** **Mr Andrew Wood** Agent: Rep ID: **PDLP\_AD1792**

**Soundness - Positively Prepared** This site is more than 30 minutes walk to a railway station so is not sustainably located.

**Soundness - Justified** Requires an alternative site for a public golf course, so self-defeating in terms of open space.

**Council Response** No change. The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability

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Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".

Paragraph/Site: **H1747**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3702**

### **Soundness - Justified**

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 the Listed Building or what harm might result to those elements which contribute to its 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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that "special regard" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is eventually submitted for this area, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving this Listed Building or its setting may mean that, either, the anticipated quantum of development is undeliverable or the site cannot actually be developed. In the absence of any assessment of the degree of harm which this proposed Allocation

### **Proposed Change Requested**

Before allocating this site for development:-(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.

### **Council Response**

No change. A Heritage Impact Assessment has been undertaken for H1474 and H351 (LE92). Correspondence within BP28 (dated 24 th 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: **H1747**

Consultee: **944083 Mr and Mrs M H & S Howker**

Agent:

Rep ID: **PDLP\_AD3625**

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

Concerns have not been discussed with adjoining Calderdale Council.

### **Soundness - Positively Prepared**

Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.

### **Soundness - Justified**

Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.

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

Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.

### **Council Response**

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. 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient

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use of previously developed land in sustainable locations. 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. 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H1747**

Consultee: **944151 K & J Wootton**

Agent:

Rep ID: **PDLP\_AD3577**

**Soundness - Positively Prepared** Brownfield sites should be the first option - there are many in Kirklees.

**Soundness - Justified** Will cause an increase in air pollution. Extra traffic. Strain on doctors, schools and roads. This is precious open space. Fixby infrastructure cannot stand the strain of this development.

### Council Response

No change. 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality. 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

Paragraph/Site: **H1747**

Consultee: **945969 Mr Paul Stringer**

Agent:

Rep ID: **PDLP\_AD1466**

**Soundness - Positively Prepared** Use brownfield land before green belt

**Soundness - Justified** Bradley Golf Course which is a beautiful well maintained facility not only used by golfers but by the general public for dog walking, rambling etc. with numerous public footpaths passing through it. The traffic on the roads around Bradley are generally gridlocked around the rush hour times and to add more traffic seems nonsensical. There are dangerous chemicals dumped close to the golf course, part of the course is built on a former tip. I do not think this would be a healthy place to build houses by disturbing all that is hopefully safely underground now.

### Council Response

No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37).

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Paragraph/Site: <b>H1747</b>	Consultee: <b>946357</b>	<b>MR NICHOLAS HOWE</b>	Agent:	Rep ID: <b>PDLP_AD349</b>
<b>Soundness - Positively Prepared</b>	It is not an appropriate strategy to propose developing a well-established, popular and profitable golf course located in the green belt when considered against other reasonable alternatives of which there are several as evidenced by the Council's Rejected Sites List.			
<b>Soundness - Justified</b>	There is no assessment clearly showing the site to be surplus to requirements, nor has any suitably-located equivalent or better replacement facility been proposed. The burden of proof is on the Council to show compliance with NPPF para. 74 and it has not discharged that burden.			
<b>Soundness - Effective</b>	The Plan is unsound because it is debateable whether it is deliverable over its period bearing in mind the amount of pre-development work and the cost involved not only in preparation of the site itself but also the attendant road and other ancillary works on which the development is dependent, particularly the cost, time-frame and unknown difficulties connected with the proposed new motorway junction.			
<b>Soundness - Consistent with National Policy</b>	The Plan is not sound because it does not comply with the policy expressed in paragraph 74 National Planning Policy Framework (NPPF). The site comprises Bradley Park golf course which is clearly both an existing open space and sports & recreational buildings and land within the ambit of paragraph 74. Neither the Plan nor the Council directly state which of the three heads of para. 74 is relied upon. There is no assessment clearly showing the site to be surplus to requirements, nor has any suitably-located equivalent or better replacement facility been proposed. The burden of proof is on the Council to show compliance with NPPF para. 74 and it has not discharged that burden.			
<b>Council Response</b>	No change.The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements evidence) can also be found in "Bradley - Comparison of existing and future sports provision".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. Site specific delivery information in relation to this site is set out in SS2 (Bradley Housing Allocation) including masterplan delivery statement documents.			

Paragraph/Site: <b>H1747</b>	Consultee: <b>948129</b>	<b>Ms M L Newsome</b>	Agent:	Rep ID: <b>PDLP_AD3454</b>
<b>Soundness - Positively Prepared</b>	This is an outstanding golf course - giving people the chance of recreation without having to pay a lot of money to be a member. Please leave us some green space.			
<b>Soundness - Justified</b>	Covering such large areas with concrete will lead to flooding.			
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". 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.			

Paragraph/Site: <b>H1747</b>	Consultee: <b>949453</b>	<b>Mr Phil Smith</b>	Agent:	Rep ID: <b>PDLP_AD369</b>
<b>Soundness - Positively Prepared</b>	This choice of green belt land(H1747) versus the strategy of building on other smaller green belt sites that have been rejected purely on green belt grounds by the council is unsound as the other sites would not incur such significant infrastructure costs and improvements and could be delivered in a shorter timeframe.			
<b>Soundness - Justified</b>	Also the council has not shown that it has an assessment clearly showing that Bradley Park is surplus to requirements under NPPF paragraph 74 nor that it is proposing an equivalent or better facility to replace the loss suffered.			
<b>Soundness - Effective</b>	This release H1747 site relies heavily on the introduction of significant highway improvements involving the M62/A62 and the Bradley Road existing road structure. The M62 and A62 corridor from junction 27 to cooper bridge is currently horrendous-travel times are excessive of 45 mins between 3.30 and 18.30 at night and in the morning 7.00 to 9.00 am in reverse-this says nothing of the rabbit runs that exist passing through villages such as Lepton/Hartshead and Brighouse etc. Additional schools ,secondary and primary i believe will be necessary ,these along with the mentioned road improvements will incur more than			



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	significant infrastructure costs. This major infrastructure requirement will lead to a long timeline for delivery of the housing and will raise a question mark on the plan being delivered in the set timeframe.
<b>Soundness - Consistent with National Policy</b>	The council has failed to state which of the 3 categories in the National Planning Policy Framework paragraph 74 the proposed development falls
<b>Proposed Change Requested</b>	I request that the proposed allocation of H1747 is deleted and the relevant number of houses are found from reviewing previously rejected green belt and those washed over as green belt. Brownfield sites could also be looked at. Better timeframes for delivery and reduced infrastructure costs would be of benefit.
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including reference to surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision". Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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. Site specific delivery information in relation to this site is set out in SS2 (Bradley Housing Allocation) including masterplan delivery statement documents. 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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality.
Paragraph/Site: <b>H1747</b>	Consultee: <b>950497 Miss Annette Jowett</b> Agent: Rep ID: <b>PDLP_AD1197</b>
<b>Soundness - Justified</b>	Objection to selling off Bradley Park Municipal Golf Course.
<b>Council Response</b>	No change. Comment noted.
Paragraph/Site: <b>H1747</b>	Consultee: <b>951045 Mrs Veronica Maher</b> Agent: Rep ID: <b>PDLP_AD59</b>
<b>Soundness - Justified</b>	Bradley Road is gridlocked most days with the current traffic demand. The idea that the Golf course is not required is unsubstantiated, this is well used and held in high esteem by golfing fraternities throughout England. Health risks of the chemical waste tip behind the proposed area along with the potential underground workings and the area being prone to flooding makes this site unsuitable for habitation.
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37). 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.
Paragraph/Site: <b>H1747</b>	Consultee: <b>952439 Mr philip hawsworth</b> Agent: Rep ID: <b>PDLP_AD103</b>
<b>Soundness - Justified</b>	1577 dwellings north side of Bradley Road is unsound as this site is last area for recreation in an existing well used open area which is Bradley Golf Club. Existing congestion on Bradley Road.
<b>Proposed Change Requested</b>	Remove the site from the plan.
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". There are no

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significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).

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Paragraph/Site: **H1747**

Consultee: **952492**

**Mr Robert Balcam**

Agent:

Rep ID: **PDLP\_AD659**

**Soundness - Positively Prepared**

The strategy adopted by the Council promoting three large strategic sites to deliver a large proportion of the total housing requirement within the plan is flawed and consequently unsound. There are many smaller fringe Green Belt sites which have been previously rejected that could be released for development.

**Soundness - Justified**

Delivery of the site relies heavily on the need to carry out significant highway improvements in the vicinity including a new link to the M62. Development of this site will result in the elimination of the only 18 hole municipal golf course in Kirklees. Under the requirements of NPPF Section 74 the Council is required to produce an assessment that concludes that the course is surplus to requirements. To my knowledge no report has been produced that reaches the conclusion that the Bradley Park course is surplus to requirements.

**Soundness - Consistent with National Policy**

Development of this site will result in the elimination of the only 18 hole municipal golf course in Kirklees. Under the requirements of NPPF Section 74 the Council is required to produce an assessment that concludes that the course is surplus to requirements. To my knowledge no report has been produced that reaches the conclusion that the Bradley Park course is surplus to requirements.

**Proposed Change Requested**

H1737 to be deleted and the requisite number of houses are provided from sites previously rejected solely on the grounds that they were in the Green Belt.

**Council Response**

No change. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision". Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).

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Paragraph/Site: **H1747**

Consultee: **952709**

**Mr Martin Bradley**

Agent:

Rep ID: **PDLP\_AD947**

**Soundness - Justified**

Regarding greenbelt development, NPPF 87 says that this should only take place "in very exceptional circumstances". I appreciate Government edicts have to be met but there are more suitable areas within Kirklees that could be utilised before Green Belt is eroded.

**Soundness - Consistent with National Policy**

As to building on existing open space/recreational land, NPPF 74 says that this should not take place unless one of three specified conditions is fulfilled. The guidance says:- Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. None of these requirements have been satisfied, so again surely the Draft Local Plan should not go forward. If it does, I do not see how it can pass independent scrutiny.

**Council Response**

No change. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".

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Paragraph/Site: <b>H1747</b>	Consultee: <b>955595</b>	<b>Mr Roger Woodward</b>	Agent:	Rep ID: <b>PDLP_AD263</b>	
<b>Soundness - Justified</b>	The allocation is not justified as the golf needs assessment supporting the allocation has just been commissioned to justify the allocation and meet the requirements of DLP54, and fails to do so.				
<b>Proposed Change Requested</b>	The closure of Bradley Park should be removed from the plan.				
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including evidence that Bradley is surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision".				
Paragraph/Site: <b>H1747</b>	Consultee: <b>957195</b>	<b>Mr Michael Schofield</b>	Agent: <b>941874</b>	<b>Mr Michael Schofield</b>	Rep ID: <b>PDLP_AD62</b>
<b>Soundness - Justified</b>	The land is the final bit of greenspace separating Bradley and Brighouse. Traffic congestion on Bradley Road. Increased flood risk in Calder Valley. Former ICI chemical tip on the site.				
<b>Proposed Change Requested</b>	Do Not Develop Bradley Golf Course				
<b>Council Response</b>	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. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37). 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.				
Paragraph/Site: <b>H1747</b>	Consultee: <b>965590</b>	<b>Dave McGuire</b>	Agent:	Rep ID: <b>PDLP_AD3828</b>	
<b>Soundness - Justified</b>	Sport England does not consider that there is surplus golf provision in Kirklees sufficient to allow Bradley Park golf course to be lost without suitable replacement. The Council has also yet to demonstrate that the interests of golf provision and golf participants would be best served by consolidation of provision.				
<b>Proposed Change Requested</b>	Remove Site H1747 from the Local Plan.				
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements information) can also be found in "Bradley - Comparison of existing and future sports provision".				
Paragraph/Site: <b>H1747</b>	Consultee: <b>966873</b>	<b>Mr Chris Aitken</b>	Agent:	Rep ID: <b>PDLP_AD886</b>	
<b>Duty to Co-operate</b>	There is no evidence that Kirklees has consulted with Calderdale and the amount of proposed building in a small residential area demonstrates a lack of joined up planning.				
<b>Soundness - Positively Prepared</b>	The plan is neither justified nor has it been positively prepared because the proposals remain directly at odds with the Council's own stated objectives. All available brownfield sites and other alternatives must be used before any irreversible destruction of green belt land.				
<b>Soundness - Justified</b>	These open spaces are used for social outdoor purposes and contributes to the semi rural ambience of Fixby. The greenbelt supports a variety of wildlife including birds, pheasants, foxes and bats. The local infrastructure (roads, schools, doctors) is already strained and will only get worse. Pollution levels (that are already high) and other health and safety risks through increased traffic will all increase. Local road flooding is already an issue and will only get worse.				

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**Soundness - Consistent with National Policy**

The plans destroy the current green belt that protects open spaces and prevents uncontrolled urban sprawl.

**Council Response**

No change. 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application. 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. There are no significant constraints in relation to biodiversity which cannot be mitigated against at the planning application stage. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date.

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Paragraph/Site: **H1747**

Consultee: **966984**

**MRS PAULINE ALGAR**

Agent:

Rep ID: **PDLP\_AD981**

**Soundness - Positively Prepared**

Oppose to the Councils own objectives - it does not promote the use of brownfield land. Brownfield sites and other alternatives must be used before destroying green belt land.

**Soundness - Justified**

The roads cannot cope with the increased volume of traffic, the schools cannot cope, nor the doctors, dentists or hospitals. The traffic congestion from the motorway along Clough Lane/Fixby Road and Bradley road is already to a standstill each morning. The pollution levels due to increased traffic is also a major concern.

**Soundness - Consistent with National Policy**

Brownfield sites and other alternatives must be used before destroying green belt land.

**Council Response**

No change. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.

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Paragraph/Site: <b>H1747</b>	Consultee: <b>967055</b>	<b>Mrs Brenda McGarrell</b>	Agent:	Rep ID: <b>PDLP_AD221</b>
<b>Soundness - Positively Prepared</b>	Do not use green belt in this location as it is a buffer between the M62 motorway and dwellings on Bradley Road.			
<b>Soundness - Justified</b>	The infrastructure will not be able to cope with the development of 1500 to 2000 homes due to the amount of traffic. More traffic will increase air pollution, the loss of the golf course as a meeting place will impact on the community and this area is likely to flood. Impact of noise from the M62 is continuous.			
<b>Proposed Change Requested</b>	Remove allocation H1747 from the plan.			
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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.			

Paragraph/Site: <b>H1747</b>	Consultee: <b>968436</b>	<b>Mr Keith Waddington</b>	Agent:	Rep ID: <b>PDLP_AD736</b>
<b>Soundness - Positively Prepared</b>	The plan does not comply with policy DLP 54 and NPPF paragraph 74.			
<b>Soundness - Justified</b>	The assessment must clearly show the open space, building or land to be surplus to requirements or the resulting loss from the proposed development would be replaced by equivalent or better provision in terms of quality or quantity in a suitable location. Development is for alternative sports and recreation facilities the needs for which clearly outweighs the loss: The assessment has not met these requirements. The Ashbrow ward has an imbalance and unfair total allocation of houses when measured against most other wards without the infrastructure to sustain the impact on transport, schools and other local facilities, There is no land shortage in Kirklees and these dwellings could be filled by sites taken out of the plan both green field and brown field sites.			
<b>Proposed Change Requested</b>	A provision of an 18 hole golf course of equal or better standard within the local area.			
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision". 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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The allocation of H1747 for housing is consistent with the Local Plan Spatial Development Strategy (SD1, Strategy and Policies, page 36) which outlines that most growth will be met in Huddersfield and Dewsbury.			

Paragraph/Site: <b>H1747</b>	Consultee: <b>969114</b>	<b>Mr Mark Davies</b>	Agent:	Rep ID: <b>PDLP_AD602</b>
<b>Soundness - Justified</b>	This land should remain as a public golf course. It is of more benefit to Huddersfield as a golf course than as housing.			
<b>Proposed Change Requested</b>	This land should remain as a public golf course. It is of more benefit to Huddersfield as a golf course than as housing.			
<b>Council Response</b>	No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".			

Paragraph/Site: <b>H1747</b>	Consultee: <b>969205</b>	<b>Dr. Linden Phillips</b>	Agent:	Rep ID: <b>PDLP_AD781</b>
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**Soundness - Positively Prepared** The removal of greenbelt land, its 10,000 trees and many wildlife habitats from a high population density area is in contradiction to the plan's overarching principle: Objective 6. Protect and improve green infrastructure so that residents have access to good quality open spaces, sport and recreation opportunities, and for wildlife to flourish.

**Soundness - Justified** The removal of a high-quality, well used municipal recreation amenity is in contradiction to the overarching principle to make Kirklees a healthier place to live: Objective 5. Tackle inequality and give all residents the opportunity of a healthy lifestyle, free from crime and to achieve their potential in work and education. Bradley is not part of the better off and congenial locale in the south of the borough, quite the opposite – it is not sound to take this amenity away from an area that has so little. The Golf Club is affordable - and membership is not necessary. The land is open to all. It provides activities (walking, footgolf, wildlife observation as well as actual golf..) for all ages and is hugely popular, successful - and pretty rare. It is not surplus to requirements and it is unsound to judge it so. The minor changes to the plan to try to retain a 9-hole course is an inadequate response. I'm sure others will have gone into that. The many unresolved issues around the underlying geological features: mine shafts, chemical and waste dumps, flooding risks. The addition of thousands of more cars and pollutants adjacent to a main road and motorway. The human and financial cost of ensuring adequate provision has not been identified.

**Soundness - Consistent with National Policy** The greenbelt is part of the NPPF to prevent urban sprawl . It's essential to keep a green buffer between Kirklees and Calderdale's' new build.

**Proposed Change Requested** The Bradley Park Golf Course should be removed from the Local PlanThe Plan should consider other sites which were initially not allocated for housing but which are more suitable and could be incorporated. There are very many including: Farnley Tyas (500-1000 houses); Grimscar valley (1200) Birds' Edge; Denby Dale (positively needs and wants housing development). [Council and Panning will have carefully read the rules about how local plans are inspected and what should happen next. There will, surely, be assessments of other sites were this one to be rejected? Given. particularly, that the case against the soundness of this aspect of the plan is so wide-ranging and has elicited so much response.]Compromise would work: the land to the east of this Bradley area could be built on and Villa Farm land to the west of the site could be developed. The valuable public amenity of BPGC, and the green belt, can be retained.

**Council Response** No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The woodland to the north of Bradley golf course is not within the accepted housing option and will remain in the green belt.The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37). 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application.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.

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Paragraph/Site: **H1747**

Consultee: **973538**

Agent: **950095**

**Mr Jonathan Dunbavin**

Rep ID: **PDLP\_AD1482**

**Soundness - Justified** The site is in an unsustainable location, in terms of journeys to services and facilities. The site is in the Green Belt and likely to have significant adverse effects on the purpose of including land in the Green Belt, in context of merging with Calderdale.

**Soundness - Effective** None of the current access points are of sufficient width to be the main point of access

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

**Council Response** No change. There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access is achievable.

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Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The site is in a sustainable location immediately to the north of Huddersfield which is the largest settlement in Kirklees. The Sustainability Appraisal (SD5) sets out further details in relation to the sustainability indicators. The Spatial Development Strategy (SD1, Strategy and Policies, page 36) outlines that most growth will be met in Huddersfield and Dewsbury. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district.

Paragraph/Site: **H1747**

Consultee: **975157 Tom Wild**

Agent:

Rep ID: **PDLP\_AD714**

### **Soundness - Justified**

The KKP needs assessment does conclude that there is an over provision for golf in Kirklees. However, throughout the whole document there are conclusions that Bradley Park is a UNIQUE site and is the only site available for public pay and play 7 days a week. The report further states that within Kirklees there are approximately 6000 nomadic golfers, and that if golf memberships are in decline, this figure is likely to grow, The second golf needs assessment carried out by Smith Leisure states that there was a risk to the driving range at the Stadium closing and that Bradley Park would be the only remaining driving range. The closure of the stadium driving range has now happened so this aspect of golf provision is now only available at Bradley Park. This assessment also explains that possible re-provision for the golfers at Bradley Park could be Willow Valley. The issues with this would be the accessibility as pointed out in the assessment. Also the driving range at Willow valley is only open until 5pm which doesn't help the golfer who is working or has a family. The other issue is that the cost of Willow Valley. The championship course is substantially more expensive for a 7 day membership than the course at Bradley Park. The course that would be more in line cost wise does not come up to the standard of Bradley Park. Other golf courses in the area which are primarily 18 hole private members courses would struggle to cope with the demand at peak times, such as weekend morning times. The other issue would be price, the 7 day season tickets are substantially higher than currently offered at Bradley Park. The 9 hole private members clubs would have similar issues and although the price would be more in line with what is currently offered at Bradley Park, the standard of the 9 hole courses does not meet the standard offered currently at Bradley Park. A big issue I feel is that there is obviously a need for extra housing within the area. With the development of approximately 30,000 new houses surely there will be a greater need for sporting provision, and in particular a golf course, as the nomadic numbers of golfers is likely to increase greatly. With the planned development of H1747 along with the development of Cooper Bridge and Ravensthorpe surely the infrastructure is a big question to the deliverability of the project. Traffic is already substantial with the seemingly constant trouble on the M62 plus the route of Bradley Road becoming ever more popular.

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

The Local plan with regard to development of H1747 and the removal of Bradley Park Golf Course is not sound. With regard to NPPF paragraph 74 and DLP 54 which states that "Sport and leisure facilities will be protected where they are needed to meet current and future demands." The loss of the sporting facilities will only be allowed if an assessment CLEARLY shows that the site is no longer required to meet identified need.

### **Proposed Change Requested**

To be deemed sound I would believe that the site H1747 should be reconsidered and removed from the local plan due to the fact that an assessment hasn't been produced to show that the golf course CLEARLY is surplus to requirements. The assessments are actually positive towards the 'uniqueness' of Bradley Park and show they are needed to help the nomadic golfer. It is also a site available to every single person within Kirklees should they wish to use it. No other golf course offers this.

### **Council Response**

No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision". Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).

Paragraph/Site: **H1747**

Consultee: **978216 Cllr Jim Dodds**

Agent:

Rep ID: **PDLP\_AD1652**

### **Soundness - Justified**

1) Health and Well Being are important and sporting facilities are vital to ensure a healthy community. Bradley Park is the only Municipal Golf Course in Kirklees and therefore easily accessible to the general public. 2) The club is a valued addition to the Kirklees Active Leisure portfolio. Kirklees Active Leisure were not party to any discussions prior to the club being included in the Local Plan. 3) Due to the reducing funding from the council to Kirklees Active Leisure I

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am of the opinion that they should have been consulted on the proposals at an early stage. 4) The loss of Bradley Park Golf Club will have an adverse effect on a number of areas within Kirklees.

### Council Response

No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".

Paragraph/Site: **H1747**

Consultee: **1030078**

**Stephen Ransby**

Agent:

Rep ID: **PDLP\_AD2197**

### Soundness - Justified

Access, highways and transportation issues are currently limited and under pressure, further development will create gridlock. Infrastructure cannot cope. Part of site is undevelopable- local refuse tip/toxic organic chemical tip on the north east boundary. Biodiversity of the site is of regional importance.

### Council Response

No change. Site access is achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37). The Local Wildlife Site in this area (LWS116) is not within H1747. The woodlands to the north of H1747 would be retained as they would remain in the green belt. Policy PLP30 (SD1, Strategy and Policies, page 132-133) sets out restrictions to development where proposals have a direct or indirect adverse effect on a Local Wildlife Site.

Paragraph/Site: **H1747**

Consultee: **1043831**

**Mr Gary Ward**

Agent:

Rep ID: **PDLP\_AD96**

### Soundness - Justified

This site is currently fulfilling every criteria for greenbelt land. Yet it is a well used and supported facility rather than just a green field. The notion that Bradley Park Golf Club (BPGC) is surplus to requirements is preposterous, From an infrastructure point of view Bradley cannot cope as it is. This proposed development is a residential housing development therefore replacing BPGC with some other sporting facility is irrelevant and contrary to NPPF para 74. The continued and continuous dumping of hazardous waste on the boundary of the site is also of concern.

### Soundness - Consistent with National Policy

This site is currently fulfilling every criteria for greenbelt land. Yet it is a well used and supported facility rather than just a green field. The notion that Bradley Park Golf Club (BPGC) is surplus to requirements is preposterous, From an infrastructure point of view Bradley cannot cope as it is. This proposed development is a residential housing development therefore replacing BPGC with some other sporting facility is irrelevant and contrary to NPPF para 74. The continued and continuous dumping of hazardous waste on the boundary of the site is also of concern.

### Proposed Change Requested

Remove the site from the plan.

### Council Response

No change. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 (including surplus to requirements) can also be found in "Bradley - Comparison of existing and future sports provision". The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). The developable area of the site has been reduced to take account of a buffer in the northern area of this site adjacent to the waste facility as set out in the site box for H1747 (SD2, Allocations and Designations, page 37). 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. 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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality. 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



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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.

Paragraph/Site: **H1747**

Consultee: **1049005 Mr John Hayles**

Agent:

Rep ID: **PDLP\_AD359**

### Soundness - Justified

I realise that Transport links for this area are being included however, what looks ok on paper, in reality can be very different. Bradley road has changed from a pleasant thoroughfare to an extremely busy road where there is persistent speeding. This can be verified by the number of accidents recorded and unfortunately some fatal. The signage shows speed cameras which there are none!. I cannot possibly see how this road can supporting roads could cope with the numbers of dwellings and hence cars proposed. 2) Schools- I believe provision for extra schooling will be included. If this is the case why is there a new school being built at All Saints now when it is likely to be too small as soon as it opens? 3) Bradley Golf course is the only municipal course in Huddersfield. Having played many courses I can honestly say I know of no better municipal course in the country. Therefore why should us residents give up such a high class facility? 4) Doctors. The Bradley area has insufficient capacity at the Grange Group Practice now. To get a specific appointment can take several weeks. How will this area hope to cope with an influx of 1958 extra homes containing approx. 8000 extra people?

### Council Response

No change. 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: **H1747**

Consultee: **1049121 Mr Anthony Rae**

Agent:

Rep ID: **PDLP\_AD796**

### Duty to Co-operate

In terms of overall sustainability the combined Kirklees and Calderdale proposed allocations are not sustainable in view of the transport impacts (and in addition to the local environmental impact on existing greenfield sites). Both authorities should be required to produce a combined sustainability assessment to demonstrate how they believe the proposals can be delivered without adverse impacts on generated traffic, local and strategic highways congestion, travel-to-work carbon emissions, and loss of Greenbelt functionality.

### Soundness - Positively Prepared

Loss of green belt

### Soundness - Justified

Object - on cumulative traffic impact grounds, in both Kirklees and Calderdale, and on the M62: The Bradley Park Masterplan Delivery Statement Part 1 identifies the traffic impact for the site on its own, current capacity constraints at junctions, queuing and congestion at the signalised junction where Bradley Road intersects with the A62. Support allocation text that there is the potential for a severe impact on the operation of the Strategic Road Network. However, this does not take into account cumulative impact of development including the impact of H351 and E1832c and high level of development in Calderdale. Adjacent site H351 which is part of the Bradley Park Masterplan: the combined number of new housing units at both H1747 and H351 would be 1,938. As at December 2016 the number of new units proposed across the district boundary on the two adjacent possible Calderdale urban extension sites – Woodhouse: 1,223 units, and Thornhill Lane: 1,926 units see Strategic Vision for South East Calderdale, WSP Nov 2016 - total 3,149 in Calderdale, which when set alongside the Kirklees housing proposals would bring the number of proposed new units to 5,087 in both districts. This very high weight of new housing should have been explicitly referred to, but is not. Additionally the adjacent and allocated employment site at Cooper Bridge E1832c, identified at 33-35 ha and 161,000 square metres capacity, should also have been explicitly referred to. It is this combined cumulative transport impact that should be assessed in relation to site H1747. But such proposals also operate in the opposite direction. By increasing road traffic demand to a very considerable extent at this location alongside the M62 they also apply pressure to authorities such as Highways England to increase capacity and accessibility on the strategic highway network (beyond that now been provided by the smart motorways programme) which will consequently undermine the sustainability of overall transport and climate change policies, both in this local plan and beyond (see: 'Development proposals will need to demonstrate that any committed RIS schemes are sufficient to deal with the additional demand generated by that site.')

### Proposed Change Requested

A reassessment of the overall spatial direction and sustainability of the Plan, and then the selection of Spatial Priority Areas in the LCR Strategic Economic Plan. That both authorities should be required to produce a combined sustainability assessment to demonstrate how they believe the proposals can be delivered without adverse impacts on generated traffic, local and strategic highways congestion, travel-to-work carbon emissions, and loss of Greenbelt functionality.

### Council Response

No change. The number of homes required in Kirklees cannot all be accommodated on non-green belt land. The site is buffered from the motorway by the

significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. Site access is achievable. 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 BP12 (Transport Model Technical Paper). Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14). 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). No objections were raised by Environmental Health in relation to this site option. The site box for H1747 refers to the requirement for an Air Quality Impact Assessment at the time of a planning application. DTC Response: 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 cumulative impacts upon the Strategic Road Network) have either been removed or modified in accordance with Highways England's current position (see BP28 and SD4). Highway 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). N.B. SRN infrastructure falls under the definition of 'essential infrastructure' and thereby Policy PLP4. Highways England's recommendations within BP28 were informed by LE141 and their latest Network Analysis Tool modelling.

Paragraph/Site: **H1747**

Consultee: **1049779**

**Mr David Storrie**

Agent: **1049731**

**Mr David Storrie**

Rep ID: **PDLP\_AD694**

**Soundness - Positively Prepared**

The plan is as unsound as delivery of housing numbers relies heavily on 3 large Strategic Green Belt releases at Chidswell, South Dewsbury and Bradley Park Golf Course which represent 25% of the required housing on new allocations. This is not an insignificant amount. These sites will require significant infrastructure and highway network improvements to be completed before they can come forward and given likely build rates, it is questionable whether the sites can be deliverable in the plan period. The strategy of delivering a significant number of houses on 3 large Green Belt releases is flawed and does not meet the needs of the whole of Kirklees. The Green Belt is tightly drawn around settlements and does not relieve the pressure around settlements and threatens their futures. Many fringe Green Belt sites have been rejected for housing only because they lie within designated Green Belt. Many of these sites would assist in sustaining settlements as well as adding to the housing numbers to make up for the loss of Bradley Park Golf Course, including sites H653; H649; H534; H593; H440; H177; H571; H664a; H475; H322; H1766; H180; H2582; H249; H258; H16; H315 which provides some 2368 dwellings. Kirklees also have a number of settlements that are 'washed over' as Green Belt. This is an historical carry over from the Unitary Development Plan with no logical explanation as there are also many settlements in the District that are inset.

**Soundness - Consistent with National Policy**

Objection to site H1747 as the council has not had due regard to NPPF paragraph 74. The plan does not suggest that the well-used facility at Bradley Park is surplus to requirements or that an alternative provision of equivalent or better quality is being provided in a suitable location. Bradley Park Golf Course is the only municipal golf course within Kirklees and is unique in what it provides and the broad spectrum of people that it caters for that cannot be matched by private golf clubs in the district. The plan is unsound in failing to demonstrate how NPPF paragraph 74 has been met.

**Proposed Change Requested**

Delete site H1747. If the Council persist in promoting it then alternative provision of the same quality or better should be identified within the District and provided for before the site is released for housing. Notwithstanding the above comment, the housing numbers lost as a result of the deletion of this allocation are replaced by appropriate allocation of those Green Belt fringe sites that were rejected on Green Belt grounds.

**Council Response**

No change. All options considered through the Local Plan process have been assessed in accordance with the Local Plan site allocations methodology. The site is buffered from the motorway by the significant area of woodland at Bradley Wood. Bradley Wood continues to the north beyond the motorway so there is no risk of physical merger with Calderdale. While the strategic gap is lessened, it is not compromised. The site is well related to the form of the settlement in this location and presents defensible new green belt boundaries. The council considers that exceptional circumstances can be demonstrated to remove this land from the green belt. This site is of strategic importance for delivering growth in the district. The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course

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report” (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision". 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. Site specific delivery information in relation to this site is set out in SS2 (Bradley Housing Allocation) including masterplan delivery statement documents.

Paragraph/Site: **H1747**

Consultee: **1057951 Carol Cowgill**

Agent:

Rep ID: **PDLP\_AD1799**

**Soundness - Positively Prepared** There are many areas within Kirklees that could be built on, houses that could be affordable not the so called affordable houses know being built on prime land, where only the well paid can afford. It is the Council’s responsibility to make sure good quality houses are built to rent and buy by those less well off.

**Soundness - Justified** There are concerns regarding schools and doctors in Lindley. The schools are full, and if the HRI is demolished houses will be built and where will the influx of people go for their needs? The Municipal Golf Course at Bradley is a beautiful green space for anyone to enjoy for leisure. Why is a school being built on Cambridge Road, what catchment area is it covering?

**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. Policy PLP11 (Housing Mix and Affordable Housing) in SD1 (Strategy and Policies, page 68) provides the policy framework for securing a mix of housing types and tenures. 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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality. 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.

Paragraph/Site: **H1747**

Consultee: **1057951 Carol Cowgill**

Agent:

Rep ID: **PDLP\_AD1022**

**Legally Compliant** I consider your housing plan undemocratic there is no way you have taken on board people’s worries and concerns regarding over extended essentials such as schools, doctors etc.

**Soundness - Justified** I cannot understand why you would take a beautiful green space used by a lot of people for leisure to build houses, not affordable houses, but expensive so called executive houses. It is your responsibility is to make sure truly affordable houses are built, and this means not building on prime land especially when cheaper land is available. Concerns over essentials such as schools, doctors etc

**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. Policy PLP11 (Housing Mix and Affordable Housing) in SD1 (Strategy and Policies, page 68) provides the policy framework for securing a mix of housing types and tenures. 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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality. 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.

Paragraph/Site: **H1747**

Consultee: **1059309 John Hardesty**

Agent:

Rep ID: **PDLP\_AD1218**

**Soundness - Positively Prepared** Objection to site H1747. Developers are becoming more choosy about where to build. There are two main issues: where to build houses and what type of houses to build. If brownfield sites are left undeveloped there will be large areas of land on the outskirts of towns and cities left derelict at the expense of green belt. Brownfields sites should be used before green belt land. Houses currently being built are not affordable because the land is so expensive.

**Soundness - Justified** The roads around Fixbv Road are already busv and this proposal will put more pressure on the existing transport infrastructure and existing facilities.

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**Proposed Change Requested** Re-consider site H1747.

**Council Response** No change.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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations.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 site box for H1747 (SD2, Allocations and Designations, pages 37-38) refers to the provision of a new primary school on site and secondary school provision either on this site or in the locality.There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access in achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).Policy PLP11 (Housing Mix and Affordable Housing) in SD1 (Strategy and Policies, page 68) provides the policy framework for securing a mix of housing types and tenures.

Paragraph/Site: **H1747** Consultee: **1059726 Nick Hughes** Agent: Rep ID: **PDLP\_AD1468**

**Soundness - Positively Prepared** Objection to the plans to build 3000 new houses on the green belt in Ashbrow ward and in particular the plans to build 2000 houses on Bradley Park golf club. This is inconsistent with the objective to protect and improve green infrastructure. It reduces access to good quality open space and opportunities for sport and recreation, does not protect and enhance the historic environment and local distinctiveness and it does not promote the use of brownfield land. Brownfield sites should be used before the green belt.

**Soundness - Justified** The infrastructure is already unable to cope. Local roads are sometimes grid locked and pollution levels are high.

**Proposed Change Requested** Delete site H1747

**Council Response** No change.The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations. The number of homes required in Kirklees cannot be all be accommodated on non-green belt land.There are no significant constraints with the site which cannot be mitigated against at the planning application stage. Site access in achievable. Additional mitigation on the wider highway network will be required. This issue is addressed by a modification proposed to the site box for H1747 (as set out in SD4, Kirklees Local Plan Proposed Modifications to the Local Plan, AD-MM14).

Paragraph/Site: **H1747** Consultee: **1059842 Sean Oates** Agent: Rep ID: **PDLP\_AD1654**

**Soundness - Positively Prepared** Use brownfield sites first before destroying Bradley Park Golf Club.

**Proposed Change Requested** Review the decision to develop on Bradley Park Golf Club and explore the potential of using more brownfield sites.

**Council Response** No change.The Local Plan evidence base sets out the justification for the allocation of the golf course as a housing option (SS2 - H1747). The detailed information in a number of reports is considered by the "Bradley - Golf course report" (Report on Bradley Park Local Plan Housing Allocation). Detailed information in relation to the criteria in NPPF paragraph 74 can also be found in "Bradley - Comparison of existing and future sports provision".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. Policy PLP7 of SD1 (Strategy and Policies) refers to the efficient use of previously developed land in sustainable locations.

Paragraph/Site: **H1747** Consultee: **1062885 Mr John Pilgrim** Agent: Rep ID: **PDLP\_AD2946**

**Council Response** No change. Support noted.

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Paragraph/Site: **H94** Consultee: **942340** **unknown** Agent: **941854** **Mr Mark Johnson** Rep ID: **PDLP\_AD3262**

**Council Response** SUPPORT - No change, support for the allocation, attached masterplan and access appraisal noted.

Paragraph/Site: **H94** Consultee: **952189** **Mr and Mrs McNamara** Agent: Rep ID: **PDLP\_AD1968**

**Soundness - Justified** - Object to the proposed plans to build houses on Greenfield sites in Kirklees, with particular interest to West of Henry Frederick Avenue, Netherton and land to the North East and West of Netherton Moor Road, Huddersfield. -The number of homes planned is far too many to be sustainable. Do not have the infrastructure within our village of Netherton and South Crosland to cope with sewage, water, gas etc. - The roads are far too narrow and in poor condition to cope with extra traffic. - The 2 local schools are both full and the local doctors are seriously stretched. - Local wildlife would be decimated, we have an abundance of badgers, foxes, deer, Squirrels, and active colonies of bats in both areas of the village. - Sizeable portions of open land have over the past 30 years been acquired and built on in our village.

**Council Response** No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). Its allocation is considered consistent with the Councils site allocation methodology.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.There are no physical constraints to the development of this site that cannot be mitigated against in the planning applications stage.Kirklees Strategic Drainage have been consulted and have no objections to the proposal, subject to mitigation measures at planning application stage.The Transport Appraisal submitted by the site promoter has been assessed by the Council. The Council considers the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network.The site is an area of countryside and borders Dean Wood Local Wildlife Site to the north but is large enough to incorporate a buffer to protect sensitive environmental habitats.The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

Paragraph/Site: **H94** Consultee: **973990** **Alan and Josephine Knight** Agent: Rep ID: **PDLP\_AD963**

**Legally Compliant** The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals and the pre-submission reps period.

**Soundness - Positively Prepared** The council has failed to explore all option regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.

**Soundness - Justified** The proposals will impact on the setting and identify of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can't cope. Schools are full. Doctors / Dentists couldn't cope with additional demand. Wildlife on the site will be lost.

**Soundness - Consistent with National Policy** The sites should remain green belt to meet the purposes of green belt set out in national policy.

**Proposed Change Requested** The number of new homes in Netherton needs to be reduced.

**Council Response** No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). Its allocation is considered consistent with the Councils site allocation methodology.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. All comments were considered as part of the pre-submission process and published on the council's website.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.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.There are no physical constraints to the development of this site that cannot be mitigated against in the planning applications stage.Kirklees Strategic Drainage have been consulted and have no objections to the proposal, subject to mitigation measures at planning application stage.The Transport Appraisal submitted by the site promoter has been assessed by the Council. The Council considers the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network.The site is an area of countryside and borders Dean Wood Local Wildlife Site to the north but is large enough to incorporate a buffer to protect sensitive environmental habitats.The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

Paragraph/Site: **H94**

Consultee: **977374 Alan Knight**

Agent:

Rep ID: **PDLP\_AD960**

**Legally Compliant**

The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals.

**Soundness - Positively Prepared**

The council has failed to explore all option regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.

**Soundness - Justified**

The proposals will impact on the setting and identify of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can't cope. Schools are full. Doctors / Dentists couldn't cope with additional demand. Wildlife on the site will be lost.

**Soundness - Consistent with National Policy**

The sites should remain green belt to meet the purposes of green belt set out in national policy.

**Proposed Change Requested**

The number of new homes in Netherton needs to be reduced.

**Council Response**

No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). Its allocation is considered consistent with the Councils site allocation methodology.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. All comments were considered as part of the pre-submission process and published on the council's website.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

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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.Exceptional circumstances exist to amend the green belt boundary as this site is required to meet the objectively assessed need for housing 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 housing development on the site outweigh the loss of this part of the green belt.There are no physical constraints to the development of this site that cannot be mitigated against in the planning applications stage.Kirklees Strategic Drainage have been consulted and have no objections to the proposal, subject to mitigation measures at planning application stage.The Transport Appraisal submitted by the site promoter has been assessed by the Council. The Council considers the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network.The site is an area of countryside and borders Dean Wood Local Wildlife Site to the north but is large enough to incorporate a buffer to protect sensitive environmental habitats.The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

Paragraph/Site: **H102** Consultee: **942780 Stephen & Brenda Lodge** Agent: Rep ID: **PDLP\_AD2093**

**Soundness - Justified** Existing site boundary will have a negative impact on wildlife. Site is a haven for wildlife - birds, small mammals/bats. The lane lies lower than fields to the south west. Keeping this green buffer zone and protect existing trees, brambles, nettles, thistles, wild flowers, insects and various wildlife species, these also provide cover for field mice and voles. these attract natural predators such as owls, kestrels and foxes.

**Proposed Change Requested** Remove new proposed short west boundary from No. 35 Lavender Court and the existing southerly boundary. Replace with amended new boundary from no. 35 lavender to south east corner of sunnyside farm/springwood, by continuing the building and boundary lines starting from Lightenfield Lane path/bridelway, the rear of Coppice drive, Orchid Grove, Maple Croft, Lavender Court, finishing at Sunnyside Farm/Springwood.Will proform a continuous formal boundary line, will fit into the area better, will preserve more green belt and maintain a green corridor.

**Council Response** The Council notes the comments re. impact on wildlife. The further housing can be set back from ancient woodland the better. The Council have been following a general principal that 20m is about twice the mature height of canopy trees and this should be the MINIMUM stand off from ancient woodland. The Council also note the problems associated with additional people pressure on the sites, both official and unofficial. This can be caused by a proliferation of paths and trampling damage as well as litter, fly tipping and garden encroachment.

Paragraph/Site: **H102** Consultee: **943957 Mr Ian Smith** Agent: Rep ID: **PDLP\_AD3704**

**Soundness - Justified** 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 Scheduled Monument or what harm might result to those elements which contribute to its 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 Scheduled Monuments are considered to be in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional. The allocation of this site could, potentially, harm elements which contribute towards the significance of this Scheduled Monument.

**Proposed Change Requested** An assessment needs to be undertaken of the contribution which this site makes to the setting of the Scheduled Monument and what impact the loss of this open area and its subsequent development might have upon its significance.

**Council Response** 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. LE78 in the local

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evidence documents specifically relates to a Heritage Impact Assessment for H102. 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: **H102**

Consultee: **958539**

**Julie Vickerman**

Agent:

Rep ID: **PDLP\_AD946**

### **Soundness - Positively Prepared**

Brownfield options - Can a percentage figure based on historical performance not be factored into the development plan? Working Infrastructure - Future housing provision should be based around areas that can offer the infrastructure to link with M1/M62, not rural areas with no access to cross-country links.

### **Soundness - Justified**

Highway infrastructure - There is no scope to widen access in and out of the town centre or well known commutes, creating a bottleneck of traffic coming down rural roads. All these roads are at capacity now, there is no scope for extra traffic. The increase in emissions from standing traffic could also constitute a possible health issue. Building on Green Field land - Green Field has the given function to separate villages and towns to prevent urban sprawl. This proposal would merge with both Honley and South Crosland to produce one wrap of sprawl across the Valleys.

### **Proposed Change Requested**

Remove site H102 from the plan.

### **Council Response**

No Change. Its allocation is considered consistent with the Councils site allocation methodology. 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. This site is contained by existing residential development to the west and by Netherton Moor Road to the east. The existing buildings constituting Hinchliffe's farm and shop are immediately to the south east and so the site appears to be infilling between built form. The site could be released from the green belt without compromising the role and function of the green belt in this location. 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. Given the scale of the development, a Transport Assessment will be required as part of any application which will assess the impact of development traffic on the local highway network. Subject to highway improvements in context with the development and the local highway network, the Council considers that the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network.

Paragraph/Site: **H102**

Consultee: **973990**

**Alan and Josephine Knight**

Agent:

Rep ID: **PDLP\_AD965**

### **Legally Compliant**

The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals and the pre-submission reps period.

### **Soundness - Positively Prepared**

The council has failed to explore all option regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.

### **Soundness - Justified**

The proposals will impact on the setting and identify of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can't cope. Schools are full. Doctors / Dentists couldn't cope with additional demand. Wildlife on the site will be lost.

### **Soundness - Consistent with**

The sites should remain green belt to meet the purposes of green belt set out in national policy.



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### National Policy

#### Proposed Change Requested

Remove site H102 from the plan.

#### Council Response

No Change. Its allocation is considered consistent with the Councils site allocation methodology. 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. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. This site is contained by existing residential development to the west and by Netherton Moor Road to the east. The existing buildings constituting Hincliffe's farm and shop are immediately to the south east and so the site appears to be infilling between built form. The site could be released from the green belt without compromising the role and function of the green belt in this location. 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. Given the scale of the development, a Transport Assessment will be required as part of any application which will assess the impact of development traffic on the local highway network. Subject to highway improvements in context with the development and the local highway network, the Council considers that the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network. The impact of development on school place planning and land use planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or school place planning.

Paragraph/Site: **H102**

Consultee: **975291**

**Gareth Lloyd**

Agent: **969464**

**Mr Adam Jackson**

Rep ID: **PDLP\_AD1739**

#### Council Response

No change. Support noted.

Paragraph/Site: **H102**

Consultee: **977374**

**Alan Knight**

Agent:

Rep ID: **PDLP\_AD961**

#### Legally Compliant

The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals.

#### Soundness - Positively Prepared

The council has failed to explore all option regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.

#### Soundness - Justified

The proposals will impact on the setting and identify of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can't cope. Schools are full. Doctors / Dentists couldn't cope with additional demand. Wildlife on the site will be lost.

#### Soundness - Consistent with National Policy

The sites should remain green belt to meet the purposes of green belt set out in national policy.

#### Proposed Change Requested

Remove site H102 from the plan.

#### Council Response

No Change. Its allocation is considered consistent with the Councils site allocation methodology. 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. All comments were considered as part of the pre-submission process and published on the council's website. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. This site is contained by existing residential development to the west and by Netherton Moor Road to the east. The existing buildings constituting Hincliffe's farm and shop are immediately to the south east and so the site appears to be infilling between built form. The site could be released from the green belt without compromising the role and function of the green belt in this location. 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

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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. Given the scale of the development, a Transport Assessment will be required as part of any application which will assess the impact of development traffic on the local highway network. Subject to highway improvements in context with the development and the local highway network, the Council considers that the proposed development would not result in any significant detriment to the efficiency and safe use of the local highway network. The impact of development on school place planning and land use planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or school place planning.

Paragraph/Site: **H102**

Consultee: **1034541 Mr John Lockwood**

Agent:

Rep ID: **PDLP\_AD13**

### **Soundness - Effective**

The proposal has not recognised the essential infrastructure investments that would be required to improve the existing road access to the site from Honley, Armitage Bridge and to the arterial A616 in the Holme Valley. The only route which is capable of handling additional traffic safely and with minimal environmental impact is via the centre of Netherton

### **Proposed Change Requested**

The wording of the document should include reference to: the essential highway mitigation works via Bankfoot and Armitage Bridge being undertaken and funded as part of the scheme for the development of these two sites in order to safeguard local amenity and environment and highway safety.

### **Council Response**

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. Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future.

Paragraph/Site: **H481**

Consultee: **942493 unknown**

Agent: **1060412 Mr Richard Walters**

Rep ID: **PDLP\_AD1860**

### **Soundness - Justified**

Development of around 116 dwellings on this site, in isolation from the redevelopment of allocated Site MX1930 will hinder opportunities for comprehensive redevelopment on this edge of Huddersfield. As reflected in the overall vision and Policy PLP 5 of the Strategy and Policies Plan, masterplanning of large development sites offers better chance of quality layouts, design, green infrastructure and higher building specifications. The piecemeal development of Site H481 in isolation from Site MX1930 would therefore not represent the most effective strategy for securing a comprehensive masterplan and would prevent the opportunity to consider supporting infrastructure requirements from the outset.

### **Soundness - Effective**

Without closure of the Black Cat Fireworks site the development of Site H481 will increase the number of permanent residents within the Explosive Interest Zone of the COMAH site, with a potential adverse impact upon the commercial viability of Black Cat Fireworks business. On this basis Empire Knight Group Limited would object to the delivery of new housing on H481 whilst Black Cat Fireworks is still operational. As an example, the existing access into Site H481 from Blackmoorfoot Road is shared with the Black Cat Fireworks site and would not be suitable to serve the proposed level of residential development alongside the existing traffic (including HGV's) associated with the Black Cat Fireworks site. In order to establish the most appropriate points of access into the proposed development from Blackmoorfoot Road, the delivery of H481 and MX1930 should be considered together, as opposed to in isolation.

### **Proposed Change Requested**

To be justified and effective it is recommended that Site H481 should be subsumed within allocated site MX1930. For the reasons set out above, Site MX1930 should be allocated for residential development or residential development with an element of start-up business units. Subject to the comprehensive masterplanning exercise it may be that Site H481, 2014 SHLAA states in relation to Site reference 1005, Lowdham Leisure " Cannot be developed while adjacent Black Cat Fireworks site is operational " with its lengthy site frontage (and therefore visibility) onto Blackmoorfoot Road is a suitable location for the element of employment floorspace.

### **Council Response**

No change. Further information has been submitted to the council (SS1) relating the site MX1930. The issues raised are being considered as part of on-going negotiation with the land owner.

Paragraph/Site: **H660**

Consultee: **942768 Mr Andrew Wood**

Agent:

Rep ID: **PDLP\_AD1786**

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**Soundness - Consistent with National Policy** Encroaches over crest of hill into open countryside towards valuable landscape. Places pressure on another site to west of the road (H102).

**Council Response** No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015).This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location.

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Paragraph/Site: **H660** Consultee: **958539 Julie Vickerman** Agent: Rep ID: **PDLP\_AD945**

**Soundness - Positively Prepared** Brownfield options - Can a percentage figure based on historical performance not be factored into the development plan?

**Soundness - Justified** Highway infrastructure - There is no scope to widen access in and out of the town centre or well known commutes, creating a bottleneck of traffic coming down rural roads. All these roads are at capacity now, there is no scope for extra traffic. The increase in emissions from standing traffic could also constitute a possible health issue.

**Soundness - Effective** Working Infrastructure - Future housing provision should be based around areas that can offer the infrastructure to link with M1/M62, not rural areas with no access to cross-country links.

**Soundness - Consistent with National Policy** Building on Green Field land - Green Field has the given function to separate villages and towns to prevent urban sprawl. This proposal would merge with both Honley and South Crosland to produce one wrap of sprawl across the Valleys.

**Council Response** No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015).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.This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location.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.Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future.

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Paragraph/Site: **H660** Consultee: **970443 Mr Edward Sykes** Agent: Rep ID: **PDLP\_AD2411**

**Soundness - Positively Prepared** Inadequate effort to use brownfield sites first.

**Soundness - Justified** Objection to the development of 140 houses on greenfield and green belt land. The main sewage and drainage systems are inadequate; health and education facilities are already full; roads cannot cope with the increase in traffic volume and facilities in the village are inadequate, e.g. parking, shops. The number of houses in longer required. The abundance of birds and wildlife species on the land should be protected and not destroyed.

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<b>Proposed Change Requested</b>	All brownfield site should be examined before green belt land is even considered.
<b>Council Response</b>	No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015).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.This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location.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.Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future.Kirklees Strategic Drainage have been consulted as part of the Local Plan process and they have no objections to the proposals, subject to a drainage masterplan and mitigation measures and planning application stage.Comments are noted regarding the proximity of site to Mag Wood and Spring Wood Local Wildlife Site, an ecological assessment would be required to be submitted with any planning application for the site.The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning.Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

Paragraph/Site: <b>H660</b>	Consultee: <b>973990 Alan and Josephine Knight</b>	Agent:	Rep ID: <b>PDLP_AD966</b>
<b>Legally Compliant</b>	The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals and the pre-submission reps period.		
<b>Soundness - Positively Prepared</b>	The council has failed to explore all option regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.		
<b>Soundness - Justified</b>	The proposals will impact on the setting and identify of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can’t cope. Schools are full. Doctors / Dentists couldn’t cope with additional demand. Wildlife on the site will be lost.		
<b>Soundness - Consistent with National Policy</b>	The sites should remain green belt to meet the purposes of green belt set out in national policy.		
<b>Proposed Change Requested</b>	The number of new homes in Netherton needs to be reduced.		
<b>Council Response</b>	No ChangeThe site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015).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.All comments were considered as part of the pre-		

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submission process and published on the council's website. This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location. 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. Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future. Kirklees Strategic Drainage have been consulted as part of the Local Plan process and they have no objections to the proposals, subject to a drainage masterplan and mitigation measures and planning application stage. Comments are noted regarding the proximity of site to Mag Wood and Spring Wood Local Wildlife Site, an ecological assessment would be required to be submitted with any planning application for the site. The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

Paragraph/Site: **H660**

Consultee: **975291 Gareth Lloyd**

Agent: **969464 Mr Adam Jackson**

Rep ID: **PDLP\_AD1740**

### Council Response

SUPPORT - No change, support for allocation noted.

Paragraph/Site: **H660**

Consultee: **977374 Alan Knight**

Agent:

Rep ID: **PDLP\_AD962**

### Legally Compliant

The public consultation process is flawed and complex, excluding many Kirklees citizens. Many residents were unaware of the proposals.

### Soundness - Positively Prepared

The council has failed to explore all options regarding brownfield land. Job creation is needed in the Netherton area and improvements to the local centre.

### Soundness - Justified

The proposals will impact on the setting and identity of Netherton. The proposals will impact on traffic in Netherton and in the wider district. The drainage / sewerage infrastructure can't cope. Schools are full. Doctors / Dentists couldn't cope with additional demand. Wildlife on the site will be lost.

### Soundness - Consistent with National Policy

The sites should remain green belt to meet the purposes of green belt set out in national policy.

### Proposed Change Requested

The number of new homes in Netherton needs to be reduced.

### Council Response

No Change The site is proposed as an accepted housing allocation. The site was proposed as an accepted housing allocation in the draft Local Plan (November 2015). 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. All comments were considered as part of the pre-submission process and published on the council's website. This site is contained by existing development to the north and by roads to the west and east which could form a strong and defensible new green belt boundary. The new boundary to the south could be provided by the existing field boundary although this is not such a strong feature on the ground. The extent of the site presents no risk of merger with Magdale and would result in a well proportioned and contained settlement extension. The site could be released from the green belt without compromising the role and function of the green belt in this location. 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

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mitigated against. See Transport Model Technical Paper. Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future. Kirklees Strategic Drainage have been consulted as part of the Local Plan process and they have no objections to the proposals, subject to a drainage masterplan and mitigation measures and planning application stage. Comments are noted regarding the proximity of site to Mag Wood and Spring Wood Local Wildlife Site, an ecological assessment would be required to be submitted with any planning application for the site. The impact of development on school place planning and planning has been assessed through a number of on-going assessments and discussions. The implications of development will continue to be monitored and addressed through the Infrastructure Delivery Plan and/or School Place Planning. Health issues have been factored into the site assessment process for the local plan through a Comprehensive Health and Wellbeing Impact Assessment for Planning Tool. Details of this process can be found in the Local Plan Methodology Paper. Meetings have been held and discussions are on-going with North Kirklees and Greater Huddersfield CCGs and the Property Services (Pro Co) 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. This will ensure that a mechanism is in place to deliver the health infrastructure required to support the growth that the local plan promotes.

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Paragraph/Site: **H660**

Consultee: **1034541 Mr John Lockwood**

Agent:

Rep ID: **PDLP\_AD14**

### **Soundness - Effective**

The proposal has not recognised the essential infrastructure investments that would be required to improve the existing road access to the site from Honley, Armitage Bridge and to the arterial A616 in the Holme Valley. The only route which is capable of handling additional traffic safely and with minimal environmental impact is via the centre of Netherpton

### **Proposed Change Requested**

The wording of the document should include reference to: the essential highway mitigation works via Bankfoot and Armitage Bridge being undertaken and funded as part of the scheme for the development of these two sites in order to safeguard local amenity and environment and highway safety.

### **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. Any highway mitigation scheme can be secured via s.106 or s.278 agreement where deemed appropriate on a planning application in the future.

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Paragraph/Site: **H764**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3705**

### **Soundness - Justified**

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 the Listed Building or what harm might result to those elements which contribute to its 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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that "special regard" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is eventually submitted for this area, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving this Listed Building or its setting may mean that, either, the anticipated quantum of development is undeliverable or the site cannot actually be developed.

### **Proposed Change Requested**

An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.

### **Council Response**

No change required. Following the Regulation 19 Publication Draft Local Plan Consultation which closed on 19th December 2016, further engagement has taken place between the council and Historic England and these issues have now been resolved. A Heritage Impact Assessment has now been carried out (LE87) and can be found in the Examination Library.

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Paragraph/Site: **H1783**

Consultee: **953144 Mr S Berry**

Agent: **953142**

**Mr Jonathan Standen**

Rep ID: **PDLP\_AD206**

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<b>Council Response</b>	No change.Support noted.			
Paragraph/Site: <b>H1783</b>	Consultee: <b>1049652</b>	Agent: <b>1049639</b>	<b>Connell</b>	Rep ID: <b>PDLP_AD669</b>
<b>Soundness - Justified</b>	The site as defined excludes a small area to the south which is proposed as urban greenspace - a separate objection has been submitted to this as the land in question does not perform the functions that the Strategy document ascribes to UGS. Consequently it can and should be added to this housing allocation.			
<b>Proposed Change Requested</b>	Extend Proposed allocation H1783 to include land shown on attached plan.			
<b>Council Response</b>	No change.The allocation as proposed is sound. The representation relates to the suitability of Urban Greenspace option UGS851.			
Paragraph/Site: <b>H737</b>	Consultee: <b>1059538</b>	Agent: <b>950095</b>	<b>Mr Jonathan Dunbavin</b>	Rep ID: <b>PDLP_AD2066</b>
<b>Council Response</b>	SUPPORT - No change, support for allocation noted.			
Paragraph/Site: <b>H215</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3706</b>
<b>Soundness - Justified</b>	Before allocating this area, therefore, there needs to be an assessment of the contribution which this currently-undeveloped area makes to the character or appearance of the Conservation Area and to the Listed Building, and what effect the loss of this site and its subsequent development might have upon the elements which contributes to their significance of these designated heritage assets.			
<b>Soundness - Consistent with National Policy</b>	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.			
<b>Proposed Change Requested</b>	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.			
<b>Council Response</b>	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: <b>H215</b>	Consultee: <b>944083</b>	<b>Mr and Mrs M H &amp; S Howker</b>	Agent:	Rep ID: <b>PDLP_AD3632</b>
<b>Duty to Co-operate</b>	Concerns have not been discussed with adjoining Calderdale Council.			
<b>Soundness - Positively Prepared</b>	Concerns have not been discussed with local residents. Does not comply with the plans Vision and Objectives. All available brownfield sites and other alternatives must be used prior to the destruction of green belt land.			
<b>Soundness - Justified</b>	Will destroy the Green belt. Open spaces are used for social outdoor purposes and contribute to the semi-rural ambience of parts of Fixby and Birkby. Impact on wildlife. Impact on local infrastructure - doctors, schools, roads. High pollution levels that already exist will be made worse. Flooding for buildings and roads is a problem now this will only get worse.			
<b>Soundness - Consistent with National Policy</b>	Will destroy the Green belt that protects open spaces and prevents urban uncontrolled sprawl.			
<b>Council Response</b>	No change.Local plan evidence document BP29 summarises the green belt assessment and explains the exceptional circumstances justification for removing the site from the green belt.The site has been assessed by the council's strategic drainage and environmental health teams and no significant constraints have			

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been identified. The site has been assessed for its biodiversity value, and no significant constraints have been identified. The impact on local infrastructure including doctors, schools and roads has been considered through the site assessment process and Infrastructure Delivery Plan. 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. Calderdale Council and Kirklees Council are co-signatories to a draft statement of common ground that will be finalised in advance of the Local Plan hearing sessions. Paragraphs 4.21, 4.22, 4.23 and 5.15 in SD14 identify the joined up planning that Kirklees and Calderdale have undertaken to date. Calderdale Council did not comment on this site specifically.

Paragraph/Site: **H121**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1749**

### **Soundness - Justified**

The plan has not taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

### **Proposed Change Requested**

Remove the site from the plan.

### **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. 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.

Paragraph/Site: **H201**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1747**

### **Soundness - Justified**

The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

### **Proposed Change Requested**

Remove the site from the plan.

### **Council Response**

No change. 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 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.

Paragraph/Site: **H202**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3707**

### **Soundness - Justified**

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 the Listed



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	Building or what harm might result to those elements which contribute to its significance by its eventual development
<b>Soundness - Consistent with National Policy</b>	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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.
<b>Proposed Change Requested</b>	An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.
<b>Council Response</b>	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: **H202**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1748**

<b>Soundness - Justified</b>	The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.
<b>Proposed Change Requested</b>	Remove the site from the plan.
<b>Council Response</b>	No change. 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 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.

Paragraph/Site: **H292**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3708**

<b>Soundness - Justified</b>	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.
<b>Soundness - Consistent with National Policy</b>	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. In addition, there is a requirement in the 1990 Act that “special regard” should be had to
<b>Proposed Change Requested</b>	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.
<b>Council Response</b>	No change. Correspondence within BP28 (dated 24th February 2017) clarifies Historic England’s current position with respect to these earlier comments,

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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: <b>H292</b>	Consultee: <b>944574</b>	<b>Mr Chris Jarratt</b>	Agent:	Rep ID: <b>PDLP_AD1315</b>
<b>Soundness - Positively Prepared</b>	In general the Kirklees website is extremely difficult to navigate and comment on. The consultation dates seems at a questionable time of the year, most people at this time of year will be preparing for the biggest UK holiday period			
<b>Soundness - Justified</b>	A development of this size is inappropriate and not sound, reasons to include: Within a conservation area Loss of open space Adversely affect the feel and ambience of the surrounding area Area already heavily populated Loss of privacy to surrounding properties Increase in noise and disturbance Destruction of the character of the area Loss of well used and loved local green area			
<b>Proposed Change Requested</b>	Remove H292 from the plan.			
<b>Council Response</b>	No change. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). The site does not merit protection as open space. The site has been considered by the council's conservation and design team and the proximity to heritage assets has not been identified as a significant constraint.			

Paragraph/Site: <b>H292</b>	Consultee: <b>1031687</b>	<b>Gary Wood</b>	Agent:	Rep ID: <b>PDLP_AD1716</b>
<b>Soundness - Justified</b>	Any increase to the elevation or reduction in open view with the proposed developments of the field close to the Grade II listed buildings would not only irreversibly damage the character and special interests of the area, but will also severely impact on the setting and siting of the rear and side aspects to the listed buildings.			
<b>Proposed Change Requested</b>	Remove site H292 from the plan.			
<b>Council Response</b>	No change. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). The site has been considered by the council's conservation and design team and the proximity to heritage assets has not been identified as a significant constraint.			

Paragraph/Site: <b>H292</b>	Consultee: <b>1045832</b>	<b>Mrs Tanya Horan</b>	Agent:	Rep ID: <b>PDLP_AD141</b>
<b>Soundness - Justified</b>	This residential area is already densely populated and to add yet more houses will cause too much traffic on already congested and small roads. The local circular bus service currently struggles to make its way round our neighbourhood due to the number of cars and the narrow roads and to add to this could lead to it missing out our area altogether. Access for emergency vehicles could also be affected.			
<b>Proposed Change Requested</b>	As with many other residents we do not think it is sound to build any of these new dwellings.			
<b>Council Response</b>	No change. The site has been assessed by the council's highways development management team and access is deemed possible with the use of 3rd party land. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). 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.			

Paragraph/Site: <b>H292</b>	Consultee: <b>1048055</b>	<b>mr paul wright</b>	Agent:	Rep ID: <b>PDLP_AD935</b>
<b>Soundness - Justified</b>	More housing development in the HD3 area of Huddersfield, this is simply unsustainable and unnecessary. - This area has suffered far more than its fair share of new housing, putting a huge strain on local infrastructure, i.e roads, schools, doctors etc. - Haughs Road area of Quarmby is deemed to be a conservation			

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area, housing scheme given outline planning permission because of lack of a local housing plan - Developers are applying for planning on any unsuitable piece of green space in the knowledge that the council has no grounds to reject it for fear of losing on appeal and incurring costs, this is simply unfair on residents living within the vicinity of these areas.

### Council Response

No change. The site is considered a sustainable housing option which helps to address the area's housing need. The current level of infrastructure and future impact of the local plan has been considered through the infrastructure planning evidence, including the Infrastructure Delivery Plan.

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Paragraph/Site: **H292**

Consultee: **1048217**

**Ms Jackie Turnpenney**

Agent:

Rep ID: **PDLP\_AD1069**

### Soundness - Justified

- Local plan fails to make any attempt to protect and enhance the natural built and historic environment of Quarmby by suggesting that houses can be built in the adjacent field. - The listed buildings sit at a much lower elevation to the fields. It is built with small windows and any increase to the elevation or reduction in open view would not only irreversibly damage the character and special interests of the building, but will also severely restrict the light at the back and side of the property. - Any buildings built on these fields will overlook the gardens and windows. - Planning has been refused in the past to protect this area and the points used to secure this reversal have not altered. Reasons, it is considered that development of this site would be seriously detrimental to the character and appearance of the Quarmby Conservation area. Furthermore, the proposals would adversely affect the setting of the nearby listed building. - There are many brown field sites available in Huddersfield before conservation areas have to be built on.

### Proposed Change Requested

Remove site H292, Quarmby Fields. - Unless it does so, it will not adhere to and preserve the conservation area and historic listed buildings.

### Council Response

No change. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). 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.

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Paragraph/Site: **H292**

Consultee: **1048821**

**Mrs V Teasdale**

Agent:

Rep ID: **PDLP\_AD1998**

### Soundness - Justified

- Conservation area, where new housing has already had an impact. - Site slopes down towards existing buildings and is likely to impact adversely on drainage in the area - Schools and doctors in the area likely to be insufficient already due to the massive amount of housing being built. - 'Green' space and 'semi-rural' woodland identified is not well managed and is already overcrowded with users who drive to the area because there is so little walking space anywhere nearby. - Roads are already overcrowded with vehicles trying to get to the motorway or into town. Most roads are already double parked and it is very difficult for buses, service vehicles or emergency vehicles to obtain access.

### Proposed Change Requested

Not use the land for building. Improve the woodland/open areas to give more rural/parkland for the hundreds of people moving into the Lindley area in the existing/new builds already started.

### Council Response

No change. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). The site has been considered by the council's strategic drainage team and no major constraints have been identified. 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. 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

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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.

Paragraph/Site: **H292**

Consultee: **1049127 Mr Jamie Elliott**

Agent:

Rep ID: **PDLP\_AD399**

**Soundness - Justified**

Insufficient amenities for additional housing, especially roads and school places

**Proposed Change Requested**

Change to urban green space or other non-housing designation.

**Council Response**

No change.This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W).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.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.

Paragraph/Site: **H292**

Consultee: **1049192 mr michael france**

Agent:

Rep ID: **PDLP\_AD423**

**Soundness - Justified**

This plan will reduce green space in the area which it is already limited. It will affect wildlife, increase traffic in an already busy area and impact on waiting times for doctor's appointments. The schools are busy with large numbers of pupils walking on a busy main road. There will be too many people and vehicles concentrated in too small an area which is already congested.

**Proposed Change Requested**

Do not include this site in the plan as there is no room for additional housing.

**Council Response**

No change.This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W).The site does not merit protection as open space.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.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.

Paragraph/Site: **H292**

Consultee: **1049643 Mr Robert Binns**

Agent:

Rep ID: **PDLP\_AD1373**

**Soundness - Positively Prepared**

There are sufficient areas of brown field sites in kirklees without resorting to building on areas of historical importance.

**Soundness - Justified**

This area of Huddersfield is one of the oldest and has benefited from conservation status for many years. The land in question, site H292, is a designated conservation area and should remain as such. There are sufficient areas of brown field sites in kirklees without resorting to building on areas of historical importance. Not only will building here detract from the number of listed properties which have historical significance, the area rises to the back of many properties which would make new build a domineering feature of the landscape.

**Proposed Change Requested**

Delete allocation H292 from the planFocus building on brownfield sites.

**Council Response**

No change.This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W).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

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

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 site has been considered by the council's conservation and design team and the proximity to heritage assets has not been identified as a significant constraint.

Paragraph/Site: **H292**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1751**

### **Soundness - Justified**

The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

### **Proposed Change Requested**

Remove the site from the plan.

### **Council Response**

No change.The local plan is supported by the Infrastructure Delivery Plan which assesses the current infrastructure and future needs linked to growth across the district.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 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.

Paragraph/Site: **H292**

Consultee: **1059557 Ann Stewart**

Agent:

Rep ID: **PDLP\_AD1353**

### **Legally Compliant**

The Kirklees Local Plan has not been fair and discriminatory, sites for development should have large notices put on with details how to object. It is very complicated how to send details of views. I could not register on plan for several weeks problem with site. If someone does not have a computer or able to attend town hall etc. views not put forward. Local residents impacted should have been sent details and forms for opinions. I feel this will be passed by people not living in areas with no impact on them.

### **Soundness - Justified**

Areas such as Quarmby/Lindley that have had large housing developments should not be built on due to impact to residents schools GPs. Access road proposed from Hollyfield Avenue is very narrow/blind T junction. Causing danger for cars and pedestrians particularly children who play on the cul de sac and road. As the entrance is very narrow if there is a fire on proposed site of 27 houses. There would be problems for quick and safe access for emergency vehicles fire engines and ambulances. As cars are parked outside owners houses on Hollyfield the narrow road becomes even narrower Increase in number of cars e.g. 50 would cause problem on roads at busy time morning and evening. Which are already struggling to cope, increase in car fumes and diesel causing, potentially high concentration in levels. Building work would also involve large numbers of heavy vehicles again narrow entrance issues and problems for houses next to entrance and on Hollyfield Land adjacent to Holyfield set in conservation area any building work could impact on areas heritage. Quarmby and Lindley have had more housing developments recently than other areas of Kirklees another 27 houses would put the services such as Schools, GP surgery's under pressure and affect other residents in area. Having a negative impact to residents increased noise building work and disruption.

### **Proposed Change Requested**

Delete allocation H292 from the Plan.

### **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.All comments were considered as part of the pre-submission process and published on the council's website.Health issues have been factored into the site assessment process for the local plan. Meetings

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

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. 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.

Paragraph/Site: **H292**

Consultee: **1059581 Pat Rodgers**

Agent:

Rep ID: **PDLP\_AD1375**

### **Soundness - Justified**

Proposed development of this site would put un-necessary additional pressure on the local infrastructure. The proposed access to the site is too narrow and dangerous; There are considerable drainage issues related to the site which would be at risk of flooding; Any development would be detrimental to the setting of Holly Bank Court; a grade 2 listed building which is of significant architectural interest Pockets of undeveloped green space should remain for the health and well being of the local community.

### **Proposed Change Requested**

Remove H292 from the plan.

### **Council Response**

No change. The site has been assessed by the council's highways development management team and access is deemed possible with the use of 3rd party land. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). The site has been assessed by the council's strategic drainage team and no significant constraints have been identified. The site has been considered by the council's conservation and design team and the proximity to heritage assets has not been identified as a significant constraint.

Paragraph/Site: **H292**

Consultee: **1059960 Gary Wood**

Agent:

Rep ID: **PDLP\_AD1718**

### **Soundness - Justified**

Any increase to the elevation or reduction in open view with the proposed developments of the field close to the Grade II listed buildings would not only irreversibly damage the character and special interests of the area, but will also severely impact on the setting and siting of the rear and side aspects to the listed buildings. The current layout of local and arterial roads will not support a significant increase in vehicle use and could severely impede emergency vehicles at peak periods exacerbate existing safety issues at the junctions mentioned. The drainage report supplied in support of the application 2015/91093 is a desk top assessment and does not adequately demonstrate the case for effective drainage for the 22 dwellings. It raises some significant issues, but then fails to address these comprehensively, providing only a brief summary in the Planning Statement. The 'Heritage Appraisal' provided for application 2015/91093 is the personal opinion of Richard Baxter Consultants for 2015/91093, commissioned and paid for by the applicants, in support of their application. Its contents cannot therefore be considered an objective appraisal of the heritage issues affecting the proposed development, but rather a paid-for statement designed to subjectively represent the interests of their client, the applicant. The document is neither objective nor comprehensive, and lacks accuracy. It is of the opinion Kirklees Council granted outline planning permission for 2015/91093 on Quarmby Fields because of the lack of a 5 year plan and any financial penalties that the refusal would incur from the applicants. The fields were originally rejected as part of the draft 5 year plan only after pressure from Developers have they now been included. There are many further issues that have not adequately been addressed, Highways, Surface Water Drainage and the ability to provide a suitable route for sewers

### **Proposed Change Requested**

Remove site H292 from the plan.

### **Council Response**

No change. This site received outline planning on 26th November 2015 Huddersfield Committee (application number 2015/60/91093/W). The site has been considered by the council's conservation and design team and the proximity to heritage assets has not been identified as a significant constraint. The site has been assessed by the council's strategic drainage team and no significant constraints have been identified. 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

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

have a severe impact on Kirklees highway network that otherwise cannot be adequately mitigated against. See Transport Model Technical Paper.

Paragraph/Site: **H623**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3710**

### **Soundness - Justified**

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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.

### **Proposed Change Requested**

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.The site has a heritage impact assessment (LE77).Correspondence within BP28 (dated 24<sup>th</sup> 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: **H623**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1744**

### **Soundness - Justified**

The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

### **Proposed Change Requested**

Remove the site from the plan.

### **Council Response**

No change.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 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.

Paragraph/Site: **H706**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3711**

### **Soundness - Justified**

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**

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,

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

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**National Policy** there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.

**Proposed Change Requested** 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.The site has a Heritage Impact Assessment (LE81).

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Paragraph/Site: **H706**

Consultee: **1049898**

**Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1743**

**Soundness - Justified** The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

**Proposed Change Requested** Remove the site the plan.

**Council Response** No change.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 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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Paragraph/Site: **H789**

Consultee: **943988**

**Mr Stephen Knight**

Agent:

Rep ID: **PDLP\_AD1495**

**Legally Compliant** There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy** The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response** No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1045680**

**Mr Richard Bailey**

Agent:

Rep ID: **PDLP\_AD121**

**Soundness - Justified** Negative impact from increased volume of traffic on adjacent residential roads. Impractical to safely segregate construction traffic from local traffic and pedestrians. Negative impact on adjacent existing properties.

**Proposed Change Requested** Amend the plan to omit this area of land from any type of development.

**Council Response** No changeThe site has been assessed for its impact on the local road network and no significant constraints have been identified. Any planning application received will be assessed against relevant Local Plan policies including PLP 24 'Design', which ensures a high standard of amenity for both future and neighbouring occupiers (Kirklees Local Plan Strategy and Policies document ref SD1).

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

Paragraph/Site: <b>H789</b>	Consultee: <b>1045832 Mrs Tanya Horan</b>	Agent:	Rep ID: <b>PDLP_AD142</b>
<b>Soundness - Positively Prepared</b>	In an already highly developed and congested area to add yet more dwellings would increase traffic and prevent access to emergency vehicles and the current circular bus service which already struggles to get round the neighbourhood due to the number of parked cars and narrow roads. This is the only small green space in the centre of hundreds of houses and to develop on it would over populate this already well populated area.		
<b>Soundness - Justified</b>	In an already highly developed and congested area to add yet more dwellings would increase traffic and prevent access to emergency vehicles and the current circular bus service which already struggles to get round the neighbourhood due to the number of parked cars and narrow roads. This is the only small green space in the centre of hundreds of houses and to develop on it would over populate this already well populated area.		
<b>Proposed Change Requested</b>	We do not feel that any development on this site is appropriate or sound.		
<b>Council Response</b>	No changeThe site has been assessed for its impact on the local road network and no significant constraints have been identified. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).		
Paragraph/Site: <b>H789</b>	Consultee: <b>1048049 Mrs Jennifer Hart</b>	Agent:	Rep ID: <b>PDLP_AD801</b>
<b>Soundness - Positively Prepared</b>	I own a property adjacent to a field to the west of Tanyard Road (site H789 in the Kirklees LDP). I do not feel I have had adequate opportunity to make comment during the consultation stages of this Local Development Plan. I have received no direct communication / seen no information about the consultation process other than a letter (ref LW/012/HS) dated 7 December 2016 from our local councillors. Posting information on websites / placing publications in libraries is only acceptable if the public are then directly advised that the information is available. It is unreasonable to expect individuals to visit these locations on the 'off chance' something has changed.		
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.		
Paragraph/Site: <b>H789</b>	Consultee: <b>1048821 Mrs V Teasdale</b>	Agent:	Rep ID: <b>PDLP_AD2000</b>
<b>Soundness - Positively Prepared</b>	- Information about the possible use of this site has not been sufficiently widely disseminated, nor has it taken into account the fact that many in this area are elderly and have no access to the internet. Consultation too limited.		
<b>Soundness - Justified</b>	- Land has been used by a mill may be contaminated affecting potential home owners and those living in the area. - Potential archaeological significance - Only piece of green land within large housing estate. Gives residents some space, contributes to biodiversity, sustaining wildlife, provides link to small area of woodland. - Roads already busy, noisy and polluting. - Schools, doctors and other services stretched to limit, massive amount of building already around Lindley		
<b>Proposed Change Requested</b>	- Write to residents in the area. - Re-designate the land as open space and encourage it to be used to extend woodland/parkland or other open amenity to enhance the area.		
<b>Council Response</b>	No changeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to		

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

local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations. The Kirklees Publication Draft Local Plan Allocations and Designations (document SD2) page 51 notes that the site may contain an area of archaeological interest and that the land may be contaminated. These are issues normally considered at planning application stage with a pre-determination archaeological evaluation and a Phase 1 and 2 Contaminated Land Report. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). The Council consider that this site is appropriately allocated for housing purposes in line with the Council's site allocation methodology and compatible with the spatial development strategy.

Paragraph/Site: **H789**

Consultee: **1049884 Betty Wood**

Agent:

Rep ID: **PDLP\_AD1508**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049887 Anne Ware**

Agent:

Rep ID: **PDLP\_AD1510**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049894 Stuart Beighton**

Agent:

Rep ID: **PDLP\_AD1509**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement

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

were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049898 Mrs karen Pearson**

Agent:

Rep ID: **PDLP\_AD1750**

### **Soundness - Justified**

The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.

### **Proposed Change Requested**

remove the site from the plan.

### **Council Response**

No changeThe Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1). 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 Clinical Commissioning Groups 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 site has been assessed for its impact on the local road network and no significant constraints have been identified. In addition, Historic England has been consulted and raised no objection to the allocation of this site for housing purposes.

Paragraph/Site: **H789**

Consultee: **1049901 June Mary Craven**

Agent:

Rep ID: **PDLP\_AD1511**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049904 Anne Smith**

Agent:

Rep ID: **PDLP\_AD1512**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform

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stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049906 Raymond Turner**

Agent:

Rep ID: **PDLP\_AD1513**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049927 John Atkinson**

Agent:

Rep ID: **PDLP\_AD1514**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049930 Brian Thaw**

Agent:

Rep ID: **PDLP\_AD1588**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1049934 John Roberts**

Agent:

Rep ID: **PDLP\_AD1680**

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<b>Soundness - Justified</b>	The site is not sound on the grounds of: Access to Site H789 is poor. Tanyard Avenue is narrow and of a steep gradient. Local public transport already has issues with parked vehicles obstructing to route. Site access onto Greenfield Avenue is directly opposite another access track, vision is limited. A major underground sewer passes beneath this land, restricting the full development potential. The land is very wet, it was the original ground water run-off from a tannery. In winter time public transport will not use Tanyard Ave. due to buses skidding and previous collisions at the bottom of the slope / jcn with Greenfield Ave. When icy, vehicle owners double park along Tanyard Road, because they are unable to ascend Tanyard Ave or exit Wheatfield Ave onto Tanyard Road due to the gradient. In wintertime most traffic goes via Tanyard Road and Oakes Road, where a junior school crossing patrol is located
<b>Soundness - Effective</b>	The landowners do not wish to develop this land for residential properties.
<b>Proposed Change Requested</b>	Delete allocation H789 from the Plan.
<b>Council Response</b>	No changeSite access is achievable from Tanyard Road and Greenfield Avenue. The site has been assessed for its impact on the local road network and no significant constraints have been identified. The consideration of on-site infrastructure can be addressed at planning application stage. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).The Council acknowledges that this site may not have a willing landowner at the present time. However, the site is already an adopted housing site in the Unitary Development Plan and no overriding constraints to development have been identified. On balance the Council consider that renewing the housing allocation on this site is still justified.

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Paragraph/Site: **H789**

Consultee: **1049934 John Roberts**

Agent:

Rep ID: **PDLP\_AD1590**

<b>Legally Compliant</b>	The plan has not fulfilled its obligations as set out in the Kirklees Statement of Community Involvement in relation to paragraphs 1.4, 1.5, 1.7, 1.11 and 2.4. Kirklees has developed and intend to implement the plan without consulting members of the community/residents who it will directly affect for the next 15 years. This is based on evidence collected with householders which concludes no dialogue with residents adjacent to site H789 Tanyards. Accept information was available on the website. However the council should have a duty to provide address/access information for residents to access this information. The process is discriminatory against people who do not have access to electronic communications. The only communication received about the plan was from a councillor to inform of site allocation. The unexpected allocation caused great distress to some elderly residents. Various documents refer to a consultation process with local residents, businesses and landowners but this has not taken place and residents are completely unaware of the Kirklees Local Plan No early engagement questionnaires April/May 2014 were available in the local library at Lindley Green booklet - commenting on the publication of the Kirklees Local Plan was not made available at Lindley Library. This booklet could have been made available with everyone's council tax statement. The plan is contrary to town and country planning (local planning) (England) regulations 2012 para 18 2 (c) preparation of the plan, para 20 representation about a local plan, explanatory memorandum of this document para 7.2 make information available as soon as it is ready and online Notices should have been placed in prominent locations around the area advising meetings/consultation workshops to present further dialogue. Had notices been placed an objection would have been made to H789
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**Soundness - Positively Prepared** The plan does not comply with NPPF paragraph 155 which refers to proactive consultation with a wide section of the community.

**Soundness - Consistent with National Policy** The plan does not comply with NPPF paragraph 155 which refers to proactive consultation with a wide section of the community.

**Proposed Change Requested** Delete allocation H789 from the plan.

**Council Response** No changeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1049938 Brenda Butcher**

Agent:

Rep ID: **PDLP\_AD1589**

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

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<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1049941 Terence and Susan Gabbitas** Agent: Rep ID: **PDLP\_AD1600**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1049944 Kenneth Horner** Agent: Rep ID: **PDLP\_AD1493**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Justified</b>	There is a severe shortage of open spaces in this area (Lindley/Quarmby/Oakes area). This local plan is implemented will reduce this even further plus pressure on local services etc plus even more traffic on our already crowded roads. Noise is also an increasing problem and this local plan can only increase the problem
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050202 Katie and Mark Sutherland and Janski** Agent: Rep ID: **PDLP\_AD2252**

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

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<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The owners of the site should be consulted before an allocation is made.
<b>Soundness - Positively Prepared</b>	There are brownfield sites which could be utilised rather than green fields.
<b>Soundness - Justified</b>	The site is not justified on the grounds of: - the area is already heavily populated without sufficient infrastructure to support it - H292 already has planning permission yet no developer has bought it - development will affect the right to light
<b>Soundness - Effective</b>	The landowners were not aware of the site allocation.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Proposed Change Requested</b>	Kirklees Local Development Plan CIL should be made known to everyone via post not just a select few on the mailing list as most people have no idea about Kirklees Planning framework policies. The owners of proposed areas should be consulted before plans are put in place. Residents affected should be invited by post in good time when areas are first put forward. They should not have to hear about it 10 days conveniently before the consultation process is closed. Residents, businesses and land owners should be notified in writing by Kirklees direct not through MPs. Kirklees need to assess the areas of land they own before encroaching on to anyone else's. There are brownfield sites which could be utilised rather than green fields.
<b>Council Response</b>	No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations. 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 site is currently allocated for housing in the Kirklees Unitary Development Plan (prepared in the mid-1990s and adopted in 1999) and prior to that it was a housing allocation in the Huddersfield Local Plan, that was prepared in 1983 and adopted in 1986. The owners were written to before about the site in October 2014, but we did not receive a reply about their intentions for the land. Landowners can comment on the Local Plan in the same way that residents do – full details are on the Local Plan website at <a href="http://www.kirklees.gov.uk/localplan">www.kirklees.gov.uk/localplan</a> . If a site is allocated for housing in a Development Plan, this means that there would be a presumption in favour of developing housing on that site. It is not a pre-requisite for a Local Plan allocation to have support of the landowner. Local Planning Authorities have to identify a stock of deliverable and developable housing sites – landowner support is only one element of this assessment. Policy PLP4 Providing infrastructure seeks to ensure that the necessary infrastructure is in place or that development contributes to this. In terms of impact on light the Design policy will seek to ensure that residential amenity is not adversely affected and can be dealt with at the time of a detailed planning application.

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Paragraph/Site: **H789**

Consultee: **1050207 John Allen**

Agent:

Rep ID: **PDLP\_AD1504**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
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<b>Soundness - Consistent with</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

### National Policy

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050210 Brian Thewlis**

Agent:

Rep ID: **PDLP\_AD1503**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050214 Katie Hooper**

Agent:

Rep ID: **PDLP\_AD1505**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050220 Paula Dodd**

Agent:

Rep ID: **PDLP\_AD1506**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local



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Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050431 John Lenihan**

Agent:

Rep ID: **PDLP\_AD1507**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050442 John Gallagher**

Agent:

Rep ID: **PDLP\_AD1502**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050453 Doreen Aitkin**

Agent:

Rep ID: **PDLP\_AD1501**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement

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Paragraph/Site: **H789**

Consultee: **1050455 Ben Stansfield**

Agent:

Rep ID: **PDLP\_AD1500**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050498 Peter Harrocks**

Agent:

Rep ID: **PDLP\_AD1499**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050500 Philip Woodhead**

Agent:

Rep ID: **PDLP\_AD1498**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process

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

and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050501 Anne Dawson**

Agent:

Rep ID: **PDLP\_AD1497**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050503 Joanne and Matthew Ineson**

Agent:

Rep ID: **PDLP\_AD1496**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050582 Miss Rochelle Scargill**

Agent:

Rep ID: **PDLP\_AD1614**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to

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

local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050586 Susan Roberts**

Agent:

Rep ID: **PDLP\_AD1679**

### Soundness - Justified

The site is not sound on the grounds of: Access to Site H789 is poor. Tanyard Avenue is narrow and of a steep gradient. Local public transport already has issues with parked vehicles obstructing to route. Site access onto Greenfield Avenue is directly opposite another access track, vision is limited. A major underground sewer passes beneath this land, restricting the full development potential. The land is very wet, it was the original ground water run-off from a tannery. In winter time public transport will not use Tanyard Ave. due to buses skidding and previous collisions at the bottom of the slope / jcn with Greenfield Ave. When icy, vehicle owners double park along Tanyard Road, because they are unable to ascend Tanyard Ave or exit Wheatfield Ave onto Tanyard Road due to the gradient. In wintertime most traffic goes via Tanyard Road and Oakes Road, where a junior school crossing patrol is located

### Soundness - Effective

The landowners do not wish to develop this land for residential properties.

### Proposed Change Requested

Delete allocation H789 from the Plan.

### Council Response

No changeSite access is achievable from Tanyard Road and Greenfield Avenue. The site has been assessed for its impact on the local road network and no significant constraints have been identified. The consideration of on-site infrastructure can be addressed at planning application stage. The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).The Council acknowledges that this site may not have a willing landowner at the present time. However, the site is already an adopted housing site in the Unitary Development Plan and no overriding constraints to development have been identified. On balance the Council consider that renewing the housing allocation on this site is still justified.

Paragraph/Site: **H789**

Consultee: **1050586 Susan Roberts**

Agent:

Rep ID: **PDLP\_AD1625**

### Legally Compliant

The plan has not fulfilled its obligations as set out in the Kirklees Statement of Community Involvement in relation to paragraphs 1.4, 1.5, 1.7, 1.11 and 2.4. Kirklees has developed and intend to implement the plan without consulting members of the community/residents who it will directly affect for the next 15 years. This is based on evidence collected with householders which concludes no dialogue with residents adjacent to site H789 Tanyards. Accept information was available on the website. However the council should have a duty to provide address/access information for residents to access this information. The process is discriminatory against people who do not have access to electronic communications. The only communication received about the plan was from a councillor to inform of site allocation. The unexpected allocation caused great distress to some elderly residents. Various documents refer to a consultation process with local residents, businesses and landowners but this has not taken place and residents are completely unaware of the Kirklees Local Plan No early engagement questionnaires April/May 2014 were available in the local library at Lindley Green booklet - commenting on the publication of the Kirklees Local Plan was not made available at Lindley Library. This booklet could have been made available with everyone's council tax statement. The plan is contrary to town and country planning (local planning) (England) regulations 2012 para 18 2 (c) preparation of the plan, para 20 representation about a local plan, explanatory memorandum of this document para 7.2 make information available as soon as it is ready and online Notices should have been placed in prominent locations around the area advising meetings/consultation workshops to present further dialogue. Had notices been placed an objection would have been made to H789

### Soundness - Positively Prepared

The plan does not comply with NPPF paragraph 155 which refers to proactive consultation with a wide section of the community.

### Proposed Change Requested

Delete allocation H789 from the plan.

### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050587 Mr Jerry Wood**

Agent:

Rep ID: **PDLP\_AD1613**

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

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<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050595 Mrs Susan Evelyn Robinson**

Agent:

Rep ID: **PDLP\_AD1620**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050609 Mrs Claire Plunkett**

Agent:

Rep ID: **PDLP\_AD1639**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050612 Mrs Sheila Armstrong**

Agent:

Rep ID: **PDLP\_AD1623**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.
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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

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**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050613 Mrs Vicki Falck**

Agent:

Rep ID: **PDLP\_AD1622**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050614 Mrs Shelagh Corless**

Agent:

Rep ID: **PDLP\_AD1638**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050617 Mr Ben Dorotiak**

Agent:

Rep ID: **PDLP\_AD1621**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local

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

Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050619 Mrs Barbara Quarmby**

Agent:

Rep ID: **PDLP\_AD1619**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050622 Mr Paul Kenny**

Agent:

Rep ID: **PDLP\_AD1618**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050625 Mr Derek Thomson**

Agent:

Rep ID: **PDLP\_AD1637**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement

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

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Paragraph/Site: **H789**

Consultee: **1050626 Mr Abdul Aziz**

Agent:

Rep ID: **PDLP\_AD1612**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050730 Katherine Garthwaite**

Agent:

Rep ID: **PDLP\_AD1603**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050731 Laura Lambe**

Agent:

Rep ID: **PDLP\_AD1485**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

### **Soundness - Justified**

The site is not justified on the grounds of: - impact on the area from the volume of traffic on the local roads - the roads are already trying to cope with traffic from Crosland Road access via New Hey Road to Tanyard Road. - the local bus does not operate in bad weather on tanyards Road - Greenfield Avenue. More housing will therefore cause added inconvenience to residents on Greenfield Avenue - Wheatfield Avenue - loss of limited open space - losing conservation area - there is no necessity for these plans as there are houses being built at Cayton Fields, Crosland Road, Cowrakes with no added provision for more school places or doctors surgeries all of which are at capacity - consider alternative sites

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local



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

Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050732 Cynthia Brook**

Agent:

Rep ID: **PDLP\_AD1602**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050733 Arthur Cole**

Agent:

Rep ID: **PDLP\_AD1599**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050734 Karen Kent**

Agent:

Rep ID: **PDLP\_AD1626**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process

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

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and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050735 Alan Rothera**

Agent:

Rep ID: **PDLP\_AD1601**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050736 Ann Truscott**

Agent:

Rep ID: **PDLP\_AD1627**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050738 Mavis Routledge**

Agent:

Rep ID: **PDLP\_AD1598**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: <b>H789</b>	Consultee: <b>1050740</b>	<b>John Nunn</b>	Agent:	Rep ID: <b>PDLP_AD1628</b>
<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.			
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.			
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.			
Paragraph/Site: <b>H789</b>	Consultee: <b>1050741</b>	<b>Brian-Joseph Redfearn</b>	Agent:	Rep ID: <b>PDLP_AD1597</b>
<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.			
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.			
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.			
Paragraph/Site: <b>H789</b>	Consultee: <b>1050742</b>	<b>C &amp; J Adams</b>	Agent:	Rep ID: <b>PDLP_AD1596</b>
<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.			
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.			
<b>Council Response</b>	No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.			
Paragraph/Site: <b>H789</b>	Consultee: <b>1050743</b>	<b>Julie Gledhill</b>	Agent:	Rep ID: <b>PDLP_AD1595</b>
<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.			

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**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050745 John Dearden**

Agent:

Rep ID: **PDLP\_AD1607**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050746 Moya Farrelly**

Agent:

Rep ID: **PDLP\_AD1610**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050748 Emilio Lobato**

Agent:

Rep ID: **PDLP\_AD1629**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local

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

Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050749 John Herbisher**

Agent:

Rep ID: **PDLP\_AD1609**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050751 William Quinn**

Agent:

Rep ID: **PDLP\_AD1608**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050753 Alan Francis**

Agent:

Rep ID: **PDLP\_AD1630**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement

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Paragraph/Site: **H789**

Consultee: **1050755 Richard Plunkett**

Agent:

Rep ID: **PDLP\_AD1631**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050757 T Teasdale**

Agent:

Rep ID: **PDLP\_AD1606**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050758 Kathleen Hanlon**

Agent:

Rep ID: **PDLP\_AD1605**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to

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local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050761 Maria Harron**

Agent:

Rep ID: **PDLP\_AD1604**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050763 Elizabeth Heywood**

Agent:

Rep ID: **PDLP\_AD1632**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050764 David Brown**

Agent:

Rep ID: **PDLP\_AD1594**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050765 Richard Seal**

Agent:

Rep ID: **PDLP\_AD1633**

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<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050766 Stuart and Dawn Cowan** Agent: Rep ID: **PDLP\_AD1593**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050767 Rodney Turner** Agent: Rep ID: **PDLP\_AD1592**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with National Policy</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.
<b>Council Response</b>	No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050768 Carol Jackson** Agent: Rep ID: **PDLP\_AD1634**

<b>Legally Compliant</b>	There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.
<b>Soundness - Consistent with</b>	The plan is not compliant with NPPF paragraph 155 – early engagement.



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### National Policy

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050769 John McCullion**

Agent:

Rep ID: **PDLP\_AD1617**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050771 Brenda Sykes**

Agent:

Rep ID: **PDLP\_AD1616**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050772 Tom Truscott**

Agent:

Rep ID: **PDLP\_AD1635**

#### Legally Compliant

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

#### Soundness - Effective

The owner of the site has not had adequate opportunity to make comment on the site.

#### Soundness - Consistent with National Policy

The plan is not compliant with NPPF paragraph 155 – early engagement.

#### Council Response

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local

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

Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations. The site is currently allocated for housing in the Kirklees Unitary Development Plan (prepared in the mid-1990s and adopted in 1999) and prior to that it was a housing allocation in the Huddersfield Local Plan, that was prepared in 1983 and adopted in 1986. The owners were written to before about the site in October 2014, but we did not receive a reply about their intentions for the land. Landowners can comment on the Local Plan in the same way that residents do – full details are on the Local Plan website at [www.kirklees.gov.uk/localplan](http://www.kirklees.gov.uk/localplan). If a site is allocated for housing in a Development Plan, this means that there would be a presumption in favour of developing housing on that site. It is not a pre-requisite for a Local Plan allocation to have support of the landowner. Local Planning Authorities have to identify a stock of deliverable and developable housing sites – landowner support is only one element of this assessment.

Paragraph/Site: **H789**

Consultee: **1050773 Stephen Matheson**

Agent:

Rep ID: **PDLP\_AD1615**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050774 Simone Julien**

Agent:

Rep ID: **PDLP\_AD1591**

**Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy**

The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050775 Debbie Lambe**

Agent:

Rep ID: **PDLP\_AD1636**

**Soundness - Positively Prepared**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Justified**

The site is not justified on the grounds of: - volume of traffic the development would generate. Already an issue before more houses are to be built off Holly

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Field - lack of capacity at schools and doctors - drainage issues

**Soundness - Consistent with National Policy** The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response** No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050777 Fa-teh Bhatos** Agent: Rep ID: **PDLP\_AD1611**

**Legally Compliant** There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy** The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response** No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050845 Mr Allen Hirst** Agent: Rep ID: **PDLP\_AD1640**

**Legally Compliant** There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy** The plan is not compliant with NPPF paragraph 155 – early engagement.

**Council Response** No ChangeThe council’s Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council’s Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789** Consultee: **1050850 Ms Joy Worsley** Agent: Rep ID: **PDLP\_AD1641**

**Legally Compliant** There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

**Soundness - Consistent with National Policy** The plan is not compliant with NPPF paragraph 155 – early engagement.

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**Council Response** No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050853 Mrs Ada Morley**

Agent:

Rep ID: **PDLP\_AD1644**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050859 Mr Darren Kent**

Agent:

Rep ID: **PDLP\_AD1643**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050861 Mr Richard Oldroyd**

Agent:

Rep ID: **PDLP\_AD1642**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement

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Paragraph/Site: **H789**

Consultee: **1050883 Mr Lee Thornton**

Agent:

Rep ID: **PDLP\_AD1645**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050887 Miss Katie Hall**

Agent:

Rep ID: **PDLP\_AD1486**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050889 Mr Stuart Horsfall**

Agent:

Rep ID: **PDLP\_AD1487**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No Change The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to

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local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050892 Mrs Julie Kerr**

Agent:

Rep ID: **PDLP\_AD1488**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available. The plan is not compliant with NPPF paragraph 155 – early engagement.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050894 Mr Alan Heywood**

Agent:

Rep ID: **PDLP\_AD1489**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H789**

Consultee: **1050895 Mr Milton Hey**

Agent:

Rep ID: **PDLP\_AD1490**

### **Soundness - Positively Prepared**

There has been no attempt to involve the local community not even the owners of the land involved. Ungrammatical forms - how can intelligent people respond

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations. The site is currently allocated for housing in the Kirklees Unitary Development Plan (prepared in the mid-1990s and adopted in 1999) and prior to that it was a housing allocation in the Huddersfield Local Plan, that was prepared in 1983 and adopted in 1986. The owners were written to before about the site in October 2014, but we did not receive a reply about their intentions for the land. Landowners can comment on the Local Plan in the same way that residents do – full details are on

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

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the Local Plan website at [www.kirklees.gov.uk/localplan](http://www.kirklees.gov.uk/localplan) . If a site is allocated for housing in a Development Plan, this means that there would be a presumption in favour of developing housing on that site. It is not a pre-requisite for a Local Plan allocation to have support of the landowner. Local Planning Authorities have to identify a stock of deliverable and developable housing sites – landowner support is only one element of this assessment.

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Paragraph/Site: **H789**

Consultee: **1050896 Mr Barry Garthwaite**

Agent:

Rep ID: **PDLP\_AD1491**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050901 Mr & Mrs John & Valerie Dyson**

Agent:

Rep ID: **PDLP\_AD1492**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: **H789**

Consultee: **1050972 Barbara Turner**

Agent:

Rep ID: **PDLP\_AD1494**

### **Legally Compliant**

There was inadequate opportunity to comment during the consultation stages. No direct communication was sent out other than information from local councillors. Use of websites and placing information in libraries is only acceptable if the public are directly advised that information is available.

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

The plan is not compliant with NPPF paragraph 155 – early engagement.

### **Council Response**

No ChangeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop is sessions and a summary booklet in key locations.

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Paragraph/Site: <b>H789</b>	Consultee: <b>1053439 Denise Mallinson</b>	Agent:	Rep ID: <b>PDLP_AD3844</b>
<b>Soundness - Justified</b>	Access problems. In winter, the access roads to the estate become blocked. No schools are available in the area GP lists are full Hundreds of homes being already built in the area leading to congestion. Building this site would de-value our house.		
<b>Council Response</b>	No changeSite access is achievable from Tanyard Road and Greenfield Avenue. The site has been assessed for its impact on the local road network and no significant constraints have been identified.The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).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 Clinical Commissioning Groups 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: <b>H789</b>	Consultee: <b>1053947 Mr Derek Mallinson</b>	Agent:	Rep ID: <b>PDLP_AD3845</b>
<b>Soundness - Positively Prepared</b>	Not enough opportunity to comment on Local Plan. Inadequate communication regarding the Local Plan consultation process		
<b>Proposed Change Requested</b>	More direct communication in future consultations.		
<b>Council Response</b>	No changeThe council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements.Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan.A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.		

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Paragraph/Site: <b>H789</b>	Consultee: <b>1059557 Ann Stewart</b>	Agent:	Rep ID: <b>PDLP_AD1352</b>
<b>Soundness - Justified</b>	Tanyard road steep then blind bend entrance to site of 26 houses . Road very narrow owners cars parked outside, already causes problems driving towards Tanyard and coming down and turning onto road. Cars have go cautiously and give way, but this will be made very dangerous ,for drivers and pedestrians. With potential for 50 cars coming out of site. Also causing disruption to residents who already live in the area. During winter Tanyard due to its steepness becomes very icy and dangerous to go up or down, and is not on a gritted route. Potential with more cars for accidents. School children use road at busy times and this could prove fatal if site built. Impact of 26 houses , with children on schools and GP surgeries would be , and at a detriment to residents living in the area. Also if site H292 land adjacent to hollyfield is passed. There will be an extra 50 houses and combined impact on road and schools would be enormous.Quarmby Lindley has had recent housing developments more than other Kirklees areas. Extra schools or extensions may have to be made to accommodate them as local schools all ready full. Once lost green spaces cannot be replaced, as area all ready has streets of houses and is quite built up. Due to increased number of cars this would cause a rise in diese land car fumes, which is not good for environment and residents.		
<b>Proposed Change Requested</b>	Delete allocation H789 from the Plan.		
<b>Council Response</b>	No changeThe site has been assessed for its impact on the local road network and no significant constraints have been identified. In addition, 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 and it is not considered that the level of growth proposed would have a severe impact on the Kirklees highway network that otherwise cannot be mitigated.The Local Plan is supported by an Infrastructure Delivery Plan which sets out the required infrastructure to support the spatial strategy outlined in the Local Plan (Infrastructure Delivery Plan document ref LE40 and Infrastructure Delivery Plan Addendum 2016 document ref LE40.1).The site has been assessed by the council's environmental health team and no significant constraints have been identified.		

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Paragraph/Site: <b>H789</b>	Consultee: <b>1059679 Mrs Julie Longton</b>	Agent:	Rep ID: <b>PDLP_AD1434</b>
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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

**Soundness - Positively Prepared** Inadequate opportunity to comment during the consultation process. Not acceptable just posting changes on website.

**Council Response** No change. The council's Statement of Community Involvement sets out when, how and with whom it will consult with as part of the development of the Local Plan. The council considers that the approaches set out are compliant with regulatory and NPPF requirements. Three early engagement exercises were undertaken to inform the plan prior to consultation on the Draft Local Plan in accordance with NPPF paragraph 155. Feedback reports on early engagement were published on the website and form part of the council's Statement of Pre-Consultation. This document provides full details on the consultation process and how comments were considered as part of the preparation of the Publication draft Local Plan. A wide range of processes were used to inform stakeholders of the Local Plan, including letters/emails to everyone on the database, advertisements/press releases in the local press, information provided to local councillors to undertake consultation in their own areas, focus groups, drop in sessions and a summary booklet in key locations.

Paragraph/Site: **H790**

Consultee: **1045692 Mrs Helen Rees**

Agent:

Rep ID: **PDLP\_AD123**

**Soundness - Justified**

Fern Lea Road is already overcrowded and congested. Lindley schools are already over subscribed with no plans to expand. This land is part of the recreational space for Lindley. There has already been excessive development in Lindley with no investment in school places, doctor surgeries, roads and recreation grounds.

**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. 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 site is an existing housing allocation.

Paragraph/Site: **H790**

Consultee: **1045743 mr brenden harrison**

Agent:

Rep ID: **PDLP\_AD195**

**Soundness - Justified**

The site would place a burden on already stretched and underfunded infrastructure including local amenities for doctors, transport, schools, highways, drainage and traffic generation. The site will also affect public rights of way, drainage and biodiversity.

**Soundness - Effective**

The access to this site cannot physically be improved to allow for a further 29 dwellings which will by KMC planning standards generate at least a further 60 cars using Fern Lea Road. The road and junctions will not be sufficient to support this amount of traffic safely.

**Proposed Change Requested**

Remove the site from allocation for housing and retain this as public open land owned by KMC thus retaining a sustainable environment, protecting wildlife and not impacting local amenities and increasing traffic onto an already overstretched system.

**Council Response**

No change. The site is an existing UDP housing allocation. The council's development management team identify that site access can be achieved using 3rd party land. The site's impact on local infrastructure including: doctors, schools, highways, drainage and traffic generation has been considered and no major constraint identified. The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.

Paragraph/Site: **H790**

Consultee: **1048068 Mr Jan Walter**

Agent:

Rep ID: **PDLP\_AD294**

**Soundness - Effective**

Looking at the plan the area coloured in extends to a point at the rear of our house at number 41 Briarlyn Avenue and number 43. There are parts of both our gardens that are in this area and are shown to be included in the building site. These areas of garden belong to us and we're transferred to us from Kirklees and onto our deeds and authorised by the Land Registry. They are not available for and should not be included on the plans for any building. Please check the land registry to confirm this fact.

**Proposed Change Requested**

Remove our gardens areas from being included within the building site.

**Council Response**

Change. SD4: List of Additional Modifications to the Publication Local Plan includes: AD-MM21: Ownership corrected to "Part private and part Council". First

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

bullet point in 'Other site specific considerations' corrected to 'This site is partly owned by Kirklees Council, and as such it could deliver enhanced green infrastructure and offer design and quality of a higher standard'

Paragraph/Site: **H790**

Consultee: **1048376 Mrs Antoinette Cooper**

Agent: **1048351 Mrs Antoinette Cooper**

Rep ID: **PDLP\_AD289**

### **Soundness - Justified**

It Fern Lea Rd is to be upgraded it would result in the loss of some of our garden area and some of our small car park. The car park is already much too small for the number of flats and this will cause major issues among the tenants. There are a number of disabled tenants for whom this would cause great problems.

### **Soundness - Effective**

Lindley is already overcrowded and getting on to the main road is already a major issue, there is only one access/egress onto the main road. Lindley schools are vastly oversubscribed at present and this proposal will add to this.

### **Council Response**

The highways assessment for the site recognises that third party land is likely to be required for access. 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. 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.

Paragraph/Site: **H790**

Consultee: **1048420 Mr Mike Baggs**

Agent:

Rep ID: **PDLP\_AD324**

### **Soundness - Justified**

Local schools, doctors etc are already at full stretch and further housing would only add to what seems to be an infrastructure that cannot cope as it is. West Street, Cowrakes and Weatherhill road are all extremely busy with commuters at peak times and the area around Ainley Top roundabout is extremely congested. There are significant queues down Halifax Road most days, which leads to drivers using side roads more and more as alternative routes. Many local youngsters walk to school on the roads surrounding this proposed site, as well as using the public footpath that crosses this land. The site is next to a playing field/recreation area which is used regularly as well as playground used daily, which surely raises safety issues. I have also always been under the impression that the land was contaminated and was a former landfill site, but have no firm proof of this. The space is also one of the last in the immediate area to offer some greenspace for local residents to use, which would be removed should the space be used for housing. I wonder also if there are wildlife considerations to be taken into account - bats are regularly seen, as are owls, so there are clearly ecological habitats in the area.

### **Proposed Change Requested**

I believe there are many reasons why the land should not be used for housing and for this reason should be removed from the local plan and/or permission should not be granted.

### **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. 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.

Paragraph/Site: **H790**

Consultee: **1048558 Mr Neil France**

Agent:

Rep ID: **PDLP\_AD297**

### **Soundness - Justified**

A further 29 dwelling houses will have a negative affect on local infrastructure which has not been expanded despite major other housing developments taking place in the near vicinity.

### **Soundness - Effective**

I believe that the site is inappropriate for housing development due to lack of access and the negative impact that the additional vehicles will have on already busy local roads.

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<b>Proposed Change Requested</b>	The development should only be included if extra school, doctors and dentist places are made within a mile radius of the centre of Lindley village, along with suitable changes to road priorities in the area.
<b>Council Response</b>	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 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.
Paragraph/Site: <b>H790</b>	Consultee: <b>1049898 Mrs karen Pearson</b> Agent: Rep ID: <b>PDLP_AD1745</b>
<b>Soundness - Justified</b>	The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.
<b>Council Response</b>	No change. The site is an existing UDP housing allocation. The plan has considered the impact on local amenities and infrastructure, including local schools, primary care health services and the road networks through the Infrastructure Delivery Plan and site assessment process. The impact on heritage assets and valuable open spaces have also been assessed.
Paragraph/Site: <b>H790</b>	Consultee: <b>1057591 Lesley Nosworthy</b> Agent: Rep ID: <b>PDLP_AD948</b>
<b>Soundness - Justified</b>	It will destroy this playing field and traffic would be severe.
<b>Council Response</b>	No change. The site is an existing housing allocation in the council's current development plan. 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.
Paragraph/Site: <b>H790</b>	Consultee: <b>1059507 Wiktor Wilczynski</b> Agent: Rep ID: <b>PDLP_AD1307</b>
<b>Soundness - Justified</b>	Objection to site H790 as it is inappropriate for housing due to its location, loss of green space, its access, visual impact and the impact of additional traffic in an already congested area will be considerable, including on Weatherhill Road and at the junction with Briarlynn Ave. Lindley has had its share of new developments in recent years
<b>Council Response</b>	No change. The site has been assessed against the Council's Site Allocation Methodology and is considered to be suitable for housing. It is considered that this site is within a sustainable location largely surrounded by development and close to Lindley centre and local bus routes. The site has not been identified as a valuable open space, sport or recreation facility meriting protection and allocation as urban green space. The site does not have a frontage to the adopted highway. However, access is possible from Fern Lea Road with the use of 3rd party land. The limit of adoption on Fern Lea Road is adjacent to Catherine Close. Beyond this point Fern Lea Road is unadopted and will require making up to adoptable standard to achieve access. The site has been assessed for its impact on the local road network and no significant constraints have been identified. Detailed matters, such as visual impact, will be considered at the time a planning application is submitted to the council.
Paragraph/Site: <b>H790</b>	Consultee: <b>1059671 Laura Newill</b> Agent: Rep ID: <b>PDLP_AD1417</b>
<b>Soundness - Positively Prepared</b>	Lindley and its local surrounding areas have become over saturated with new building.
<b>Soundness - Justified</b>	Local schools cannot cope with recent developments and this causes stress for families. This is a wildlife corridor and development would harm local wildlife and routes used by dog walkers.

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

<b>Soundness - Effective</b>	Part of this site is not available for housing and therefore cannot be delivered.		
<b>Proposed Change Requested</b>	To be kept informed on any developments and discussions regarding the proposed plans.		
<b>Council Response</b>	No change.The site is an existing UDP housing allocation,The site has been considered by Natural England and West Yorkshire Ecology and no major constraints have been identified.		
Paragraph/Site: <b>H790</b>	Consultee: <b>1059964 Chris and Christine Tansey</b>	Agent:	Rep ID: <b>PDLP_AD1719</b>
<b>Soundness - Positively Prepared</b>	The Lindley ward is crammed with new building sites and H790 is yet another.		
<b>Soundness - Justified</b>	Where are the plans to build schools and doctors surgeries etc to serve the residents of all these new houses? As far as we are aware the local schools are already full to capacity. We don't need any more housing in Lindley Ward, we've got too much. We notice the designated area cuts across land which we know has been bought by some of our neighbours.		
<b>Council Response</b>	No change.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.		
Paragraph/Site: <b>H1694</b>	Consultee: <b>943957 Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3713</b>
<b>Council Response</b>	No change.Support noted.		
Paragraph/Site: <b>H1694</b>	Consultee: <b>1049898 Mrs karen Pearson</b>	Agent:	Rep ID: <b>PDLP_AD1746</b>
<b>Soundness - Justified</b>	The plan has taken into account the full impact on local amenities and infrastructure such as local schools, primary care health services and the road networks. The proposed development in the Lindley and Quarmby area will have a significant impact on open green space, the heritage of the area with particular reference to the several listed buildings in the area.		
<b>Proposed Change Requested</b>	Remove the site from the plan.		
<b>Council Response</b>	No change.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 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.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.		
Paragraph/Site: <b>H101</b>	Consultee: <b>942774 Lauren Garside</b>	Agent:	Rep ID: <b>PDLP_AD3818</b>
<b>Soundness - Justified</b>	- the loss of 4.85 of our farm holding will have a significant economic impact on Yorkshire Wildlife Trust and will have a long term negative effect on the economic viability of Stirley Community Farm. The loss of the fields will result in economic impacts through the loss of three sources of income for Yorkshire Wildlife Trust; loss of Basic Payment Scheme and Entry Level Stewardship payments for the remaining 20 years on the tenancy and loss of income through reduced meat sales from our sustainable beef business (as we will be able to rear fewer cows per year with the reduced land) and reduced silage production. There will also be the loss in resources and staff time which we have invested into the land over the past five years.		
<b>Soundness - Effective</b>	- The proposed allocation site is within two of the fields which we lease from Kirklees Council, as part of our Stirley Community Farm holding. Yorkshire		

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

	Wildlife Trust has a 25 year lease with Kirklees Council for the farm, which we are currently five years into. We have invested heavily into the infrastructure and farm holding at Stirley Community Farm, including restoring the barn into an educational facility, renovating the farmhouse to create our West Yorkshire office, building a new agricultural barn, planting an orchard and establishing vegetable plots and a beef shorthorn herd. We have also established Stirley Community Farm as an important community and education asset to the area.
<b>Proposed Change Requested</b>	Would like to request that Kirklees Council engage in discussions with us about potential solutions for the loss of the two fields in order to ensure the long-term economic viability and survival of Stirley Community Farm so that we can continue providing health and wellbeing and biodiversity benefits to Kirklees. Such could be in the form of the provision of alternative land for cattle grazing and/or financial compensation.
<b>Council Response</b>	No change.The site has been put forward to the Local Plan process as a housing option by the land owner. The points raised are not considered to be soundness issues.

Paragraph/Site: <b>H101</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3714</b>
<b>Soundness - Justified</b>	There has been no meaningful evaluation about whether or not the development of this site would be compatible with the protection of the setting of Castle Hill (and hence accord with Policy PLP35 Criterion 3.f). Given the identification of this site within the Castle Hill Setting Study as making an important contribution to the monument, before allocating this area, there needs to be a more detailed evaluation of the contribution that this site makes to Castle Hill and a clear demonstration that it is possible to develop it in a manner consistent with the conservation of the setting of the monument.			
<b>Proposed Change Requested</b>	A detailed assessment needs to be undertaken of the contribution that this site makes to the setting of Castle Hill.			
<b>Council Response</b>	No change.The site has a heritage impact assessment (LE70) and has been considered as part of the Castle Hill Setting Study (LE63).Correspondence within BP28 (dated 24 <sup>th</sup> 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: <b>H1811</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3716</b>
<b>Soundness - Justified</b>	There has been no evaluation of what contribution this site makes to the special architectural or historic interest or setting of the Listed Building or what harm might result to those elements which contribute to its significance by its eventual development.			
<b>Soundness - Consistent with National Policy</b>	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, there is a requirement under S66 of the Planning (Listed Buildings and Conservation Areas) Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.			
<b>Proposed Change Requested</b>	An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.(			
<b>Council Response</b>	No change.The site has a Heritage Impact Assessment (LE95).			

Paragraph/Site: <b>H1935</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3717</b>
<b>Council Response</b>	No change.Support noted.			

Paragraph/Site: <b>H2594a</b>	Consultee: <b>943957</b>	<b>Mr Ian Smith</b>	Agent:	Rep ID: <b>PDLP_AD3718</b>
<b>Council Response</b>	No change.Support noted.			

Paragraph/Site: <b>H2594a</b>	Consultee: <b>944135</b>	<b>Mr Anthony Clifton</b>	Agent:	Rep ID: <b>PDLP_AD1081</b>
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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

<b>Soundness - Justified</b>	Site is one of many that will generate traffic which in varying degrees will gravitate onto Penistone Road. Disruption of natural drainage could lead to new problems with Fenay Beck
<b>Council Response</b>	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.The site has been assessed by the council's strategic drainage team and no major constraints have been identified.

Paragraph/Site: **H2594a**

Consultee: **1045848 Mrs Toni Rios**

Agent: **1045846 Mr Christopher Yapp**

Rep ID: **PDLP\_AD382**

<b>Soundness - Justified</b>	This site does not have a significant individual traffic impact on the motorway network but, by virtue of its location or proximity to other proposed developments, it may need to contribute to additional schemes identified in the Infrastructure Delivery Plan if committed schemes will not provide sufficient capacity. For further correspondence relating to this representation see Core Document 'Correspondence received from statutory consultees after the Regulation 19 Publication Draft Local Plan Consultation'
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<b>Proposed Change Requested</b>	The 'constraints' section of the site description does not indicate that any additional mitigation on the wider highway network will be required. It is considered that the cumulative effect in combination with other proposed allocations may necessitate additional highway mitigation. A statement should be added saying that "development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". 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'
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<b>Council Response</b>	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).
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Paragraph/Site: **H3405**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3719**

<b>Council Response</b>	No change.Support noted.
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Paragraph/Site: **H1728a**

Consultee: **943957 Mr Ian Smith**

Agent:

Rep ID: **PDLP\_AD3721**

<b>Soundness - Justified</b>	The Castle Hill Setting Study identifies this site as making an important contribution to the setting of that Monument. Consequently, one might assume that the loss of this area and its subsequent development would be likely to harm the significance of this important Scheduled Monument. 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 meaningful evaluation about whether or not the development of this site would be compatible with the protection of the setting of Castle Hill (and hence accord with Policy PLP35 Criterion 3.f).
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<b>Proposed Change Requested</b>	A detailed assessment needs to be undertaken of the contribution that this site makes to the setting of Castle Hill.
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<b>Council Response</b>	No change.The site has a heritage impact assessment (LE91).
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Paragraph/Site: **H1728a**

Consultee: **1045848 Mrs Toni Rios**

Agent: **1045846 Mr Christopher Yapp**

Rep ID: **PDLP\_AD381**

<b>Soundness - Justified</b>	This site does not have a significant individual traffic impact on the motorway network but, by virtue of its location or proximity to other proposed developments, it may need to contribute to additional schemes identified in the Infrastructure Delivery Plan if committed schemes will not provide sufficient
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## Representations received on the Kirklees Publication Draft Local Plan PDLP Allocations & Designations

	capacity. 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>	The 'constraints' section of the site description does not indicate that any additional mitigation on the wider highway network will be required. It is considered that the cumulative effect in combination with other proposed allocations may necessitate additional highway mitigation. A statement should be added saying that "development may need to contribute to improvements to the strategic road network if committed schemes will not provide sufficient capacity". 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 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: <b>H307</b>	Consultee: <b>942647 Rob Ellis</b> Agent: Rep ID: <b>PDLP_AD702</b>
<b>Duty to Co-operate</b>	Previous concerns regarding school place provision in relation to this site have been addressed through co-operation and co-operation should continue to share data on school place planning. It is essential that as planning applications are submitted on this allocation and Wakefield Council is consulted so possible impacts on education provision can be considered and mitigation suggested, if necessary.
<b>Council Response</b>	No Change The continued co-operation with Wakefield Council on school place planning is acknowledged and supported.
Paragraph/Site: <b>H307</b>	Consultee: <b>972766 Mr Steve Hardy</b> Agent: <b>941889 Mr Alistair Flatman</b> Rep ID: <b>PDLP_AD2240</b>
<b>Council Response</b>	No change. Support noted.
Paragraph/Site: <b>H367</b>	Consultee: <b>942647 Rob Ellis</b> Agent: Rep ID: <b>PDLP_AD699</b>
<b>Duty to Co-operate</b>	Previous concerns regarding school place provision in relation to H758 have been addressed through co-operation and co-operation should continue to share data on school place planning. It is essential that as planning applications are submitted on this allocation and Wakefield Council is consulted so possible impacts on education provision can be considered and mitigation suggested, if necessary.
<b>Council Response</b>	No Change The continued co-operation with Wakefield Council on school place planning is acknowledged and supported.
Paragraph/Site: <b>H559</b>	Consultee: <b>942234 unknown</b> Agent: <b>941775 Mr Paul Butler</b> Rep ID: <b>PDLP_AD2496</b>
<b>Council Response</b>	No change. Support noted.
Paragraph/Site: <b>H559</b>	Consultee: <b>942647 Rob Ellis</b> Agent: Rep ID: <b>PDLP_AD733</b>
<b>Soundness - Justified</b>	This allocation is not sound as it is not justified. Wakefield considers the site plays an important role in preventing the coalescence of Chidswell and Gawthorpe to the south. It does not support the amendments to the Kirklees green belt review made following representations from a house builder that downgrade the importance of this site in green belt terms. It should be noted that the role of this site in preventing coalescence will also be magnified if the southern boundary of the adjacent site MX1905 is redrawn so that it forms a robust defensible boundary along the farm track to the north of the currently boundary in the plan which does not meet the requirements of national policy. A new road through this site will also provide access to the southern portion of MX1905 and could have highway impacts on Chidswell Lane and the local network in Wakefield. There appears to be no consideration of mitigation of impacts on the local network outside of Kirklees, particularly with regard as to how traffic from these potential developments can be prevented from using